

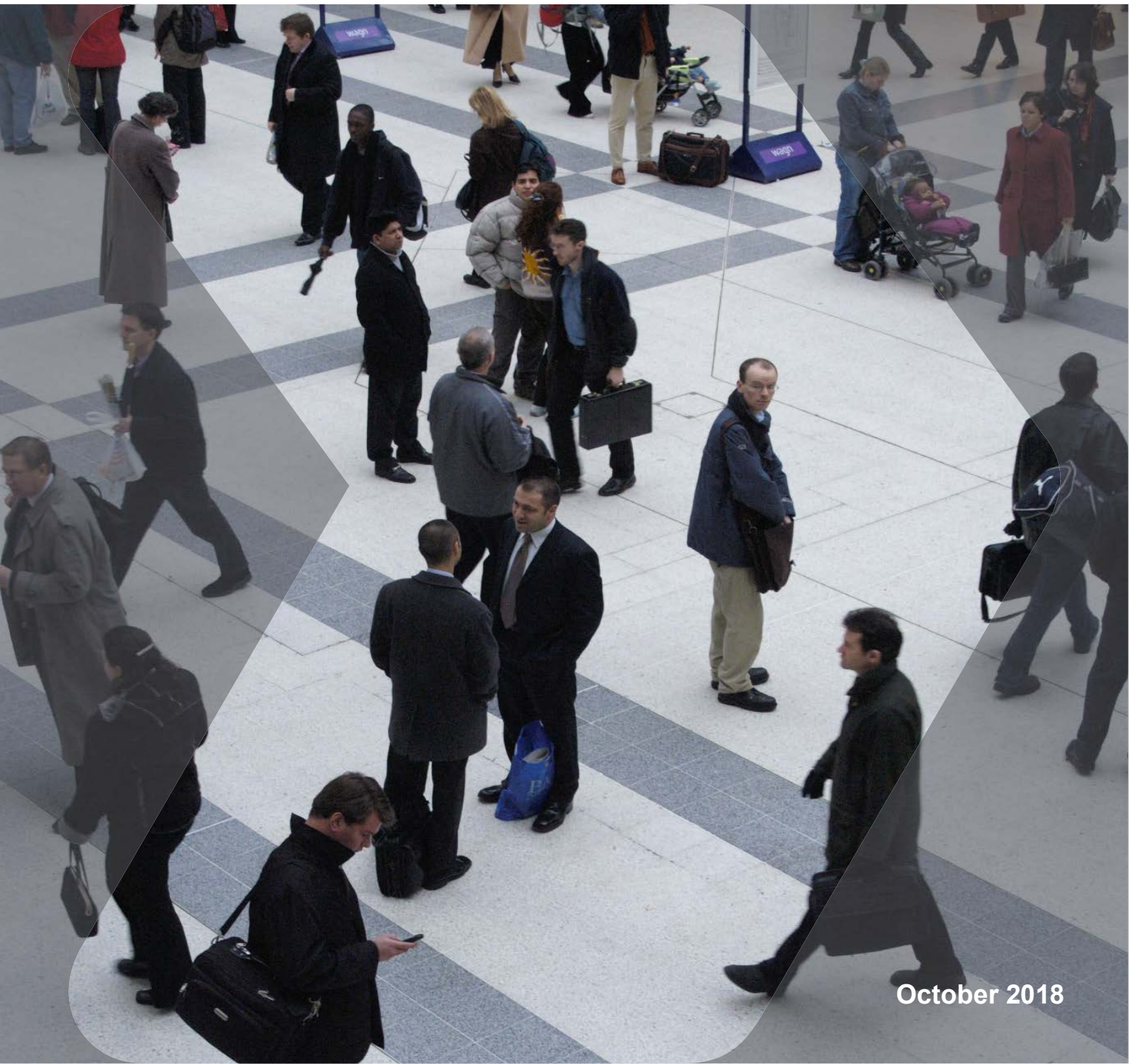


Department
for Transport

Passenger Compensation

Train Companies' Actions to Improve Awareness of Passenger Compensation

Moving Britain Ahead



October 2018

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Executive summary

Introduction

- 1.1 The Department for Transport (“The Department” or “DfT”) has an expectation that when things go wrong, and passengers experience delays and cancellations to their rail journeys, train operating companies (“TOCs”) should swiftly and fairly compensate passengers for the inconvenience and disruption caused. The Department is improving the compensation available to passengers through the roll-out of the Delay Repay 15 compensation scheme, under which passengers are eligible to claim compensation for delays of 15 minutes or more, regardless of the cause of delay or cancellation.
- 1.2 Making sure that passengers are aware of their compensation rights is, however, the responsibility of individual TOCs. Since the Which? Super-Complaint of 2015, which set out evidence showing that most delayed passengers do not claim the compensation to which they are entitled, the Department has been regularly monitoring the efforts undertaken by TOCs to improve their passengers’ awareness of when and how they can claim compensation.
- 1.3 In April 2018, the Department asked DfT franchised TOCs operating in Great Britain to report on the actions they undertake to improve passengers’ awareness of the right to claim compensation. Specifically, the Department wanted to find out:
 - What channels of communication TOCs have with their customers to promote awareness of compensation schemes and to inform customers when they are eligible to claim;
 - What steps TOCs are taking to monitor passengers’ awareness of their right to compensation;
 - What methods of compensation payment are available to passengers; and
 - How TOCs have communicated to passengers the changes to the National Rail Conditions of Travel that came into effect on 11 March 2018.
- 1.4 The Department received responses, many of them detailed, from all TOCs, highlighting:
 - Ongoing and innovative efforts by the industry to increase passengers’ awareness of their compensation rights, using a multi-stranded communication approach;
 - Ongoing improvement in the delivery of passenger compensation through provision of a wider range of payment methods for passengers to receive their compensation; and
 - Recent actions taken to clarify passengers’ right to claim compensation under consumer law.
- 1.5 These findings corroborate those from the Department’s “Rail Delays and Compensation Report”, published 1 October 2018, which captured passengers’

experience and attitudes towards the compensation claiming process. The findings from this report are cited throughout this document highlighting, amongst other things, passengers' increased satisfaction with the provision of information about compensation.

1 Reports from the TOCs: a high-level summary

The section below gives a high-level overview of the Department's findings from its April 2018 survey of TOCs. It is important to note that the activities of TOCs outlined here were self-reported. Therefore the Department has not been able to verify the accuracy and clarity of the information provided by TOCs to passengers, nor the quality of training that passenger-facing staff receive.

TOCs use a multi-stranded approach to increase passenger awareness of their rights to compensation

- 1.6 All TOCs reported that they maintain several channels of communication with their passengers to provide them with information about compensation (see Table 1: "Channels of Communication" for details). This multi-stranded approach to informing passengers of their rights ranges from static sources of information such as posters on trains and at stations, to audio and visual announcements on platforms and train services. The Passenger's Charter document, which is available to the majority of passengers at stations and online, also sets out when and how passengers can obtain compensation.
- 1.7 All TOCs also use social media to inform passengers of disruption to train services, with many including advice and links on Delay Repay as part of this messaging. Consistency in attaching compensation information to social media disruption messaging should be a key focus of TOCs.
- 1.8 From DfT's Rail Delays and Compensation Report we know that 79% of passengers who sought information about Delay Repay online, used TOCs' websites to access information on claiming compensation. According to their reports, all TOCs have dedicated, easy-to-navigate webpages on their compensation schemes, where passengers can access online claims forms and details of when and how they are entitled to claim. A recent and welcome addition to some TOCs' webpages are videos that talk passengers through the compensation claims process.
- 1.9 Almost two thirds of passengers today report their satisfaction with the ease of accessing information on compensation - up from just over half of passengers in 2016. Passengers also reported increased satisfaction in relation to the amount of information being provided by train companies.

Channels of Communication								
Train Operating Company	Information at stations	Information on trains	Announcements at stations	Announcements on trains	Claims forms at stations	Claims forms on trains	Claims forms on website	Information/announcements via social media
Southwestern Railway	Yes	X	Yes	Yes	Yes	X	Yes	Yes
Chiltern Railways	Yes	X	Yes	Yes	Yes	Yes	Yes	Yes
Greater Anglia	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Cross Country	Yes	Yes	N/A	Yes	Yes	Yes	Yes	Yes
Southeastern	Yes	Yes	Yes	Yes	Yes	X	Yes	Yes
Northern	Yes	Yes	Yes	Yes	Yes	X	Yes	Yes
Thameslink, Southern, Great Northern	Yes	Yes	Yes	Yes	Yes	X	Yes	Yes
Virgin Trains East Coast	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
East Midlands Trains	Yes	Yes	Yes	Yes	Yes	X	Yes	Yes
West Midlands Trains	Yes	X	Yes	Yes	Yes	Yes	Yes	Yes
Virgin West Coast Trains	Yes	Yes	Yes	Yes	Yes	X	Yes	Yes
Great Western Railway	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
c2c	Yes	X	Yes	X	Yes	X	Yes	Yes
Transpennine Express	Yes	Yes	X	Yes	Yes	X	Yes	Yes

Table 1: Channels of communication used by TOCs with passengers

Some TOCs are proactive in informing passengers when they are eligible for compensation

- 1.10 Some TOCs reported that they go further in their provision of information about compensation by proactively informing passengers when they are eligible to claim for their delayed or cancelled service. For example, when a delayed service has reached the required threshold for passengers to claim compensation, visual and audio announcements are made at stations and/or on trains informing passengers of the Delay Repay compensation scheme (according to the Department's Rail Delays and Compensation Report almost one-fifth of passengers report being made aware of their right to compensation in this way). Some TOCs also issue claims forms directly to passengers in such circumstances or have staff collect the details of passengers so that compensation can be arranged for the disruption caused to their journeys (CrossCountry, for example). Several operators now also distribute credit-card-sized Delay Repay information cards to passengers on delayed services.
- 1.11 However, according to DfT's Rail Delays and Compensation Report, only 44% of passengers say that TOCs have alerted them to their eligibility to make a claim. In light of this, the Department would expect TOCs to consistently apply (or adopt if not already in place) the protocol described above, where possible, when dealing with delays.

Most TOCs take action to ensure that passenger-facing staff have the skills to communicate with passengers about compensation

- 1.12 The majority of TOCs reported that they ensure that their passenger-facing staff at stations and on-board train services receive adequate training, tools and/or information on how their compensation scheme works. This equips these members of staff to deal with passenger queries. As mentioned in the previous section, in the case of several TOCs, frontline staff proactively inform passengers of their right to claim compensation on delayed services.
- 1.13 Some TOCs also reported increased information-sharing between staff on train services and operational control centres, which enables them to better communicate with passengers during disruption. Control centres can inform train staff when compensation thresholds are reached, who can then in turn inform passengers of their eligibility to claim compensation in real-time.

Actions by TOCs to communicate to passengers their rights to compensation under consumer law

- 1.14 The National Rail Conditions of Travel were updated on 11 March 2018 to provide passengers with greater clarity with regards to their rights to compensation under consumer law, specifically in relation to the Consumer Rights Act 2015. Accordingly, TOCs reported that they have amended text on their websites and in their literature (for example, the Passenger's Charter document) to ensure that passengers are aware of their rights under consumer law. Some TOCs reported that they have also created FAQ pages on their website to answer passengers' queries relating to consumer rights and how to claim compensation in this way. As stated earlier, the Department has not been able to verify the accuracy and clarity of the information provided by TOCs to passengers, nor the quality of training passenger-facing staff receive.

Some TOCs monitor passenger awareness about compensation and take action in response to feedback about the claim process

- 1.15 Some TOCs informed the Department that they do not currently monitor passengers' awareness of their rights to compensation. However, several TOCs are regularly monitoring their passengers' awareness of their right to claim compensation: Greater Anglia, Southeastern and East Midlands Trains use their regular customer surveys to assess passengers' awareness and knowledge about the Delay Repay schemes; while Govia Thameslink Railway, CrossCountry and Greater Anglia use their customer panels to gain insight into passengers' experiences and understanding of claiming compensation. Transpennine Express analyses the levels of claims after major disruptive incidents to identify ways to improve awareness. Many TOCs also use customer feedback and complaints to better understand how passengers

experience the compensation claiming process, and use this to guide improvements where possible.

TOCs are offering a wider range of compensation payment methods

- 1.16 TOCs continue to expand the range of payment methods by which their passengers can receive compensation (see Table 2 for the payment methods currently available to passengers on each train company). In addition to the traditional forms of compensation payment (cheques and National Rail Travel Vouchers), many passengers can now also choose to receive their compensation in the form of a BACs payment or an e-voucher, or via online payment transfer services such as PayPal. DfT's Rail Delays and Compensation Report found that there was a 30% increase in passenger satisfaction with forms of compensation payment in the two years to March 2018 (an increase from 54% in 2016 to 84% in 2018).
- 1.17 The Department welcomes greater choice for passengers and the commitments made to continue increasing the payment options available to passengers. However, reports returned to the Department revealed that passengers travelling with certain TOCs still cannot access a complete range of payment options if they choose to use a paper form to make their compensation claim (20% of passengers are still claiming via post, while a further 10% hand in paper claims forms at stations according to the Rail Delays and Compensation Report). The Department ultimately wants to see parity in the way train companies deal with compensation claims so that all passengers can choose from the fullest possible range of payment methods.

Train Operating Company	Method of Payment							
	BACs	National Rail travel voucher/cashable voucher	Cheque	Credit or debit card refund	PayPal	e-Voucher	Other forms of credit (e.g. via Amazon)	Charity donation
Southwestern Railway	Yes	Yes	X	Yes	X	X	X	X
Chiltern Railways	Yes	Yes	Yes	Yes	X	X	X	X
Greater Anglia	X	Yes	X	Yes	Yes	X	X	Yes
Cross Country	Yes	Yes	Yes (upon request)	Yes (upon request)	Yes	X	X	X
Southeastern	Yes	Yes	Yes	Yes	Yes	Yes	X	X
Northern	Yes	Yes	Yes	Yes	X	X	X	X
Thameslink, Southern, Great Northern	Yes	Yes	Yes	Yes	Yes	Yes	X	X
Virgin Trains East Coast	Yes	Yes	Yes	Yes	Yes	X	X	X
East Midlands Trains	Yes	Yes	Yes	X	Yes	X	X	Yes
West Midlands Trains	Yes	Yes	Yes	Yes	Yes	X	Yes	Yes
Virgin West Coast Trains	Yes	Yes	Yes	X	Yes	X	X	X
Great Western Railway	Yes	Yes	X	X	X	Yes	X	X
c2c	X	Yes	Yes	Yes	X	X	X	X
Transpennine Express	Yes	Yes	Yes	X	X	X	X	X

Table 2: Methods of Compensation Payment

2. Conclusion

- 2.1 This report has detailed the self-reported actions of TOCs to raise passengers' awareness of their rights to compensation and enhance the compensation claiming process for passengers. These actions include:
- Developing and maintaining a multi-stranded communication strategy to deliver information on compensation to passengers, including efforts by some TOCs to proactively inform passengers experiencing disruption of their right to claim compensation;
 - Training passenger-facing staff to ensure they have the knowledge and skills to inform passengers when and how they can claim compensation;
 - Clarifying literature to ensure passengers are aware of their right to redress under consumer law, in light of changes made to the National Rail Conditions of Travel, effective from 11 March 2018;
 - Monitoring passengers' awareness of their compensation rights by maintaining regular channels of dialogue with customers; and
 - Increasing the compensation payment methods available to passengers.
- 2.2 Although self-reported, TOCs' actions appear to corroborate the Department's Rail Delays and Compensation Report revealing increases in both the overall compensation claim rate and passenger satisfaction with the provision of information concerning compensation since 2016. However, whilst the Department welcomes these findings of good practice, we fully expect TOCs to remain proactive in informing their passengers of their right to claim compensation. Working alongside the Office of Rail and Road, the Department will continue to monitor progress in this area and encourage TOCs to adopt best practice.