



# Rail delay compensation claims

**2019-20 rail periods 8-10 (13 October 2019 to 4 January 2020)**

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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 13 October 2019 and 4 January 2020 (2019-20 rail periods 8 to 10):

**There were 1.8 million delay compensation claims closed by train operators.**

This is an increase of **51.0%** from 1.2 million claims during the same three rail periods in 2018-19.

This is primarily due to some train operators moving to Delay Repay 15, which means more passengers were eligible for delay compensation.

So far in 2019-20 (P1-10) there have been 4.5 million claims dealt with by train operators, this is 5.9% higher than the equivalent time (P1-10 2018-

**Overall, 98.4% of delay compensation claims were closed within 20 working days.**

This is an increase of **4.6 percentage points** from the same three rail periods in 2018-19.

**18 out of 23** train operators either increased or maintained their response rate within 20 working

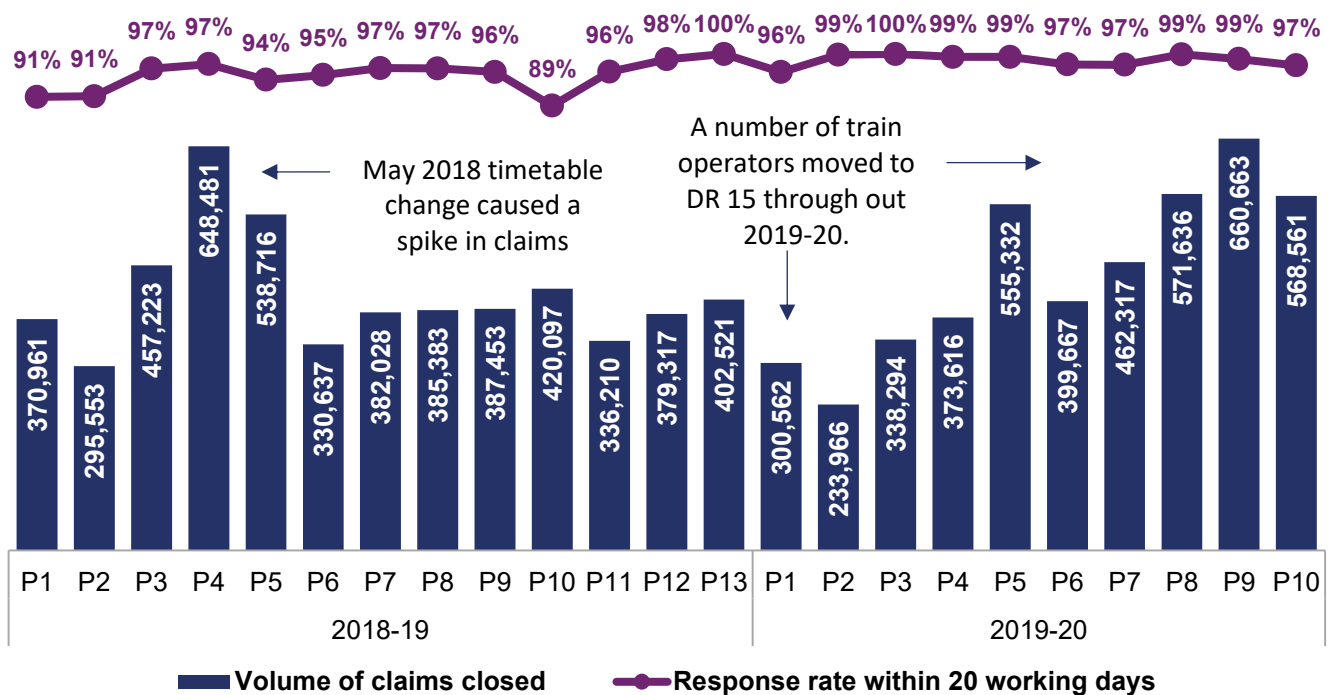
**Of these claims closed, 84.4% of claims were approved by train operators.**

This is an increase of **2.3 percentage points** from the same three rail periods in 2018-19.

## Delay compensation claim volumes

- An increase in delay compensation claims between within 2019-20 rail periods 8-10 compared to the same time last year is mainly due to a number of train operators switching to Delay Repay 15 (DR 15) compensation scheme throughout the past year. The switch to DR 15 means the threshold to claim compensation is lower (15 minutes), whereas previously it was 30 minutes in most cases, therefore more passengers are eligible to claim delay compensation.
- ORR train punctuality statistics show that 97.8% of recorded station stops were arrived at early or within 15 minutes after the scheduled arrival time in 2019-20 Q3 (Oct-Dec). This is similar to the 98.0% of stops arrived at within 15 minutes in the same quarter the previous year. These statistics cover broadly the same timescale as periods 8-10 within this factsheet.
- An increase in claims dealt with by West Midlands Trains (WMT) also contributed towards the national increase in delay claims. WMT closed almost 227,00 delay compensation claims between 2019-20 P8-10, which was just over 177,200 claims higher than the same time last year. The punctuality statistics show WMT punctuality and reliability have both deteriorated in 2019-20 Q3 (Oct-Dec) compared to Q3 last year<sup>1</sup>.

### Volume of delay compensation claims closed and response rate within 20 working days by rail period, Great Britain, 2018-19 P1 to 2019-20 P10



This table shows train operators that have changed to a DR 15 delay compensation scheme in the past year. All these operators have shown an increase in the volume of claims closed in 2019-20 rail periods 8-10 compared to the

Train operator	Volume of claims closed and delay compensation scheme, 2018-19 rail periods 8 to 10	Volume of claims closed and delay compensation scheme, 2019-20 rail periods 8 to 10	Volume increase
Avanti West Coast	97,911 (DR 30)	171,691 (DR 15)	73,780
East Midlands Railway	19,247 (DR 30)	72,454 (DR 15)	53,207
Great Western Railway	40,914 (Traditional)	96,523 (DR 15)	55,609
Greater Anglia	87,245 (DR 30)	143,183 (DR 15)	55,938
Northern	51,194 (DR 30)	121,683 (DR 15)	70,489
Southeastern	84,765 (DR 30)	150,558 (DR 15)	65,793
TfW Rail	5,233 (Traditional)	24,436 (DR 15)	19,203

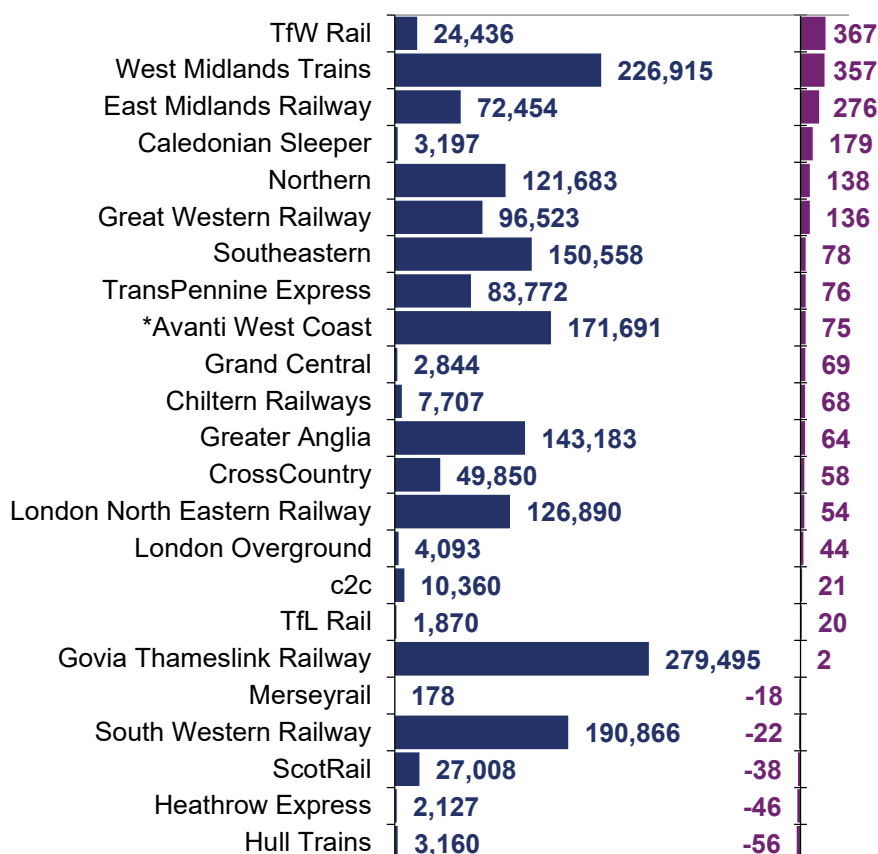
<sup>1</sup> [Passenger Rail Performance, 2019-20 Q3 release](#). WMT experienced a 8.5 pp deterioration in punctuality (On Time measure) and 5.4 pp deterioration in reliability (cancellations measure) in 2019-20 Q3 (Oct-Dec) compared to Q3 last year.

**Comparison of delay compensation claim volumes between train operators and percentage changes to the previous year 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. A number of train operators have changed delay compensation scheme since the time-series began in 2018-19 so some comparisons must be treated with caution. The volumes below have not been normalised by passenger journeys.

## Delay compensation claims volumes, Great Britain, 2019-20 P8-10

Delay compensation claims volumes,  
2019-20 rail periods 8 to 10

% change on  
2018-19 P8-10



Nationally there were **1.8 million** delay compensation claims dealt with during 2019-20 rail periods 8-10. This represents almost 608,000 more claims than the equivalent periods last year.

Overall, 18 train operators dealt with more claims in 2019-20 rail periods 8-10 than the same time last year. A number of these operators have moved to DR 15 over the past year, which means more passengers have become eligible to claim compensation (please see the table on page 2).

### Notes:

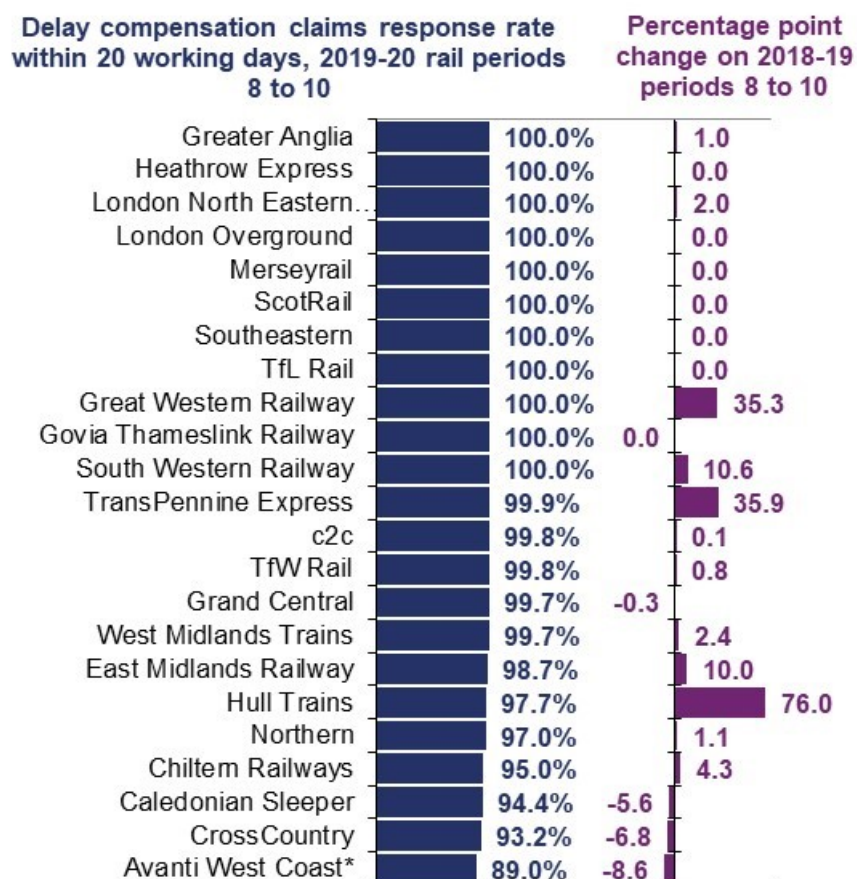
- 1). East Midlands Railway took over the East Midlands Trains franchise from 18 August 2019 (start of rail period 6). From 18 August 2019 onwards, East Midlands Railway is operating the DR 15 scheme instead of DR 30.
- 2). Great Western Railway operates the DR 15 scheme with some season tickets on a traditional charter scheme.
- 3). From 11 September 2019 onwards, Southeastern is operating the DR 15 scheme instead of DR 30.
- 4). \* Avanti West Coast replaced Virgin Trains West Coast as the operator of the InterCity West Coast franchise on 8 December 2019. The Avanti West Coast data in this release includes data for both operators (Virgin Trains West Coast between 1 October to 7 December 2019, and Avanti West Coast from 8 December 2019 onwards). From 8 December 2019 onwards, Avanti West Coast will be operating the DR 15 scheme instead of DR 30.
- 5). c2c, Northern and Avanti West Coast operate Automatic Delay Repay on some tickets, with other operators providing automated Delay Repay: See the notes on page 5 for further details on these schemes.
- 6). From 2 February 2020, TransPennine Express is operating the DR 15 scheme instead of DR 30.

For up-to-date information on delay compensation schemes, please see the train operator's website or the [National Rail Enquiries website](#). The table below shows the delay compensation schemes used by train operators for rail periods 8-10 2019-20. All other train operators not listed run DR 15. The following information is accurate as far as ORR know at the time of publication.

Operator	Current delay scheme
Caledonian Sleeper	Delay Repay (DR 30)
Chiltern Railways	Traditional
CrossCountry	Delay Repay (DR 30)
Grand Central	Traditional
Heathrow Express	Delays of 15+ mins
Hull Trains	Traditional

Operator	Current delay scheme
LNER	Delay Repay (DR 30)
London Overground	Traditional
Merseyrail	Traditional
ScotRail	Delay Repay (DR 30)
TfL Rail	Traditional
TransPennine Express	Delay Repay (DR 30)

## Delay compensation claims response rate within 20 working days, Great Britain, 2019-20 P8-10

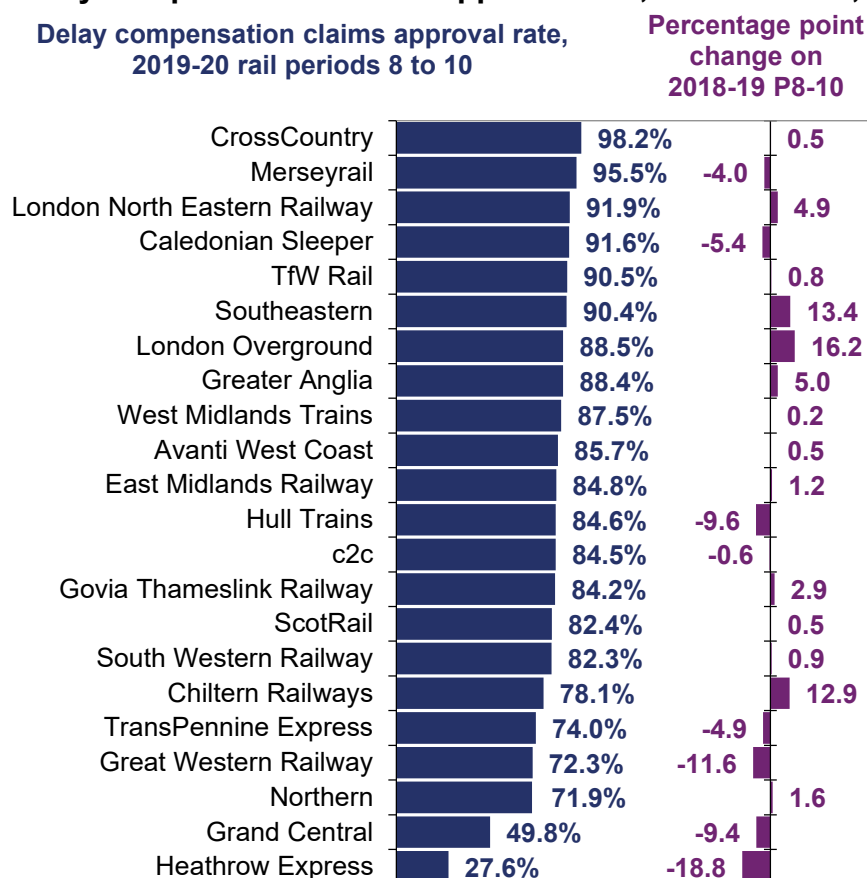


Overall, **98.4%** of delay compensation claims were closed within 20 working days.

There were 18 out of 23 train operators which either increased or maintained their response rate within 20 working days compared to the same three periods last year, with 5 operators having a lower response rate compared to the same rail periods last year.

\*Avanti West Coast replaced Virgin Trains West Coast as the operator of the InterCity West Coast franchise on 8 December 2019. The Avanti West Coast data in this release includes data for both operators (Virgin Trains West Coast between 1 October to 7 December 2019, and Avanti West Coast from 8 December 2019 onwards). The P10 figure (8 October 2019 to 4 January 2020) for Avanti West Coast show 100% of claims were closed within 20 working days.

## Delay compensation claims approval rate, Great Britain, 2019-20 P8-10



Overall, **84.4%** of delay compensation claims were approved by train operators.

There were 14 out of 22 train operators which either increased or maintained their approval rate within 20 working days compared to the same three periods last year, with 8 operators having a lower approval rate compared to the same rail periods last

TfL Rail are excluded from this graph due to data quality issues with their claims approved data. ORR expect the data issue to be resolved with the next release due out on 25 June 2020.



**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.