



# Rail delay compensation claims

**2019-20 rail periods 5-7 (21 July 2019 to 12 October 2019)**

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## Background

This factsheet contains information on delay compensation claims made by passengers on rail services in Great Britain. These statistics contain:

- Delay compensation claim volumes (received and closed per rail period);
- The response rate of those claims closed;
- The volume of those claims closed which were approved.

Train operators have a target to process delay compensation claims within one month of receipt. This is specified in condition 33.2 of the [National Rail Conditions of Travel \(NRCoT\)](#).

## Definitions

### Volume of claims closed:

The claim is closed when the train operator issues payment for a successful claim or when the passenger was informed that their claim was rejected. These statistics include claims made by passengers, regardless of train operator delay compensation scheme.

**Claims closed within 20 working days (percentage):** ORR use 20 working days as a proxy for the one month target referred to in the NRCoT.

### Volume of claims approved:

The volume of delay compensation claims closed where the passengers claim has been successful and approved.

**Between 21 July and 12 October 2019 (2019-20 rail periods 5 to 7):**

**There were 1.4 million delay compensation claims closed by train operators.**

This is an increase of **13.2%** from 1.3 million claims during the same three rail periods in 2018-19.

This is primarily due to changes in delay compensation schemes for some train operators since last year, which has meant more passengers are eligible for delay compensation.

**Overall, 98.0% of delay compensation claims were closed within 20 working days.**

This is an increase of **2.7 percentage points** from the same three rail periods in 2018-19.

**16 out of 23** train operators either increased or maintained their response rate within 20 working days compared to the same three rail periods in 2018-19.

**Of these claims closed, 84.5% of claims were approved by train operators.**

This is an increase of **2.1 percentage points** from the same three rail periods in 2018-19.

## Effects of delay compensation scheme changes on claim volumes:

A major reason for the 13.2% increase in delay compensation claims between rail periods 5 to 7 2019-20 compared to the previous year is due to a number of train operators switching to the Delay Repay 15 (DR 15) compensation scheme during the last year. The switch to DR 15 means the threshold to claim compensation is lower (15 minutes), where previously it was 30 minutes in most cases, so therefore more passengers are eligible to claim delay compensation.

The table below shows that for the six operators that have changed to a DR 15 delay compensation scheme in 2019-20, all these operators have shown an increase in the volume of claims closed. Overall, these six operators account for an increase of 139,577 claims closed between the same three rail periods in 2018-19 and 2019-20. This increase is despite most of these operators seeing an increased train performance in 2019-20 Q2 compared to the same quarter last year (see the '[Passenger Rail Performance](#)' statistical release for more information).

Train operator	Volume of claims closed and delay compensation scheme, 2019-20 rail periods 5 to 7	Volume of claims closed and delay compensation scheme, 2018-19 rail periods 5 to 7	Volume increase
Southeastern	87,093 (DR 15*)	49,496 (DR 30)	+37,597
Great Western Railway	71,380 (DR 15**)	40,446 (Traditional)	+30,934
Greater Anglia	149,274 (DR 15)	125,846 (DR 30)	+23,428
East Midlands Railway	37,789 (DR 15*)	16,152 (DR 30)	+21,637
Northern	63,516 (DR 15)	50,006 (DR 30)	+13,510
Transport for Wales Rail	17,179 (DR 15)	4,708 (Traditional***)	+12,471

\* = East Midlands Railway and Southeastern changed to DR 15 during 2019-20 rail period 6.

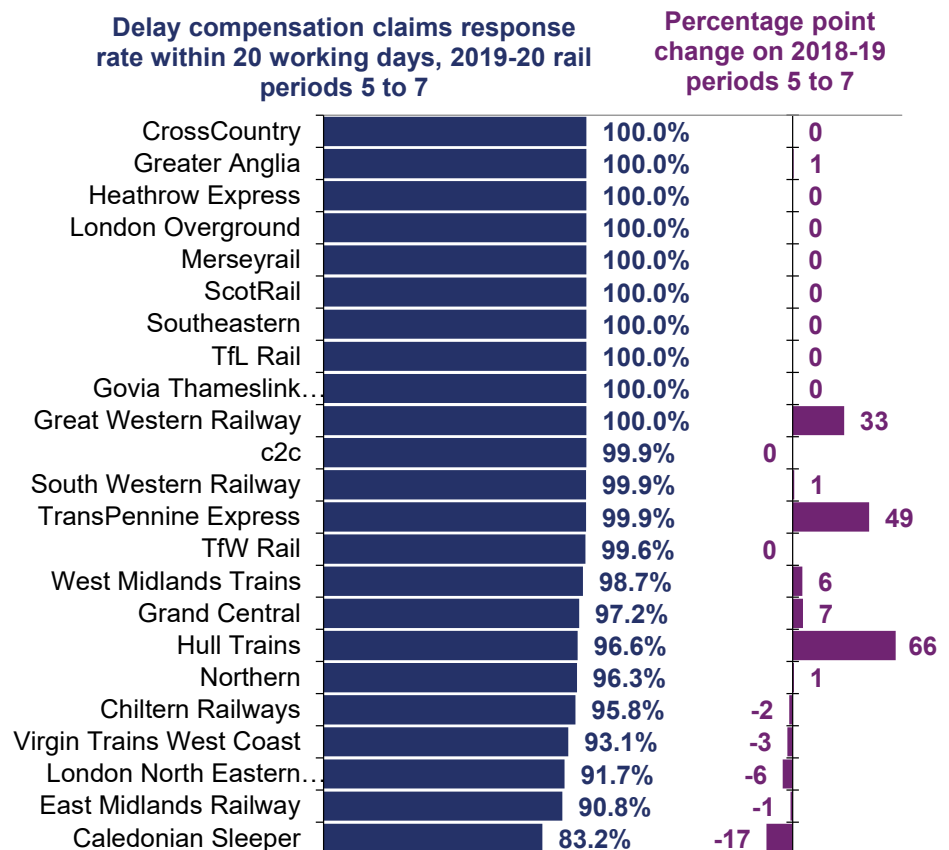
\*\* = Great Western Railway now operates DR 15 with some season tickets on a traditional charter scheme.

\*\*\* = Transport for Wales Rail was operating as Arriva Trains Wales during 2018-19 rail periods 5 to 7.

## Response rate to claims closed:

Nationally, **98.0%** of delay compensation claims were closed within 20 working days in 2019-20 during rail periods 5 to 7. There were 15 train operators which closed more than the national average within 20 working days.

There were 16 out of the 23 train operators which either increased or maintained their response rate within 20 working days compared to the same three rail periods in 2018-19, with 7 operators having a lower response rate compared to the same rail periods last year.



## Delay compensation statistics by train operator, 2019-20 rail periods 5 to 7:

Delay compensation claims closed, percentage of claims approved, and response rate within 20 working days by train operator, 2019-20 rail periods 5 to 7

Train operator	Delay compensation scheme	Claims closed	Percentage of claims approved	Response within 20 working days
c2c	Delay Repay (DR 15)	4,666	80.4%	99.9%
Caledonian Sleeper	Delay Repay (DR 30)	2,559	95.7%	83.2%
Chiltern Railways	Traditional	5,096	73.8%	95.8%
CrossCountry	Delay Repay (DR 30)	26,885	94.5%	100.0%
East Midlands Railway <sup>1</sup>	Delay Repay (DR 15*)	37,789	91.4%	90.8%
Govia Thameslink Railway	Delay Repay (DR 15)	320,546	85.8%	100.0%
Grand Central	Traditional	3,803	71.3%	97.2%
Great Western Railway <sup>2</sup>	Delay Repay (DR 15)*	71,380	71.9%	100.0%
Greater Anglia	Delay Repay (DR 15)	149,274	88.5%	100.0%
Heathrow Express	Delays of 15+ mins	1,157	38.1%	100.0%
Hull Trains	Traditional	5,068	97.0%	96.6%
London North Eastern Railway	Delay Repay (DR 30)	117,911	85.9%	91.7%
London Overground	Traditional	3,911	80.5%	100.0%
Merseyrail	Traditional	322	98.4%	100.0%
Northern	Delay Repay (DR 15)	63,516	80.4%	96.3%
ScotRail	Delay Repay (DR 30)	29,687	83.6%	100.0%
South Western Railway	Delay Repay (DR 15)	158,249	83.7%	99.9%
Southeastern <sup>3</sup>	Delay Repay (DR 15*)	87,093	86.5%	100.0%
TfL Rail	Traditional	1,676	88.5%	100.0%
TfW Rail	Delay Repay (DR 15)	17,179	92.5%	99.6%
TransPennine Express	Delay Repay (DR 30)	50,323	67.2%	99.9%
Virgin Trains West Coast <sup>4</sup>	Delay Repay (DR 30)	141,901	86.0%	93.1%
West Midlands Trains	Delay Repay (DR 15)	116,975	84.4%	98.7%
<b>Great Britain</b>		<b>1,416,966</b>	<b>84.5%</b>	<b>98.0%</b>

**Comparison of delay compensation claim volumes between train operators should be treated with caution – This is due to different thresholds to claim compensation between each delay compensation scheme and the different number of services for each train operator.**

All tables associated with this release can be found under data tables on the [passenger delay compensation](#) page of the ORR Data Portal. The figures presented in this release are provisional and subject to revision. Note some train operators have changed delay compensation scheme since 2018-19 so some time comparisons must be treated with caution.

For up-to-date information on the delay compensation scheme each train operator operates, please see the individual train operator's website or the [National Rail Enquiries website](#). The following information is accurate as far as ORR know at the time of publication.

### Notes:

- 1). East Midlands Railway took over the East Midlands Trains franchise from 18 August 2019 (start of rail period 6). From 18 August 2019 onwards, East Midlands Railway is operating the DR 15 scheme instead of DR 30.
- 2). Great Western Railway operates the DR 15 scheme with some season tickets on a traditional charter scheme.
- 3). From 11 September 2019 onwards, Southeastern is operating the DR 15 scheme instead of DR 30.
- 4). Avanti West Coast took over the Virgin Trains West Coast franchise from 8 December 2019 (start of rail period 10). From 8 December 2019 onwards, Avanti West Coast will be operating the DR 15 scheme instead of DR 30.
- 5). c2c, Northern and Virgin Trains West Coast operate Automatic Delay Repay on some tickets, with other operators providing automated Delay Repay: See the notes on page 4 for further details on these schemes.

**Type of schemes:** The most popular delay compensation scheme is Delay Repay. Delay Repay is a national scheme train operators use to compensate passengers for delays. For those operators using the Delay Repay scheme, all ticket types are covered and passengers can make a claim for delay compensation whatever the cause of disruption. There are two types of Delay Repay schemes available:

**Delay Repay 30 (DR 30):** Passengers can claim compensation if the train is delayed by 30 minutes or more. Passengers delayed between 30 and 59 minutes are entitled to 50% of the cost of a single ticket, and if the passenger is delayed by 60 minutes or more, the passenger is entitled to a 100% refund of a single ticket. If delayed 120 minutes or more the passenger can claim the cost of a return journey if they have a return ticket.

**Delay Repay 15 (DR 15):** Passengers can additionally claim compensation if the train is delayed by 15 minutes or more. DR 15 allows a passenger to claim 25% of the cost of a single ticket if they are delayed between 15 and 29 minutes. Eight train companies operated this scheme from the beginning of 2019-20, with East Midlands Railway, Southeastern and Avanti West Coast moving to this scheme during 2019-20.

**Other schemes (traditional schemes):** A small number of operators run other schemes which are different to Delay Repay. Often these schemes have different timeframes to be eligible, and compensation can vary between each schemes. Compensation may not be available if the delay is caused by an event outside the operators control.

### **Key findings from Department for Transport research (March 2018) on 'Rail Delays and Compensation'**

**Compensation claims:** The research showed only 39% of eligible passengers claimed for a 30 minute or longer delay, and only 18% of eligible passengers claimed for a 15 minute delay.

**Satisfaction with speed of payment:** 69% of claimants were satisfied with the speed of payment.

**Claim rate:** The proportion of passengers claiming compensation is strongly correlated to the price of their ticket: 52% of passengers who paid over £40 claimed compensation, compared to 25% when the ticket was £5 or less. The research also found the longer the delay, the more likely the passenger is to claim compensation.

### **Frequently asked questions:**

#### **How are several claims on one form recorded?**

If a passenger submitted several journeys on one delay compensation form, then each journey is counted as a claim.

#### **Are discretionary compensation payments or enhanced compensation claims included?**

These statistics include claims for delays only, and exclude discretionary compensation payments made following complaints of poor service (for example, compensation due to wi-fi not working). Some operators may also provide enhanced or additional compensation during periods of extended disruption, but these claims are not included within these statistics.

#### **Are Automatic Delay Repay claims included?**

Automatic Delay Repay is when a passenger is automatically compensated when their journey is delayed within the timescales to be eligible for compensation. Northern and Virgin Trains West Coast offer Automatic Delay Repay if the passenger has booked through their website or app and has an advance ticket. c2c offers eligible passengers with a registered smartcard 3p back per minute for delays of between two and fourteen minutes - These c2c automatic compensation volumes are not included within these statistics.

#### **Are Automated Delay Repay claims included?**

A number of operators now provide automated Delay Repay where they automatically advise passengers who use smartcards and/or buy advance tickets that they may be eligible for compensation by generating a delay repay claim for them. The passenger has to then login to the system and confirm that the claim is correct. Only claims which are confirmed by the passenger are included within these statistics.

### **Other sources of delay compensation information:**

ORR publish statistics on [rail passenger complaints](#) which shows 8.3% of all complaints nationally were about delay compensation schemes in 2018-19.

Furthermore, appeals to the [Rail Ombudsman](#) on delay compensation schemes, such as appeals on claims which are rejected or the claims process, are most appealed complaint category.

The Department for Transport (DfT) publishes [compensation amounts paid by train operators](#) to passengers from 2009-10. The DfT figures are not comparable to statistics given here due to the different time periods involved, changes to delay compensation schemes and franchises from previous years, and the fact DfT figures include discretionary compensation payments made following complaints of poor service.