

ANNUAL REVIEW

2019



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26 Nov 2018 - 31 Dec 2018

The UK's first Rail Ombudsman has now reached its one-year anniversary. I would like to take this opportunity to thank all those who campaigned tirelessly to achieve a landmark within the rail sector; the introduction of the first Rail Ombudsman, providing binding decisions for escalated rail passenger complaints.

The Rail Ombudsman has engaged with rail passengers, the rail industry and its stakeholders to investigate unresolved disputes. During its first year 3261 rail passengers brought forward cases for the Rail Ombudsman to consider.

The remit of an ombudsman is wider than the dispute before it and as such we have also helped the industry to raise standards through engagement, advice and our accredited training programmes, which have been developed to address the needs of the industry.

We can make recommendations on a case by case basis and continue to gain valuable insights which enable us to broaden these recommendations to the industry as a whole.

The results of our independent passenger satisfaction survey indicate that users of our scheme are at their most dissatisfied when their claims have been out of scope. We are therefore working with the industry to broaden the remit of the Rail Ombudsman and make enhancements so passengers can escalate their complaints quicker as well as across a greater range of complaint categories.

The Rail Ombudsman makes the following recommendations with the aim of raising standards and helping more passengers gain free support and access to binding decisions from our legally qualified ombudsman team.

The Rail Ombudsman's recommendations to the rail industry

1. At present the Rail Service Providers have 40 working days to attempt to resolve a dispute with a passenger prior to the claim becoming eligible for the Rail Ombudsman to investigate. This is too long. Whilst we agree it is only fair that the Rail Service Provider has an opportunity to try to resolve the complaint 'in-house', consumers should be able to bring their claim to the Rail Ombudsman 20 working days after the date of their first complaint. This has been canvassed in the consumer protection landscape and has the support of consumer advocacy bodies.
2. The Rail Ombudsman seeks to strengthen the recognition of passenger's consumer rights so that the industry is better able to show empathy when its passengers experience problems, recognising when the exercise of discretion is fair and reasonable. Through our accredited training programme, the Rail Ombudsman is geared to meet this challenge and we recommend that the industry engages further with us to better understand its obligations and ensure its own people are equipped with the skills they need.



Chartered Trading
Standards Institute

Approved by Government under the
Alternative Dispute Resolution for Consumer
Disputes (Competent Authorities and
Information) Regulations 2015

3. The Rail Ombudsman wishes to introduce the rail industry to concepts of Ethical Business Practice. Challenging the culture within each Rail Service Provider, encouraging changes in behaviour and attitude, top-down would enhance the passenger experience and therefore increase trust in service provision. The Rail Ombudsman will be exploring this in the coming year and invites the industry to engage with us to bring about meaningful change to the provision of rail services in the UK.

Drawing upon over 25 years of experience in alternative dispute resolution, the Rail Ombudsman is pivotally placed to utilise these strong foundations to support the industry to evolve passenger care.

We look forward to increasing the positive impact of the Rail Ombudsman to provide recourse and continued improvement in the year to come.

Judith Turner

Deputy Chief Ombudsman



Approved by Government under the
Alternative Dispute Resolution for
Customer Disputes (Competent
Authorities and Information)
Regulations 2015

OMBUDSMAN
ASSOCIATION

Full member of the Ombudsman
Association



City & Guilds approved training centre



012

ISO 9001 : 2015 approved



I have been Independent Assessor to the Rail Ombudsman since its inception in November 2018. My role is to ensure that all parties have access to an independent adjudication of their complaints regarding the delivery of the service provided by the Rail Ombudsman.

I do not, nor should I, have any say in the decisions made by the Rail Ombudsman. Where passengers feel that the service provided has not been to a satisfactory standard, and they have exhausted the internal complaints procedure, I can add external oversight to help the Rail Ombudsman ensure procedures are being followed.

It is testament to the determination of the team to provide high standards of service that only four complaints about service have come to me.

One of these was dismissed due to the vexatious nature of the communication to the Ombudsman who had made the determination. Staff at the Rail Ombudsman, as in any other service, have the right to work free from harassment or abuse.

I found that staff at the Rail Ombudsman had been unfailingly polite and courteous in their communication. Not getting the outcome you want as a passenger does not mean that you can be abusive to people who are trying to help you.

Two other complaints were not upheld. The first related to service delivery by other agencies and the passenger was signposted to the appropriate bodies. In the second, there was no evidence that the team had been anything other than fair and objective in their decision making, and professional and courteous in their dealings with the passenger.

In the fourth case, the passenger had made a number of careful observations about the delivery of the service by the Rail Ombudsman, including the access to the Independent Assessor. Following an internal review, the Rail Ombudsman amended its escalation process and included a different approach to contacting the Independent Assessor. This demonstrates that the scheme is prepared to listen to and act upon feedback by passengers, in the same way that it expects train operating companies to listen to and act upon feedback to improve service delivery for passengers.

I have been impressed by the ways in which the team have adopted a collaborative approach to working with passengers and train operating companies. There are regular case discussion meetings to promote quality assurance and consistency, frequent meetings with train operating companies and with passenger stakeholder groups. The Rail Ombudsman takes its role very seriously and has won the trust and confidence of a wide range of stakeholders which is evidenced by industry surveys and feedback, not least the independent rail customer survey conducted by Ipsos Mori.

This approach will be tested as the scheme grows and the volume of contacts rises. There is no doubt that a good foundation has been built. However, particularly as it is a fledgling scheme, it will need commitment from the sector that it supports, to ensure that the Rail Ombudsman is adequately resourced and funded. This is an essential requirement to guarantee that the quality and high standards continue to be achieved.

The commitment to continuous improvement is to be commended and I look forward to promoting this throughout the coming year.

Kathryn Stone OBE

Parliamentary Commissioner for Standards

Kathryn Stone OBE is the Parliamentary Commissioner for Standards.

Before taking up her post on 1 January 2018, she was the Chief Legal Ombudsman for England and Wales.

She has been a commissioner with the Independent Police Complaints Commission and the Commissioner for Victims and Survivors in Northern Ireland. For eleven years Kathryn was the CEO of Voice UK, a charity supporting people with learning disabilities and vulnerable people who have experienced crime and abuse. Kathryn has had a distinguished career within social care and has been Head of Inspection in a number of London boroughs. Kathryn stood down as Chief Legal Ombudsman at the end of 2017. From January 2018, Kathryn took up her post of the Parliamentary Commissioner for Standards. Kathryn was made an Officer of the British Empire in 2007 for her services to people with learning disabilities. Kathryn is also a member of the Bar Standards Board.

About us

We are an independent, not-for-profit organisation approved by the Chartered Trading Standards Institute and validated as a Full Member of the Ombudsman Association.

Our vision

Our vision is to work with the rail industry to inspire consumer confidence and resolve complaints without the need for costly litigation. We are neither a consumer champion nor a trade body. We operate independently to ensure fairness in every case.

What do we do?

We offer a free and expert service to investigate unresolved complaints about participating service providers (such as train companies).

We also support the rail industry to raise standards and improve services for passengers.

We listen to both sides to find out if we can find a solution that the parties can both agree to. If that's not possible, we are empowered to make decisions which are binding upon Rail Service Providers this means that they have to comply with our decisions.

We can also make recommendations to Rail Service Providers to improve the way their service is delivered and we publish case studies and data which can provide insight into common complaints.

The Rail Sector Liaison Panel is currently comprised of:

Jon Walters

Service Management & Improvement, Citizens Advice

Emma Vincent

Head of Customer Contact, LNER

Susan James

Head of Casework, London TravelWatch

John Smith

CEC Operations Manager, Northern

Christopher Hodges MA PhD FSALS

Professor of Justice Systems and Head of the Swiss Research Programme on Civil Justice Systems, Centre for Socio-Legal Studies, University of Oxford. Supernumerary Fellow, Wolfson College, Oxford University. Fellow, European Law Institute

“ It is a tremendous privilege to be appointed the inaugural chair of the Rail Sector Liaison Panel. This body, comprised of representatives from the rail sector, the Ombudsman and also independent members such as myself, will provide a platform for all parties to discuss and collaborate on opportunities and challenges that impact rail users, and help drive improvements.

Following a very productive first meeting at the end of 2019, I am very much looking forward to the year ahead, and to helping ensure the value of this panel is realised.

Jon Walters,
Service Management & Improvement, Citizens Advice

“ I was pleased to be approached to join the Rail Sector Liaison Panel, adding my voice in a consultative role to the Rail Ombudsman. I am very much looking forward to the work that the panel will undertake in its capacity to provide input and advice. Of particular interest to me, are the opportunities to explore promoting ethical business regulation in this industry and further advance the Rail Ombudsman's remit to raise standards and provide a better experience for passengers in terms of access to justice within the alternative dispute resolution landscape.

Christopher Hodges MA PhD FSALS,
Professor of Justice Systems and Head of the Swiss Research Programme on Civil Justice Systems, Centre for Socio-Legal Studies, University of Oxford. Supernumerary Fellow, Wolfson College, Oxford University. Fellow, European Law Institute

Our year in numbers

5,316 
calls

 **9,758**
emails

77%



of passengers
(in-scope) received
a full or partial remedy

 **18,698** rail passenger
contacts

 **20** average
days to close
in-scope cases




46,623
visits to
our website

3,261
applications raised
for consideration



99.99%
website uptime

 **248** hours spent
training

£84.75 average
financial
award made

75% 

of in-scope cases were
resolved before adjudication

43% 

of in-scope cases were
resolved before mediation

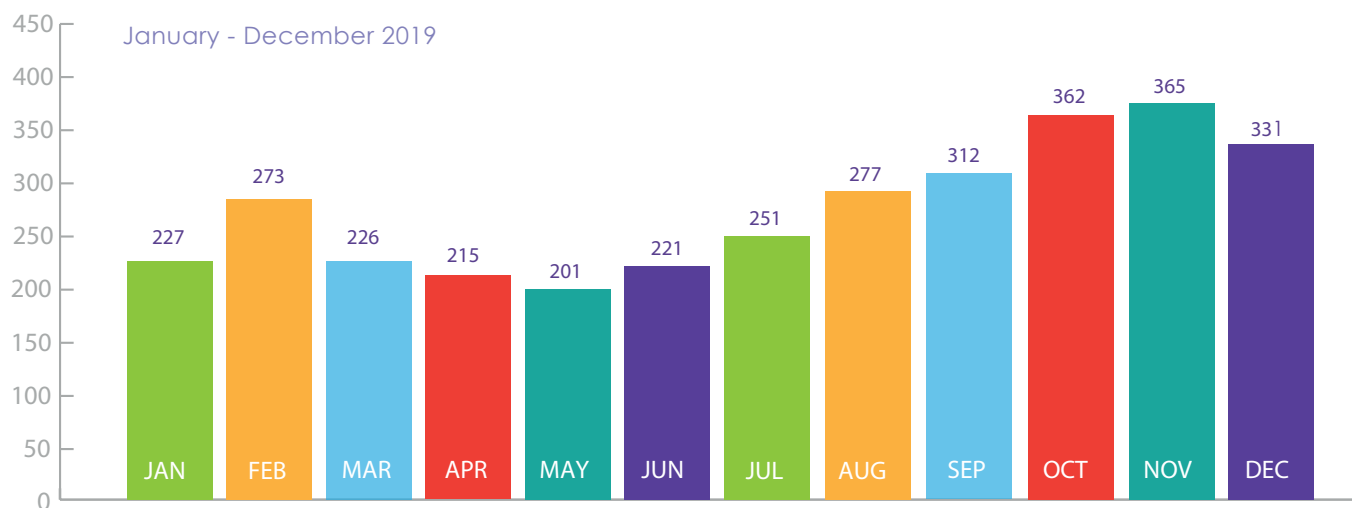
Our results for 2019

Cases raised: **3261** Cases closed: **3000**

The Rail Ombudsman was only able to consider complaints arising from events that occurred on or after the 26th November 2018*. In its infancy, therefore, a number of complaints that fell before this date were not eligible to be considered.

2019 Growth

The volume of cases referred to the Rail Ombudsman in 2019 has grown on average by 15% per quarter. With further improvements by operators in signposting at the point of complaint to the Rail Ombudsman and growing awareness, we envisage the volume of passengers benefiting from our service will continue to increase throughout 2020.



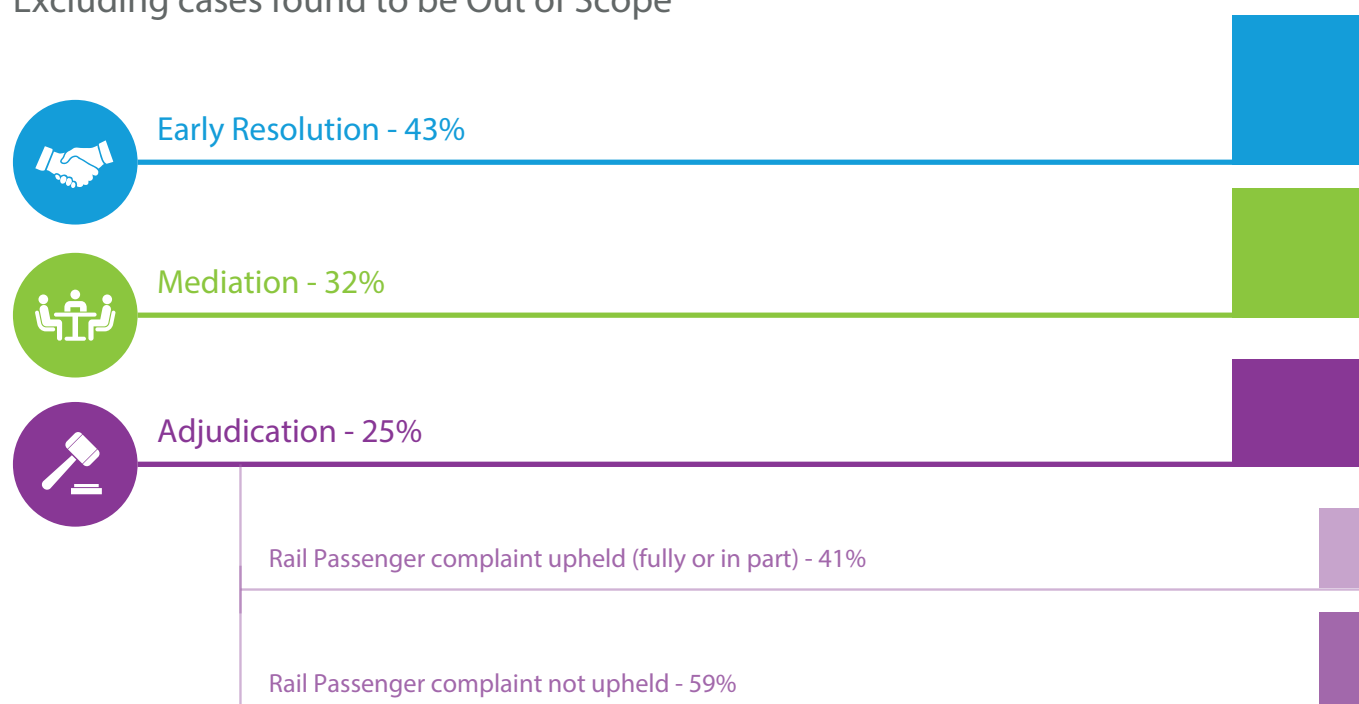
* Data for the period from 26th November 2018 to 31st December 2018 is provided at the end of the Annual Review.

Definitions

Rail Passenger	An individual who has undertaken, or has attempted to undertake, a journey on a scheduled rail service, and has purchased (or has had purchased on their behalf), or has attempted to purchase, a ticket for that journey.
Participating Rail Operating Company	A rail operating company which is part of the Rail Ombudsman scheme. We sometimes refer to these as Rail Service Providers (RSPs). The full list of Participating Rail Operating Companies is available here: www.railombudsman.org/about-us/Participating-service-providers
In Scope	A complaint accepted as being eligible for the Rail Ombudsman scheme.
Out of Scope (Transferred)	A complaint that is outside the scope of the Rail Ombudsman scheme which is transferred to either Transport Focus or London TravelWatch.
Out of Scope (Ineligible)	A complaint which is deemed ineligible for the Rail Ombudsman scheme and also for Transport Focus and London TravelWatch. The majority of complaints found to be ineligible are caused by Rail Passengers approaching the Rail Ombudsman without a deadlock letter and before the end of the 40 working day period allowed to Rail Operating Companies to resolve their complaints.
Early Resolution	A stage in the Rail Ombudsman process that provides an opportunity, in some circumstances, to quickly resolve an issue.
Complex Resolution	A stage in the Rail Ombudsman process where an Early Resolution is not possible. The Rail Ombudsman will first Mediate and then where applicable, Adjudicate to resolve an In Scope complaint.
Mediation	The process by which, assisted by an independent view from the Rail Ombudsman, a settlement in relation to an In Scope complaint can be negotiated to which both the Rail Passenger and the Participating Rail Operating Company agree.
Adjudication	The process by which, in the event that an Early Resolution and Mediation have been unsuccessful in reaching agreement between the Participating Rail Operating Company and the Rail Passenger, the Rail Ombudsman will investigate and make an impartial decision on the case.

Early Resolution, Mediation & Adjudication

Excluding cases found to be Out of Scope



Recommendations arising from cases

The Rail Ombudsman makes recommendations on the cases it investigates and provides these to RSPs on an individual and industry-wide basis where appropriate. Here are some examples of the recommendations we made in 2019 in the Ombudsman's own words:



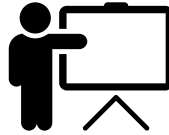
Complaint handling

- It would be beneficial for all parties if complaint handlers had a single point of contact to direct the passenger for regular updates, especially where the issue has been caused by events outside of the RSP's direct control.
- RSP to review complaint handling/investigation procedure following station incidents.
- It is unacceptable for passengers to be left without a resolution for such a prolonged length of time. I understand that the customer relations department for the RSP were unable to answer the passenger's specific queries, however I feel that the passenger should be provided with the contact details for the department that is managing the complaint.



Accessibility

- It would be my recommendation that staff at manned stations take a proactive approach to assist the needs of any passenger who experiences difficulties in the station and are vigilant to any issues that they may face to ensure that the railways are accessible to all. Furthermore, when reviewing the policy against the accessibility information available on the RSP's website, there is a discrepancy with regards to the time passengers should allow as a minimum to arrange assistance, I feel it would be prudent to ensure that the information is consistent across all formats to ensure that passengers are not misinformed.



Staff training

- RSP to train (and keep a record of training) staff about the eligibility of various tickets that can be purchased by a passenger.
- RSP to take steps to ensure staff awareness and training regarding initiatives for pregnant women.
- RSP notified of four instances of failed Passenger Assist reported by a passenger at one station; it is my recommendation that these be investigated without delay, and staff training be put in place.



Information

- The RSP's website and Passenger Charter should include a requirement for a recommended time to arrive prior to a scheduled flight at an airport. This would make it clearer for passengers when planning travel to airports.
- RSP to develop literature that provides information that is solely aimed at young people about the importance of ticket inspections, being vigilant whilst using the railways and providing a more user-friendly explanation of the byelaws.

Case studies

The Rail Ombudsman publishes case studies on its website (www.railombudsman.org/resource-area/faq-3/case-studies/) to help inform passengers and other stakeholders about what to expect from our service.

Understanding byelaws

The issue

The claimant's sixteen-year-old daughter was travelling home from school. The daughter had purchased a ticket from an employee on board the train. After alighting the train at her destination, her daughter was walking along the platform with her headphones in whilst texting her mother to confirm she had arrived. There followed an altercation in which the passenger was accused of fare evading.

The claim

The claimant was concerned about the incident and the way in which the passenger obligations were explained to her daughter and brought a claim to the Rail Ombudsman for an explanation or personalised apology from the RSP's employee.

The response

The RSP had responded with a general apology and an assurance that the incident had been logged.

What the Ombudsman did

The Ombudsman agreed with the claimant that a more detailed apology and explanation was appropriate, but the RSP didn't agree. We explained to the claimant that we were unable to disclose any information arising out of any staff investigation due to data protection. In addition, no CCTV footage was available and therefore it was not possible to determine exactly what had happened. We also noted that the RSP has a right to investigate whether passengers possess valid tickets. It is clear from the accounts that although she was holding a valid ticket, her daughter was distracted by her phone when asked to produce it.

Nevertheless, although the Rail Ombudsman was unable to determine precisely what happened, we felt it important to highlight that this kind of challenge, whatever the circumstances, can be a daunting experience for passengers. We think this is especially the case given that the passenger is particularly young and is not an experienced traveller by train.

The outcome

The Rail Ombudsman felt it was appropriate that a telephone call be arranged between the passenger, her mother and the RSP with the intention that the RSP explains the role of the revenue protection officers and the necessity of the byelaws.

Industry recommendation

Furthermore, we recommended that the RSP develop literature aimed at young people, explaining the importance of ticket inspections, being vigilant whilst using the railways and providing a more user-friendly explanation of the byelaws.

Rail replacement bus

The issue

The passenger's journey was subject to cancellations and a rail replacement bus was provided to enable him to reach his end destination.

The passenger has a hidden disability which means that he requires the use of a toilet, often at short notice. The rail replacement bus to which he was allocated was not equipped with a useable toilet and the route it was required to take to serve the remaining stations on the line meant an increased journey time from 25 minutes to 1 hour and 15 minutes. The passenger complained to the Rail Ombudsman as he suffered severe discomfort and was too embarrassed to explain his predicament to RSP staff.

The claim

The passenger was seeking an apology and a refund of his ticket.

The response

The RSP apologised unreservedly for the passenger's discomfort and explained that if he had felt able to inform a member of staff, they would have been able to arrange alternative transport, such as a taxi direct to his final destination station. The RSP was able to provide information from the station log which evidences that they had made announcements informing passengers who required alternative transport methods to contact a member of staff.

The RSP explained that their provision of rail replacement vehicles did usually take account of like for like provision of services such as wheelchair access, toilet facilities and provision of information via different communication channels. Upon concluding their investigations, the RSP discovered that the toilet on the bus was out-of-order and they had not been informed of this.

The passenger had already been provided with their delay repay entitlement, but the RSP wished to make a gesture to accompany their apology and asked the Ombudsman what we considered to be suitable.

What the Ombudsman did

The Ombudsman noted the impact that the lack of toilet facilities had on the passenger and recognised that he would have felt uncomfortable speaking to a member of staff, especially in front of other passengers at the busy station.

We communicated the apology to the passenger and provided the explanation given by the RSP. The Ombudsman suggested an offer comprised of national rail vouchers to restore the passenger's faith in the railway and give him the confidence to travel on the network again.

The outcome

The passenger accepted the apology, explanation and gesture put forward by the RSP.

Industry recommendations

The Rail Ombudsman will, where possible assist the industry in restoring passengers' faith in travelling on the network by awarding or suggesting national rail vouchers as part of the resolution. We also believe these play an important part in demonstrating goodwill or consolidating an apology.

There are several schemes that passengers can use to signpost hidden disabilities, however, there is no uniform approach to this across the industry. Therefore, a passenger travelling with several RSPs to complete a journey may have to be registered to numerous different schemes, with different cards and lanyards that they are required to produce. The Rail Ombudsman therefore considers either a consistent approach is adopted or training is rolled out to ensure recognition and acceptance of another RSP's scheme would be more helpful to passengers in these circumstances.

Training & testimonials

“ *In an industry that deals with emotive complaints, it is essential for Rail Service Providers to be as confident managing the emotional aspects as they are the root causes when things do not go according to plan.*

Judith Turner, Deputy Chief Ombudsman

”

The Rail Ombudsman has a role to raise standards and provide advice and guidance to the rail industry and those that serve within it. We have therefore tailored our existing City & Guilds accredited training, providing a 2-day course for the industry. In this bespoke course we cover : The Consumer Rights Act 2015 and, in particular, how it applies to service contracts; the consumer protection landscape, including the provision of information to passengers accessibility obligations and claims arising under the Equality Act 2010.

Day 2 of the course focuses on complaint handling, what drives complaints and how we as individuals and organisations handle them. Using the key themes of rapport, empathy and trust, we investigate ways in which Rail Service Providers can better manage complaints for the benefit of passengers.

In 2019, the Rail Ombudsman delivered training to a sample of the Rail Service Providers across four venues.

100% of delegates said they would recommend the training to their colleagues.

“ *The training received from the Rail Ombudsman was not only content rich and specific, but also very engaging and enjoyable!*

Personally it has helped me to reinforce my understanding of how consumer law and customer behaviours should be considered hand in hand when striving to achieve a fair customer outcome. It's also given me a new kit bag of ideas in order to coach and develop my complaints team so that they may deliver legendary moments to our customers.

The team have already told me how energised and enthused they now feel, not to mention better equipped to handle customer concerns moving forwards.

Thank you to the Rail Ombudsman for facilitating this important training. My accreditation is now part of my CV and I know it will continue to be valuable as I progress within the industry.

”

**Steve Baker, Customer Experience Coach
- Complaints Specialist Team. LNER**

“ The Consumer Law two day accredited programme was designed to drive service excellence throughout all RSPs. The programme focuses on consumer legislation and the emotional aspects of passenger complaints. This allows leaders and their colleagues to tap into their true potential by developing personal skills and the knowledge to positively engage customer complaints with competence and confidence. ”

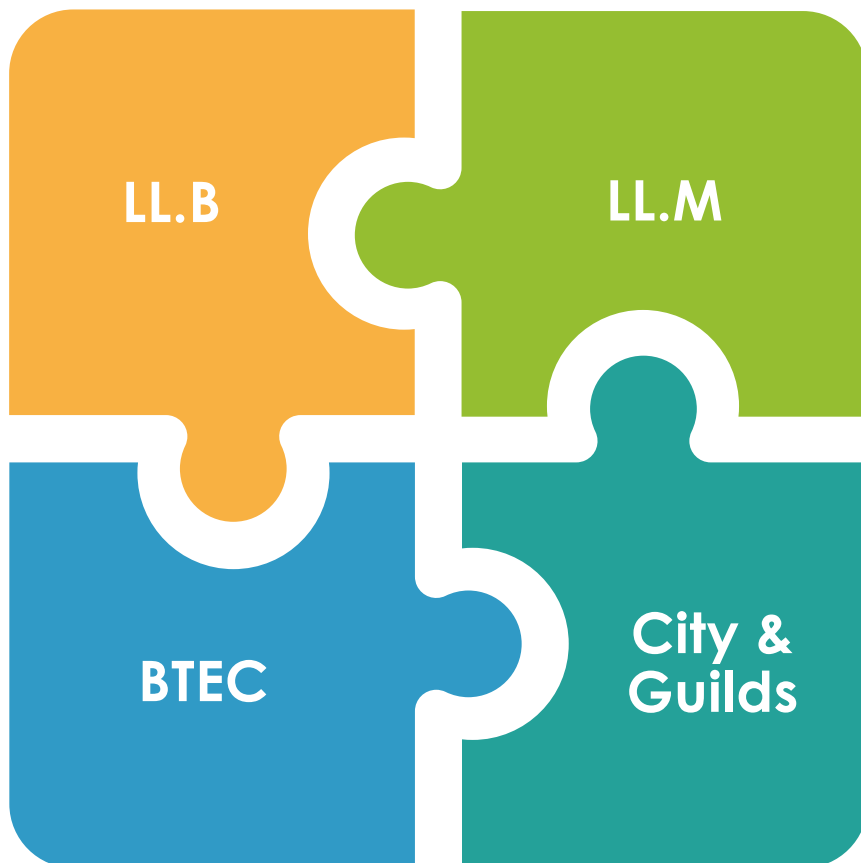
Steve Gow - Training Consultant

Training our people

At the Rail Ombudsman we believe in continuous improvement. All of our Ombudsman team have legal qualifications. This ensures that each case is investigated on its individual merits by a skilled team trained to look at the facts and apply the law, so that passengers and Rail Service Providers alike can be assured of a fair and impartial outcome.

Our team completed a four week industry training programme prior to the launch of the Rail Ombudsman. Our continuing professional development includes BTECs in Complaint Handling & Investigations, City & Guilds accredited training on Consumer Law & Customer Service and GDPR, internal peer-to-peer training and regular casework clinics.

Our Ombudsman team's qualifications include:



“ I had the pleasure of helping with the induction of the new Rail Ombudsman team. They were an incredibly able and motivated group who were more than willing to work with us to understand the industry and how the consumer law, that we were familiar with, and the industry's rules and procedures meshed together. It is with incredible pride that I see how our 'trainees' are doing whenever I visit the Stevenage office.”

Peter Stonely - Training Consultant

How we help passengers

Accessibility



Braille



Telephone



SMS



British Sign Language



Textphone



Email



Website



Postal

What can passengers expect from the Rail Ombudsman?

Case received

Once we receive a case, the passenger is given a unique reference number and access to our case management system to keep them updated with the progress of their claim.

Review

We look at the details the passenger has provided to make sure that it is something we can investigate. If not, we transfer or signpost the complaint to the most appropriate organisation.

Response

If the complaint is in scope, the next step is for us to request a formal response from the Rail Service Provider. The complaint is assigned to an Ombudsman, who contacts both parties to introduce themselves and explain what happens next.

Investigation

We assess and weigh up the evidence provided to us, taking into consideration the rights and obligations set out in law and what is fair, reasonable and practical. We might need to request further information or evidence from either party.

Mediation

We always try to bring the parties closer together and, where possible, close the case with an agreed resolution.

Adjudication

If the parties still do not agree, we make an independent decision on the case, based on the evidence and information provided.

Closure

Once the decision is made, the case is closed. The passenger has 20 days to decide whether to accept any resolution or not, and the decision is binding upon the Rail Service Provider if it is accepted. If the passenger does not wish to accept the final outcome, they are not bound by it and can look to other forums, such as the courts.

All cases are looked at on their own merits and the evidence provided. However, in all cases, the parties can expect us to:

Listen

As an evidence-gathering service that is predominantly telephone-led, the first thing we do is to allow the parties to have their say. By listening to both, we find the grievances are aired and everyone is better placed to come back together and discuss options to resolve the matter amicably.

Be independent

We are neither a trade body nor a consumer advocate. As such, we take a neutral position and assess the information the parties have provided to us.

Be accessible

Our service is simple and easy to use, whatever the needs of the parties. We have taken steps to ensure anyone can contact us and let us know their communication preferences, and our team are friendly, professional and approachable.

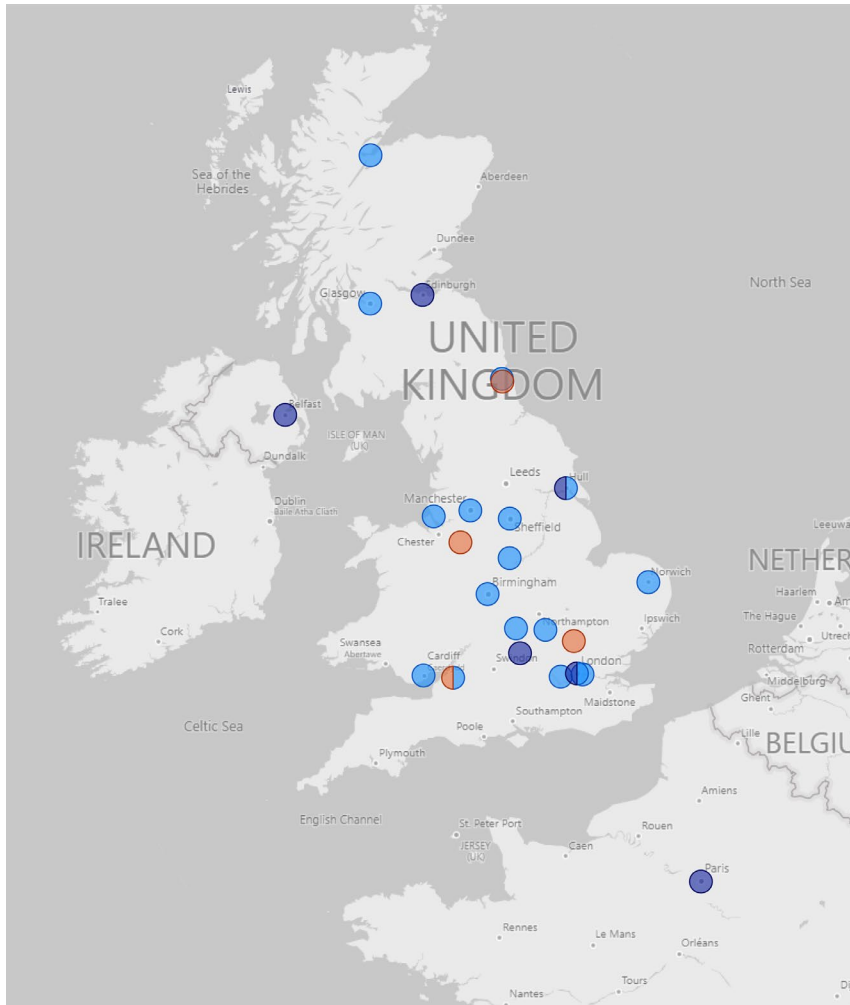
Be consistent

While our decisions do not set precedents, our legally trained Ombudsman team make consistent decisions based upon the facts before them and the passenger's legal entitlement, always underpinned by moral fairness and natural justice.

Be fair

We listen to both sides and come to a fair resolution, which in some instances may be something neither party had considered before.

Our geographical reach



● Training

- **Bristol**
- **Crewe**
- **Newcastle**
- **Stevenage**

● Speaking Events

- **Belfast:**
Ombudsman Association Conference.
May 2019
- **Edinburgh:**
11th Annual Scottish Rail Conference.
February 2019
- **Edinburgh:**
Scottish Transport Show.
September 2019
- **Hull**
University of Hull, Undergraduate Lecture
on ADR.
March 2019
- **Oxford:**
Wolfson College, University of Oxford,
Delivering Justice.
January 2019
- **London:**
Institute of Consumer Affairs Conference.
October 2019
- **London:**
Travel_Net Meeting.
October 2019
- **Paris:**
Travel_Net Meeting.
April 2019

● Service review meetings with Rail Service Providers

- | | | |
|---------------------|---------------------|------------------------|
| • Banbury | • Gosforth | • Milton Keynes |
| • Birmingham | • Heathrow | • Norwich |
| • Bristol | • Hull | • Sheffield |
| • Cardiff | • Inverness | • Stevenage |
| • Derby | • Liverpool | |
| • Docklands | • London | |
| • Glasgow | • Manchester | |

Travel_Net is a collaborative group whose aims are to strengthen and improve high quality Alternative Dispute Resolution (ADR) within the travel and transport sector in Europe.

It is a forum to share knowledge, identify best practice and promote ADR.

A day in the life of...



Hailey
Ombudsman

“

Starting as an Assistant Ombudsman, I jumped at the chance to learn the in-depth intricacies of the rail industry to build the foundation of the knowledge gained through my studies. With the support of the rest of the team, before long, I grew in confidence, and was given the opportunity to show off my new set of skills as an Ombudsman.

Day-to-day I am able to liaise with the Rail Service Providers to understand the complexities behind the complaints we receive. I then try to explain this information in a friendly, yet professional way to the passengers who use our service. I am often able to mediate successfully between the parties and enjoy finding neutral ground where they understand each other's point of view, where I have to make a decision. I always aim to restore a passengers confidence back in the railway, even when things may have gone wrong previously.

”



Holly
Lead
Ombudsman

“

Having joined the company in 2018 as an Ombudsman, I have recently been promoted to Lead Ombudsman. In my role, I spend my day impartially investigating cases. This frequently involves in-depth research to establish the facts of the case whilst balancing the expectations of both the passenger and service provider. In the initial stage of the case I mediate disputes between the parties to allow for a more informal resolution to be reached. However, if this is not possible, a written decision will be issued which is based on the principle of fairness. Due to the nature of my academic background, I am particularly keen to focus on accessibility cases.

In my new role as Lead Ombudsman, I take a proactive approach in supporting the team with difficult cases and review our processes to increase efficiency in the way we handle cases. I train new members of staff to support them in learning the role and being confident with their case work. I undertake a flexible approach in liaising with passengers and service providers to ensure that I fully understand the complaints being raised.

In my time at the Ombudsman I have developed my research skills in addition to knowledge of the industry. I feel supported by the Ombudsman for my future personal development and look forward to continuing to build my career here.

”



Sarah
Head of
Customer
Contact

“

I joined the company prior to the launch of the Rail Ombudsman as Head of Customer Contact. I saw this as an exciting move, something that I had not been involved with before and a real opportunity to be able to use my experience and assist the start-up team. I am always looking to develop, and over this period I have continued to study, completing my BTEC level 5 for Complaint Handling and Investigation (along with others in my team), Consumer Law and Customer Service and GDPR City & Guilds courses.

I am responsible for the level of service delivery achieved, providing training, guidance and support, making sure we consistently deliver first class customer service through all the different methods of contact, we have consistently met or exceed the agreed service levels.

I enjoy seeing the team grow by providing them with any training needs, holding one-to-one sessions, coaching and mentoring, and sharing my experiences for others to learn from.

”

University outreach

The Ombudsman delivered a presentation at an undergraduate lecture at Hull University in April 2019 explaining our role and work we do. Following this, we received contact from one of the students who expressed an interest in undertaking work experience with us. Bethany joined us in August 2019 for a two-week work experience placement, following which she applied to join the team. We were pleased to welcome Bethany to our front-line team in October and can report that she was promoted to Assistant Ombudsman shortly after this.

“



Throughout my law degree I was undecided about the route I wanted to take; whether I follow the traditional solicitor or barrister routes or explore another option. I knew I wanted to use my law degree in my future career in some capacity, so when the Ombudsman came to deliver a presentation in my ADR module, it piqued my interest immediately.

After speaking to my lecturer, I was put in touch with one of the Ombudsman and after exchanging several emails, I was invited to come and complete some work experience. I was able to shadow the Ombudsman team, overseeing the array of tasks that an Ombudsman would complete on a day-to-day basis. After this, I decided to apply for a job at the Rail Ombudsman in a front-line role, and shortly after I was promoted to Assistant Ombudsman.

In my role as Assistant Ombudsman I predominantly deal with the early stages of a case, with the aim of trying to reach an early resolution between the Rail Service Provider and the passenger. This involves reviewing cases and making sure the issues fall within the scope of our scheme. This means I ensure all the requirements for the scheme are met and communicate with the Rail Service Providers to try and reach a resolution at this early stage. This can result in writing decisions or 'mini-adjudications' that assess the passenger's legal entitlement and take the facts of the case into account.

Throughout all of this, I have gained so much valuable experience and in-depth knowledge in consumer and contract law, and I have very much enjoyed learning and applying the law in this way. I look forward to my future with the Ombudsman.

”

Bethany Smith

ASSISTANT OMBUDSMAN

“

Last spring was the first time I had full responsibility for running the ADR and Mediation Module at Hull University, Law School. It is a popular module for our final year undergraduate students and has always been over subscribed.

I wanted to ensure that our students had exposure to a wide variety of contemporary ADR models, so it was superb to be able to include a presentation from the Ombudsman and to hear first hand how the new rail scheme was developing.

It was a pleasant surprise when one of my students approached me afterwards asking about the possibility of work placement; 'Well,' I responded, 'we can ask the question.' The next I heard was more recently when I learned that not only had the work placement gone well but that Bethany had now become an Assistant Ombudsman. 'Chuffed' is I think the word we use up here; we couldn't be more delighted!

”

Diana Wallis, MA Solicitor MICarb Senior Lecturer

UNIVERSITY OF HULL

Diana Wallis is a lawyer and dispute resolution professional with a diverse legal background; as a litigation solicitor, an academic, a legislator and mediator. She was for 13 years a leading Member of the European Parliament known for her work on legal issues. She is now involved with a large number of mediation and legal organisations but principally is a Senior Lecturer at the Law School of the University of Hull.

Our members

Please find below a list of Rail Service Providers who participated in the Rail Ombudsman Scheme in 2019.

AVANTI
WEST COAST

c2c



Chilternrailways
by arriva

crosscountry
by arriva

EMR

GN
GATWICK EXPRESS



Great Northern

GWR
Great Western
Railway

greateranglia

HullTrains
Your Heart Beats to London

LNER
LONDON NORTH EASTERN RAILWAY

Merseyrail

National Rail
Enquiries

NetworkRail

northern
by arriva

ScotRail
SCOTLAND'S RAILWAY

southeastern

South Western
Railway

SOUTHERN

ThamesLink

TRANSPENNINE
EXPRESS

TRAFNIDIAETH CYMRU
TRANSPORT FOR WALES

West
Midlands
Railway



26 Nov 2018 - 31 Dec 2018

Cases referred: **201**

Cases evaluated: **165**

As the Rail Ombudsman was only able to consider complaints relating to incidents which occurred on or after its launch date of 26th November 2018, all but two of the cases evaluated by the Ombudsman in 2018 were found to be Out of Scope for the scheme. Of the two In Scope cases, one case was resolved through Mediation and the other was settled with an early resolution.

133 of the Out of Scope cases were referred to consumer advocacy bodies for further assistance whilst the remaining 30 were closed as ineligible for both the Ombudsman and consumer advocacy bodies.

For more information please visit

<https://www.railombudsman.org/about-us/documents/>



We're delighted that today the Rail Ombudsman is officially launched. Which? has been calling for a Rail Ombudsman for over two years, as part of our #TrainPain campaign.

But what does this really mean for passengers? This thread should help answer your questions 🙌



8:28 am · 26 Nov 2018 · Twitter Web Client



Henry Smith MP
@HenrySmithUK

Met the Transport Under Secretary of State and new Rail Ombudsman in Parliament. After unacceptable levels of train passenger disruption last year, I'm pleased this new service - industry funded but independent - and which I've been campaigning for, is now fully operational.



1:26 pm · 21 Mar 2019 · Twitter for iPhone



City A.M.
@CityAM

A new rail ombudsman will tackle train complaints from today [cityam.com/269660/rail-in...](http://cityam.com/269660/rail-in-...)



10:15 am · 26 Nov 2018 · TweetDeck



We welcome today's announcement on the industry's introduction of the Rail Ombudsman. This free and impartial service will provide assurance to all passengers who have a complaint that it will have independent scrutiny should it not be resolved to their satisfaction.



1:00 pm · 26 Nov 2018 · Twitter Web Client



Guide Dogs Campaigns
@gdccampaigns

Today marks the launch of the @RailOmbudsman! This provides a key way for visually impaired people to escalate complaints when Passenger Assistance fails you, or you experience problems using trains. We hope this marks a step forward for people with sight loss travelling by rail.



Delighted that rail passengers now have access to an independent ombudsman and to formally welcome @RailOmbudsman as a new member. Culmination of close working with @RailDeliveryGrp @railandroad @transportgovuk and others to ensure creation of an ombudsman that meets our criteria



New ombudsman for rail passenger complaints



'Wake-up' call for train companies as new complaint service opens
Consumer groups hope the new system will act as a 'wake-up call' to train companies to start improving their services.
news.sky.com

7:10 am · 26 Nov 2018 · SkyNews Alerts - Latest



Robert Halfon MP - Working Hard for Harlow -
@halfon4harlowMP

Pleased to hear today from the Rail Delivery Group about the launch of a new impartial and independent Ombudsman for train travellers.

If you have a complaint about an event occurring from today and are unhappy... [facebook.com/RobertHalfon/p...](https://www.facebook.com/RobertHalfon/p...)

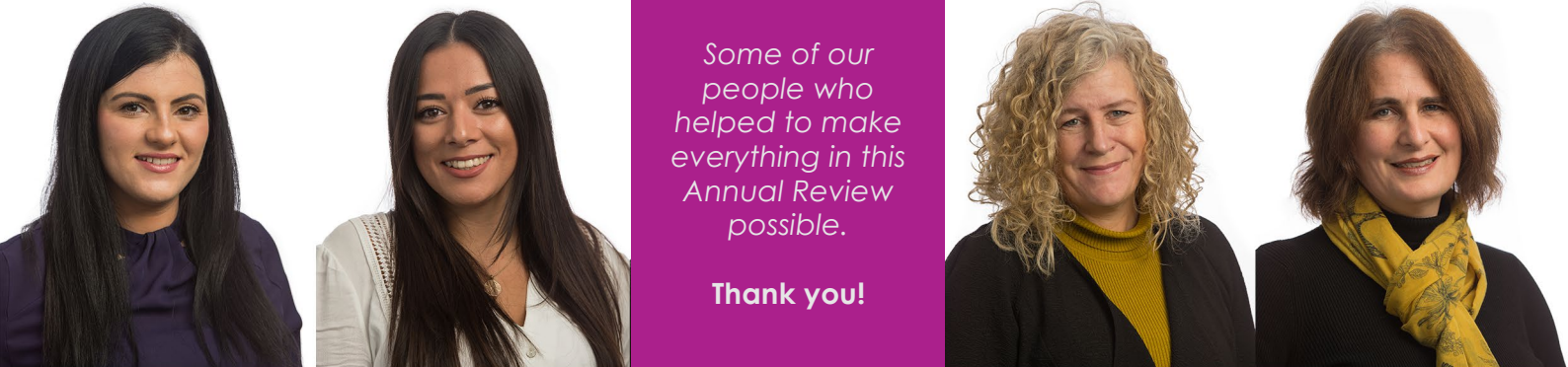
11:27 am · 26 Nov 2018 · Facebook



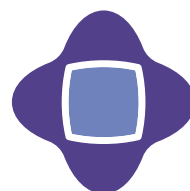
The #railombudsman is now live and ready to help sort out unresolved passenger complaints. Millions of people rely on the rail industry every day, so this is a welcome step towards giving passengers the confidence that when things do go wrong, their complaints will be heeded.

Time	Destination	Plat	Expected
06:12	Charing Cross	1	Delayed
06:26	Tunbridge Wells	2	06:49
06:37	Cannon Street	1	Delayed
07:00	Charing Cross	1	Delayed
07:18	Hastings	2	Delayed
07:20	Charing Cross	1	Delayed
07:24	Charing Cross	1	Delayed
07:40	Cannon Street	1	Delayed
08:00	Charing Cross	1	Delayed
Page 1 of 3			08:13:35
Departures			

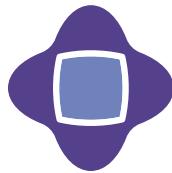
11:54 AM · Nov 26, 2018 · TweetDeck



The Rail
Ombudsman



The Rail Ombudsman



www.railombudsman.org

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Hertfordshire
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Registered Office

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Inspiring consumer confidence