Bus Users UK guide: ADR Complaints Process for Bus & Coach Passengers

Alternative Dispute Resolution (ADR)

Bus Users UK offers Alternative Dispute Resolution services for domestic disputes on consumer contracts initiated by a passenger against a bus or coach operator.

We also handle international disputes between the same parties.

We communicate with industry regulators (Traffic Commissioners) and relevant government departments as well as other consumer groups where appropriate.

We use mediation to resolve disputes and we take into account the laws which bus and coach operators must follow, accessibility and equality legislation and principles of good customer service.

Complaints process

Bus and coach passengers should report the complaint to the bus or coach company in the first instance, allowing 14 working days for a response.

If no response or an unsatisfactory response is received, then the passenger should report the problem to Bus Users UK.

Complaints can be submitted by post, telephone, email or online (see below), along with all available information and evidence.

Complaints may be submitted in English or Welsh, and the complaints process conducted in either language.

We usually ask for written information but, in the event of a communication disability, we will allow oral submissions by appointment.

We do not charge complainants to use this service and there is no financial limit for a complaint.

Bus Users UK will acknowledge your complaint and check that it falls within the scope of our process. If we are not able to deal with the case (see below for what we can and cannot deal with) we will let you know within 14 working days of you submitting the information to us.

If we are able to deal with your case, you will receive a unique reference number which you should keep and quote in future correspondence.

We will contact the relevant bus or coach operator and pass on the details of your complaint, giving them 14 working days in which to respond.

We will then keep both parties informed of the responses by telephone, email or letter, as preferred. We ask both parties to reply to any new correspondence within 14 working days at any stage.

Once all the evidence has been received, a completion notification is sent to both parties who then have 90 days in which to propose and agree a resolution. At each stage, parties will have up to 14 working days to respond.

The case will be closed only when the resolution has been actioned. At that point, both parties will be sent notification that the complaint file is complete.

Complainants may nominate a third party to speak on their behalf and, if the complainant is a minor, we will need confirmation from a parent or guardian that they are happy for us to proceed on your behalf.

Complainants do not need to have legal representation to use this service.

Nothing in this process prevents a complainant from taking legal action once the case is closed. If legal action on the same issues is taken while the case is ongoing, we would recommend closing this process as a legal action would have more force. It could also have a different outcome. Our experience is that solicitors will advise an operator not to respond to Bus Users UK if a court action is pending.

If an acceptable solution is not forthcoming, the complainant will have the opportunity to decide whether the case should be put before the final appeal panel. The panel could decide for either party. Complainants should be aware that any offer made by the operator up to that point will not necessarily be available following a decision in the operator's favour.

The panel will make a decision within 6 weeks of the case being referred to it. This will be relayed in writing to both parties along with the key issues considered in coming to that decision.

The decision of the panel is final and may not be appealed unless completely new and relevant evidence becomes available that was not possible to consider previously.

Once the decision has been issued, we will monitor to check that any requirement has been implemented before closing the case and asking for feedback.

Complainants should know that Bus Users UK has no legal means of enforcing decisions although the vast majority of operators accept the decisions and implement the findings.

However, if a pattern of non-implementation is seen, a case file will be sent to the relevant Traffic Commissioner. Traffic Commissioners do have legal powers and may use the information when assessing the operator's repute in deciding whether to grant further operating licences.

Our complaints process **CAN** deal with the following issues:

- Service Reliability
- Driver/Staff Attitude (including customer service issues)
- Frequency of Service
- Vehicle Condition/type
- Bus failed to stop
- Bus failed to show
- Infrastructure
- Compliment
- Capacity
- Disability Issues
- Accessibility Issues
- Ticket Prices
- Ticket Acceptance
- Other Ticket Matters
- Concessionary Pass Matters
- Personal Injury and Accident
- Incorrect/Inadequate information
- Smoking
- Other
- Luggage
- European Passenger Rights Regulation.

Our complaints process **CANNOT** deal with:

- Issues where the complainant has not contacted the operator involved.
- Anything where over 12 months has passed since the complainant has received an unsatisfactory response from the operator.
- Complaints related to a wholly legal commercial or policy decision on the part of an operator or local authority.
- Issues where the complainant is a minor whose legal guardian has refused permission for us to act on their behalf.
- A complaint which is the responsibility of the tour operator (eg a complaint about the touristic content of a coach holiday, the quality of accommodation at a resort or food at a rest stop) rather than the coach operator – ie issues not to do with the transport element of the excursion.
- A complaint which is from a non-passenger (eg pedestrian or car driver having an issue with a bus).
- A complaint already subject to a legal course of action.
- A complaint which is being, or has been previously, considered by another approved ADR provider or by a court.
- A complainant who has a history of vexatious, frivolous complaints or abusive behaviour towards Bus Users UK staff.
- Any complaint where it becomes clear that dealing with the dispute would seriously impair the effective operation of our organisation.

If one of the parties has sought to deliberately mislead Bus Users UK on a matter relating to the existence or non-existence of one of the grounds for refusing to deal with the dispute, we retain the right to immediately refuse to deal with the dispute any further, even though the three-week deadline may have passed.

About Bus Users

Bus Users is a charity that campaigns for inclusive, accessible transport. We are the only approved Alternative Dispute Resolution Body for the bus and coach industry and the designated body for handling complaints under the Passenger Rights in Bus and Coach Legislation. We are also part of a Sustainable Transport Alliance, a group working to promote the benefits of public, shared and active travel.

Alongside our complaints work we investigate and monitor services and work with operators and transport providers to improve services for everyone. We run events, carry out research, respond to consultations, speak at government select committees and take part in industry events to make sure the voice of the passenger is heard.

Bus Users UK Charitable Trust Ltd is a registered charity (1178677 and SC049144) and a Company Limited by Guarantee (04635458).

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