

Report from the Independent Assessor - Referrals 2024

**Report from the Independent
Assessor (IA) – referrals during 2024**

Independent Assessor Annual Report

January 2024

I am pleased to provide my Annual Report as Independent Assessor of service complaints for the Rail Ombudsman.

As the Independent Assessor of service complaints, I am unable to look at any decisions arrived at by the Rail Ombudsman. My role is to consider complaints about the service provided by the Rail Ombudsman to consumers.

Where a complaint about the service provided is unable to be resolved, or where a consumer is dissatisfied with the Rail Ombudsman's response to their service complaint, consumers have an option to escalate their complaint to me.

In the past year, ten complaints about service were escalated to me. This represents 0.2% of overall casework managed by the Rail Ombudsman.

As in previous years, staff at the Rail Ombudsman have responded positively to any recommendations I have made for improvements to services and have acted, immediately implementing any required actions for staff and supervisors.

As a departure from previous practice I will simply report on themes in the cases addressed, as I am keen to ensure the anonymity of some consumers with very specific needs.

Timeliness

There were 5 complaints about timeliness in the past year. The following themes were identified:

- Delays in responding to consumers
- Placing unrealistic expectations on consumers regarding their response times to correspondence
- A misunderstanding about replying by a date "if possible" rather than this being a deadline for a consumer with additional support needs

Responses by the Rail Ombudsman

The team at the Rail Ombudsman were immediately apologetic to consumers where response times had been delayed. Steps have now been taken in training



and in management supervision to ensure that promised timescales are achieved or expectations are managed appropriately.

Equally, advice has been given about ensuring that consumers are given realistic timeframes to respond, taking account of any additional support needs they might have. This is not to show bias to the consumer, it is an appropriate response to making reasonable adjustments where necessary.

Understanding the perspective of the consumer

I was pleased to receive correspondence from one consumer who was keen to use their experience to initiate improvements to the services provided, for everyone who uses the service. The consumer requested that all Rail Ombudsman staff better understand consumer perspectives when engaging with service users.

When a consumer engages with the Rail Ombudsman, they have experienced, or believe they have experienced, a detriment by the Rail Service Provider. At this point their complaint to the Rail Service Provider has not been able to achieve a resolution. The consumer then complains to the Rail Ombudsman. By this point consumers are frustrated and determined to achieve a resolution.

The Rail Ombudsman agreed that there would be additional training in understanding the perspective of the consumer. Again, this is not to show bias to the consumer, it is to provide good customer service.

Unacceptable Conduct

By contrast, two complaints escalated to me resulted in the invocation of the Unreasonable Actions Policy. Staff are trained to identify the difference between the routine frustrations expressed by complainants and unacceptable conduct.

In one case, the Unreasonable Actions policy was invoked, however, staff still continued to correspond which understandably led to confusion for the consumer.

In both cases, I reviewed emails and recorded calls and fully support the decision made to apply the policy. I have been clear with both consumers and with the team, that unacceptable conduct – swearing, mocking, mimicking and derogatory comments are completely unacceptable. Where consumers have behaved in this way, the policy should be invoked following consultation with a manager and should be adhered to.

Consumers who are able to moderate their frustration and communicate without shouting, swearing etc. will continue to receive a service. Others will not. This is consistent with all other aspects of rail service provision.

Next Steps

Apologies for timeliness errors only go so far in correcting consumer perception. Getting it right first time is the best way to achieve this. The Rail Ombudsman has reviewed the way in which it manages standard setting by addressing performance issues and quality assurance. Another important development is the resetting of focus on the consumer experience. This is not to show bias in favour of the consumer experience, it is to better understand the needs and experiences of the consumer.

The Rail Ombudsman team provided me with a sample of quality checks to review in 2024 and I am pleased to report that over the course of the year, the team achieved a 96% pass rate. I am satisfied that the team is being vigorous in its approach to quality. This is evident in the stringent process currently in place.

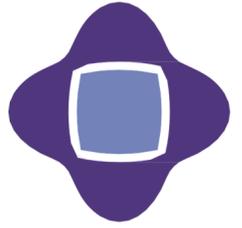
I have met with the Deputy Rail Ombudsman and the recently appointed Chief Operating Officer and heard their commitment to getting it right first time. I am confident they will deliver the required changes and I will continue to monitor their progress in this area over time.

The Rail Ombudsman employs competent and capable people who engage with consumers and rail service providers after things have gone wrong. They work hard to ensure that things are put right. Across the whole scheme my remarks are made in respect of a small number of service errors.

I look forward to seeing how the service continues to improve over the coming year.

Kathryn Stone OBE
Independent Assessor

The Rail
Ombudsman



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