

Marcus Clements
Head of Consumer Policy
Directorate of Economics, Markets & Strategy
Office of Rail and Road



Jason Ness
Head of Customer Relations
Great Western Railway

23 February 2021

Dear Jason,

Compliance with Condition 5 (Accessible Travel Policy) of your Station Licence and GB Statement of National Regulatory Provisions: Passenger

Thank you for your response to our letter dated 18 August 2020 in respect of GWR's licence and its activities in relation to its obligations under section A8 (**Redress**) of the Accessible Travel Policy (ATP). I am grateful to you for setting out the steps you have taken to investigate this issue, and the action you propose to take as a result.

We welcome your intention to contact the 91 customers identified as not being offered any form of redress to ensure that they are dealt with in accordance with your ATP obligations. Data processing errors and failures to follow policy were cited as the primary causes for this oversight. You will recall that you provided written assurance to ORR last year to confirm your Core Data submissions will be provided to us in accordance with the reporting guidance. It would be helpful to understand the remedial measures be put in place to ensure accuracy of reporting at the next ATP quarterly catch-up with my team, and to confirm that the 91 customers referenced above were indeed contacted.

Please note that this letter and your previous reply will be published on our website.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Marcus Clements', is written over a light blue horizontal line.

Marcus Clements

cc. Neil Craig



Marcus Clements
Head of Consumer Policy
Directorate of Economics, Markets and Strategy
Office of Rail and Road
25 Cabot Square
London
E14 4QZ

Great Western Railway
Milford House
1 Milford Street
Swindon SN1 1HL
01793 499400
GWR.com

18 September 2020

Re: Compliance with Condition 5 (Accessible Travel Policy) of your Station Licence and GB Statement of National Regulatory Provisions: Passenger

Dear Marcus,

Thank you for your patience while we re-looked at the issue raised in your letter of 18 August, addressed to my colleague Neil Craig. As Head of Customer Relations at GWR I'm responsible for the recording of any complaints we receive, and for the provision of any compensation related to those complaint so I hope you don't mind my responding on behalf of us both.

As referred to in my email last week we have re-looked at the data for 2019/20, and specifically the number of claims for redress following an assistance failure, and the number of claims where redress was provided. Our policy for providing re-dress following an assistance failure is clear so any failure to adhere to that policy concerning.

We've gone back through the 2019/20 data and re-looked at each instance of an assistance failure being recorded to identify the disparity between the two figures. That's led to the volume of assistance failures recorded falling from 382 to 301 and the volume of cases where redress was provided rising from 94 to 136 & I've noted the driver behind those changes below and have noted the revised actuals the attached spreadsheet.

We'd identified 81 cases where the assistance failure was either recorded twice in error, or we incorrectly recorded another compliant complaint about another aspect of our service as an assistance failure & not provided redress as it wasn't appropriate to the complaint. That brought overall figure of assistance failure claims recorded down to 301.

We further identified 42 cases where redress was provided but recorded against a different category, most commonly 'customer providing further information'. Here the redress was provided but only when we'd gained sight of the journey cost and had already logged the assistance failure under an earlier contact. This brought the 'redress provided' figure up to 136.

This activity brought up the percentage of claims that received redress from 25% to 45% however, while an improvement that still remained a concerning figure that warranted further scrutiny, so we looked into the other 165 instances we'd recorded.

That identified 74 instances where we were unable to provide redress for a variety of reasons. Primarily where the customer got in touch regarding an assistance failure via a telephone call and our subsequent request for sight of their ticket cost, to enable a redress payment to be made went unanswered. We also saw instances where compensation was provided but against a different category (for an overall poor journey experience for example) and examples of redress being declined.

We identified a further 91 cases where redress was not provided & this mainly stemmed from telephone calls where we failed to request sight of the journey cost to enable redress to be provided, or failed to inform the caller that redress was due at all. Those errors weren't picked up by our quality assurance process and the customer remain uncompensated for our failure of service.

We're keen to address any assistance failure in line with our existing redress policy, so that figure was disappointing, and we're keen to make amends to ensure our customers now receive the compensation they were due. We aim to get in touch with each of the 91 customers referred to above over the coming weeks to address this shortfall and I intend to complete this exercise by the end of Period 7, the 17 October 2020 when I'll be back in touch to confirm its completion.

We will also take the opportunity to remind our team of our assistance failure policy and of the importance of rigidly applying it to any future assistance failure contacts.

I hope you will find this proposal as an appropriate way to address the disparity highlighted between the number of claims received, and those that subsequently received redress, and I'd be grateful for your further comment, or to answer any questions that may arise from my response.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Jason Ness', written in a cursive style.

Jason Ness
Head of Customer Relations
Great Western Railway

Marcus Clements
Head of Consumer Policy
Directorate of Economics, Markets & Strategy
Office of Rail and Road



Neil Craig
Mobility and Inclusion Manager
Great Western Railway

18 August 2020

Dear Neil,

Compliance with Condition 5 (Accessible Travel Policy) of your Station Licence and GB Statement of National Regulatory Provisions: Passenger

I refer to Condition 5 of Great Western Railway's (GWR) licence and its activities in relation to its obligations under section A8 (**Redress**) of the Accessible Travel Policy (ATP).

As you will be aware, one of the principal ways the Office of Rail and Road (ORR) monitors licence holders' compliance with their ATP obligations is via their routine core data submissions. Our review of GWR's activities in relation to the provision of redress to passengers following a booked assistance failure shows that between rail periods 1-13 in 2019/20, GWR received 382 claims for redress; of these, 94 were approved and redress was provided. This indicates that only around 25% of all claims from passengers for redress due to booked assistance failure have been approved by GWR, an approval rate which is considerably lower than most other operators.

This is a new performance measure and we are keen to ensure that it is operating as envisaged. It is our expectation that passengers should be able to receive appropriate redress when they do not receive the assistance they have booked. Where they do not, it is important that we understand why this is the case.

Next steps

I shall be grateful if you will provide a detailed response setting out the reasons for the high proportion of rejected claims for redress following booked assistance failure. Please include any supporting material, where relevant, together with any action you have taken or propose to take to ensure that passengers who have not received the assistance they booked can receive the redress to which they are entitled.



I look forward to receiving your reply by **Friday 11 September 2020**.

Please send your response to: Denise.Brown@orr.gov.uk

This letter and your reply will be published on our website.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Marcus Clements', is positioned below the text 'Yours sincerely'.

Marcus Clements