

Joanne Ferguson
Contracts and Policy Manager
Abellio ScotRail
Atrium Court
Glasgow
G2 6HQ

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

16 March 2021

Dear Marcus

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

Thank you for your letter dated 23 February 2021.

I can confirm that during the timescale from P08 – P13 2019/20 a total of 5,356 assisted travel bookings were made. Over the same time, we received 37 contacts from customers advising us that they did not receive assistance. Out of those 37 cases, we identified that 28 had pre-booked their assistance. This equates to 0.52% of pre-booked assistance not being delivered.

We have reviewed all 37 cases and can confirm that, 9 customers were given an apology, 24 customers were given financial redress and an apology, and we required more information from 4 customers to allow us to investigate further. The information we asked for was:

- PA reference number
- Tickets
- PA number and more information regarding the journey
- PA number, more info of journey legs.

I trust that this information addresses your request however if you require anything else please feel free to contact me.

Yours sincerely

Joanne Ferguson
Contract and Policy Manger
Abellio ScotRail

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



Joanne Ferguson
Contracts and Policy Manager
Abellio ScotRail

23 February 2021

Dear Joanne,

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 ScotRail'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 action you have taken to investigate this issue.

We note that transition to a new CRM system in September 2019 limited your audit of data to Period 08-13 2019-20. The audit identified that there were 61 occurrences of booked assistance failure in this period. Our review of your originally submitted Core Data - Section I submissions for the corresponding timeframe indicated that ScotRail had 76 claims for redress. **Therefore, I shall be grateful if you will explain:**

- **why according to your own data the number of claims for redress exceeded the number of occurrences of booked assistance failure; and**
- **how many of the occurrences of failed assistance resulted in a claim for redress.**

In addition, we note that your audit found that in 53% of cases, ScotRail required further information from the passenger in order to investigate or process any redress claims. **I shall be grateful if you will set out the types of information you require from your claimants to progress their claims.**

Your response also appears to indicate you only record redress in cases where compensation is provided. However, redress is determined on a case-by-case basis and whilst it may include a monetary refund, it may also be a gesture of goodwill. In

all cases where assistance failures occur, it is important that an explanation is given to the passenger why assistance was not provided and what steps have been taken to ensure the failure does not reoccur.

Next steps

I look forward to receiving your response to the queries raised (in bold) above by **26 March 2021**.

Please send your response to: ATP@orr.gov.uk

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

Yours sincerely

A handwritten signature in blue ink, appearing to be 'M. Clements', written in a cursive style.

Marcus Clements

CC. Patrick Nyamurundira

Joanne Ferguson
Contracts and Policy Manager
Abellio ScotRail
Atrium Court
Glasgow
G2 6HQ

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

16 September 2020

Dear Marcus

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

Thank you for your letter dated 18 August regarding the above.

I have fully investigated our reported figures for the year 2019/2020. In September of that year, we moved to a new CRM system and, as a result, I cannot give you any information on data contained in the old system. The information below is relevant only from P08-P13 2019/20.

From September 2019 (Period 08) until the end of March 2020 (P13) I can confirm that ScotRail had a total of 5,356 booked passenger assistance. Out of that number 1% (61 cases) of assistance was not provided.

In terms of redress we were able to award 47% of customers with compensation. The remaining 53% required further information, from the customer, in order for us to investigate and process any compensation claims. This information was not provided and, as a result, the cases could not be investigated any further.

Going forward, we will be carrying out a full review of our reporting to ensure it is relevant and accurate. In addition, with the Accessible Travel Policy now approved, we will be raising awareness of the Redress Policy to improve engagement with our customers.

In summary, we are pleased to report our compliance in this area and we will continue to work with our team to ensure this is reflected in the reporting.



I trust you find this in order.

Yours sincerely

Joanne Ferguson
Contract and Policy Manger
Abellio ScotRail

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



Patrick Nyamurundira
Access and Inclusion Manager
ScotRail

18 August 2020

Dear Patrick,

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 ScotRail's 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 ScotRail'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, ScotRail received 290 claims for redress; of these, 50 were approved and redress was provided. This indicates that only 17% of all claims from passengers for redress due to booked assistance failure have been approved by ScotRail, 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