

# How we deal with your Complaint

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# 1

## Welcome

Welcome to London North Eastern Railway (LNER). Your feedback is invaluable in helping us to improve our services in the future.

If you're not happy in any way, we'll take your comments or complaints very seriously and do everything we can to make things right.

We aim to resolve all complaints to your satisfaction, quickly and effectively, without the need for the involvement of third parties. However, the policy also gives further information on independent bodies you can contact if you are unhappy with the response we have provided.

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# Talk to Us

### OUR STAFF

The first thing to do if you are unhappy with our service is tell one of our people. They are all trained to help and will try, where possible, to resolve your complaint immediately. This may include involving their supervisor or manager.

If your complaint cannot be resolved on the spot, we will pass it on to our Customer Services team.

Our frontline teams also have access to cards that inform you how to submit a complaint to our Customer Services team directly.

### OUR CUSTOMER SERVICES TEAM

Our Customer Services team is there to help you and there are several ways to get in touch:

Email: [customers@LNER.co.uk](mailto:customers@LNER.co.uk)

Post: **LNER**  
Freepost RTUH-TUGH-GCLZ  
Cramlington  
NE23 1WG

Telephone: **03457 225333**  
Main Customer Services Number

Opening times: Monday to Sunday 07.00-22.00  
(Closed Christmas Day and Boxing Day)

When you call us outside the above times, an automated message will confirm the department is closed and advise of the above opening times.

When contacting the team, to help us respond to you promptly, make sure you tell us your name, provide us with contact details so we can respond to you, tell us the name of the station or time and date of the train service your complaint relates to, and let us know as much detail as possible, including details of your train tickets.

Where your complaint relates to a service provided to us by one of our suppliers, we will handle it ourselves, liaising with the supplier in the process. If your complaint relates to the services of another train company, we will let you know who it needs to be referred to, and with your agreement pass it on to them.

## **OUR WEBSITE**

The simplest way to get in touch with us is through our website, [LNER.co.uk](http://LNER.co.uk). From here you can complete an online form to tell us about anything, good or bad, find answers for many questions about our services or download other information such as our Passenger's Charter.

## **THROUGH SOCIAL MEDIA**

Our Social Media team is here around the clock and will be happy to discuss your complaint, answer your queries or receive your feedback through Facebook or Twitter.

## **MEET THE MANAGER**

We hold regular 'Meet the Manager' sessions along our route, both on our trains and at stations we call at. These are attended by local, senior managers and Directors, they are a great opportunity to air your views, give us your suggestions and opinions, share any journey feedback, and get your questions answered.

If we don't have the answer to your query there and then, we'll take your contact details and get back to you. Visit our website to see when a Meet the Manager session is coming to a train or station near you.

## **ACCESSIBILITY**

We understand some people have specific access requirements, or whose first language is not English, and may therefore have difficulties communicating with us. We handle these cases sensitively and give our responses in an appropriate format.

We make provisions for customers who are visually or hearing impaired such as through our Text Relay service or by providing materials in alternative formats such as large print.

We are happy to process complaints or feedback from guardians, carers or support workers who are acting on your behalf, providing we have your written permission.

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## How we deal with your Complaint

### **MAKING A COMPLAINT DIRECTLY TO A MEMBER OF STAFF**

If your complaint is made in person to one of our team they will try and resolve it on the spot, involving their supervisor or manager if appropriate.

If your complaint cannot be resolved, it will be passed to our Customer Services team.

### **MAKING A COMPLAINT TO THE CUSTOMER SERVICES TEAM**

The team will undertake a full and fair investigation into your complaint before responding to you. If you have provided a contact phone number, they may call you to resolve your complaint over the phone or to obtain further information if this is needed to investigate your complaint robustly.

If your complaint concerns one of our people, while we will confirm if an internal investigation has been commenced by their line manager, we will not confirm what action has been taken against the individual.

If you're unhappy with the response you receive, you have the right to appeal to the Rail Ombudsman. The Rail Ombudsman is there to help resolve [on going complaints/disputes] between us and our [customers/passengers]. It's free to use their services and they are independent of the rail industry. They don't take sides, but just look at the evidence available. They will help us both to try to reach an agreement, but if this doesn't happen, they will make a decision based on the evidence they've received. If you agree with their decision, then we have to act on what they say.

You can appeal to the Rail Ombudsman if:

- you're unhappy with our final response to your complaint which will be contained in a letter or email (sometimes called a 'deadlock letter'); or
- we haven't resolved your complaint within 40 working days of receiving it; and
- no more than 12 months have passed since we sent you our final response.

There are some complaints that the Rail Ombudsman won't be able to look into, for example if it's about the way one of our services has been designed, industry policy, or if your complaint relates to an event which

took place before the Rail Ombudsman service was established. If that's the case, then they'll contact you to let you know. If possible, they will transfer your complaint to another organisation that may be able to help you further, such as Transport Focus or London TravelWatch – the independent consumer watchdog[s] for the rail industry. They will independently review your complaint and where appropriate, follow things up on your behalf.

## **PLEASE FIND BELOW THE RELEVANT CONTACT DETAILS FOR THE RAIL OMBUDSMAN**

### **Contact Centre team are available:**

Monday to Friday 08:00 - 20:00

Saturday and Bank Holidays 08:00 - 13:00

(excluding Christmas Day)

Website (including online chat): [www.railombudsman.org](http://www.railombudsman.org)

Telephone: 0330 094 0362

Textphone: 0330 094 0363

Email: [info@railombudsman.org](mailto:info@railombudsman.org)

Twitter: @RailOmbudsman

By Post: FREEPOST – RAIL OMBUDSMAN

In addition to the above, we will also explain your rights to access an Alternative Dispute Resolution service for consumer disputes (The Competent Authorities and Information Regulations 2015 requires us to do this).

In our case this currently provided by The Consumer Ombudsman ([consumer-ombudsman.org](http://consumer-ombudsman.org)). Though later in the year the railway industry is establishing its own independent ombudsman scheme to focus solely on railway related complaints, when this scheme is established we will transfer to the rail based scheme, designed to specifically assist rail customers.

If we are unable to resolve your dispute within 8 weeks of your original complaint, you have the right to use this service, which is independent and free of charge to you. We will accept any decision made by the Ombudsman as binding.

## **COMPLAINTS FROM THIRD PARTIES**

We will accept complaints made on your behalf by a third-party intermediary meeting the same standards and timelines as if you had contacted us directly. We will converse directly with them, so long as it is clear they have your consent to act on your behalf. If this is not clear, we will contact you to ask for your permission. If during the handling of your complaint this consent changes, you should let us know in writing and we will stop discussing your case with the third party immediately.

## Response Times

If speaking to our people or contacting our Social Media team, we will try and resolve your complaint on the spot.

However, if you contact our Customer Services team or have your complaint referred to them, we aim to respond within 10 working days.

If your complaint is complex and requires a greater level of investigation, it may take up to 20 working days for us to respond to you. For such cases, we will provide you with a progress update within 10 working days.

In busy periods, such as following a period of major disruption, our response times may increase. However, if this happens, we will put messages on our website, on our Customer Services phone lines and in the email acknowledgements sent from Customer Services to keep you informed.

### **DEALING WITH FRIVOLOUS OR VEXATIOUS COMPLAINTS**

If you believe we have not met our customer service standards, we understand you may feel angry or upset. Whilst we respect the rights of our customers to express their views, we will not tolerate aggressive, threatening or abusive behaviour of any kind.

We reserve the right to terminate any correspondence or communication we believe to be 'frivolous, vexatious or abusive'. In the first instance, the case will be reviewed by our Head of Customer Services. If they support the decision to terminate further correspondence, we will then consult fully with the Office for Rail and Road and Transport Focus or London TravelWatch before we terminate any correspondence and inform you in writing of the reasons behind our decision. In this response, we will also include contact details for Transport Focus and/or London TravelWatch.

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### Compensation

We will offer you compensation, if appropriate, in line with our Passenger's Charter and the National Rail Conditions of Carriage. We will take account of other relevant factors when deciding on levels of compensation and use our discretion where appropriate. If you are entitled to compensation, or we deem it appropriate to offer you discretionary compensation, we will confirm this in our response to you.

For customers wishing to claim compensation because they were delayed by 30 minutes or more when travelling with us, please refer to the Delay Repay section of our website [LNER.co.uk/delayrepay](http://LNER.co.uk/delayrepay)

#### **Consumer Rights Act 2015**

The Consumer Rights Act 2015 provided consumers with new right, where a service is not performed with reasonable care and skill. For further information regarding your rights when travelling on our services as a consumer, please go to [gov.uk/consumer-protection-rights](http://gov.uk/consumer-protection-rights)

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### Confidentiality

Your personal details, or details about your complaint, will not be shared with third parties unless we have your consent in writing, or it is necessary to fulfil our own obligations to Members of Parliament, the Department for Transport, other train operators, Transport Focus and/or London Travelwatch or the Office of Rail and Road. This includes other bodies carrying out statutory duties such as the police.

The Office of Rail and Road (ORR), the industry regulator, conducts research into the experiences of customers that have submitted complaints to train operators as part of its monitoring arrangements. For LNER customers, this will only include those customers who have submitted a complaint electronically. If you do not wish to participate in such a survey, we will ask your permission – an opt-out link is provided at the bottom of each response we issue.

We will fulfil our legal obligations in respect of the Data Protection Act (2015).

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# Claims for Loss, Property Damage or Personal Injury

If you wish to make a claim against London North Eastern Railway for losses, property damage or personal injury, please contact our Customer Services team who will either deal with your claim or pass it to insurance and claims handlers.

The rail industry has an arrangement called the Claims Allocation and Handling Agreement (CAHA). All train operating companies must comply with CAHA and your claim will be processed in accordance with this agreement. Under CAHA, compensation should be dealt with by the companies for their own customers. If some or all responsibility is allocated to another party, the insurance companies balance payments without involving the customer.



# Weekday Service



[LNER.co.uk](http://LNER.co.uk)

LONDON NORTH EASTERN RAILWAY LIMITED. Registered in England No.04659712  
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