

The Alternative Dispute Resolution for Consumer
Disputes (Competent Authorities and Information)
Regulations 2015

Schedule 5
Annual Activity Report

1st January - 31st December 2023



CTSI Activity Reports Year Ending 2023

Scope Definitions:

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.

SCHEDULE 5 Regulation 11(2)

Information to be included in an ADR entity's annual activity report:

a) the number of domestic disputes and cross-border disputes the ADR entity has received;

No. enquiries received (domestic)	No. enquiries received (cross-border)	No. disputes received (domestic)	No. disputes received (cross-border)	No. disputes accepted (continued to case) (domestic)	No. disputes accepted (continued to case) (cross-border)
16,130	Split unknown	4,319	103	2,747	60

b) the types of complaints to which the domestic disputes and cross-border disputes relate;

Unresolved customer complaints about rail service providers.

c) a description of any systematic or significant problems that occur frequently and lead to disputes between consumers and traders of which the ADR entity has become aware due to its operations as an ADR entity;

The drivers for disputes between consumers and rail service providers are published quarterly and commonly involve both complaints handling issues and source issues on the network (such as whether train services run on time and the operation of the delay repay process). This details the nature of In Scope and Out of Scope disputes.

d) any recommendations the ADR entity may have as to how the problems referred to in paragraph (c) could be avoided or resolved in future, in order to raise traders' standards and to facilitate the exchange of information and best practices;

The Rail Ombudsman makes recommendations where it deems it appropriate on a case-by-case basis and liaises with the industry, regulator and stakeholders to share learnings. The case studies published on our website include examples of recommendations made: <https://www.railombudsman.org/resource-area/faq-3/case-studies/>

Additionally, 2023 saw the publication of our Annual Review 2022, containing key recommendations to the industry. We discussed recommendations at an individual operator level and at industry-wide forums.

Work during 2023 identified the information available to / understood by consumers to be a recurring theme of the recommendations made by the Rail Ombudsman; the Rail Ombudsman is continuing to work with the industry to highlight best practices and the sources of issues in disputes.

e) the number of disputes which the ADR entity has refused to deal with, and percentage share of the grounds set out in paragraph 13 of Schedule 3 on which the ADR entity has declined to consider such disputes;

Total disputes transferred or deemed ineligible (out of scope): 1,615.

Reason	No. rejected	Percentage of rejected
a) the consumer has not attempted to contact the trader first	965	59.8%
b) the dispute was frivolous or vexatious	1	0.1%
c) the dispute had been previously considered by another ADR body or the court	0	0%
d) the value fell below the monetary value	0	0%
e) the consumer did not submit the disputes within the time period specified	4	0.2%
f) dealing with the dispute would have impaired the operation of the ADR body	0	0%
g) other (enquired too early, not yet complained to trader, trader not member, advice call etc...	645	39.9%

f) the percentage of alternative dispute resolution procedures which were discontinued for operational reasons and, if known, the reasons for the discontinuation;

During 2023, no cases were discontinued due to operational reasons.

g) the average time taken to resolve domestic disputes and cross-border disputes;

Domestic: 18 working days / Cross-border: 14 working days. Total: 18 working days.

The Rail Ombudsman tracks resolution times from the point at which a complaint is raised. The process incorporates gathering all necessary information and thus time is not added for receipt of a complete complaint file.

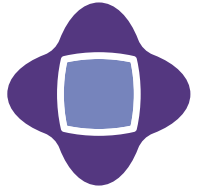
h) the rate of compliance, if known, with the outcomes of the alternative dispute resolution procedures;

During 2023, there were no reported instances of non-compliance with the outcome.

Further information

The Rail Ombudsman publishes comprehensive reports about the disputes received at <https://www.railombudsman.org/about-us/documents/>

The Rail Ombudsman



www.railombudsman.org