



CROSSRAIL INFORMATION PAPER

F5 – COMPLAINTS COMMISSIONER

This paper sets out the proposals for a Crossrail Complaints Commissioner.

It will be of particular relevance to those in the vicinity of the proposed Crossrail works.

This is not intended to replace or alter the text of the paper itself and it is important that you read the paper in order to have a full understanding of the subject. If you have any queries about this paper, please contact either your regular Petition Negotiator at CLRL or the Crossrail helpdesk, who will be able to direct your query to the relevant person at CLRL. The helpdesk can be reached at:

Crossrail
FREEPOST
NAT6945
London
SW1H 0BR

Email: helpdesk@crossrail.co.uk
Telephone: 0845 602 3813

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F5 – COMPLAINTS COMMISSIONER

1. Introduction

1.1 During the construction of Crossrail the Secretary of State will ensure that a Complaints Commissioner is appointed.

2. Terms of Reference

2.1 For those who are unhappy with an aspect of the construction of Crossrail the first step would be to complain to the Secretary of State or the nominated undertaker. It is where the complainant feels that the complaint has not been satisfactorily addressed that the Complaints Commissioner has a role to play.

2.2 The Complaints Commissioner will be independent of the Secretary of State and any nominated undertaker appointed to construct Crossrail. The Commissioner's role will be to investigate any grievance where it is alleged that the Secretary of State or the nominated undertaker has not satisfactorily addressed a matter raised by a complainant.

2.3 The precise terms of reference for the Complaints Commissioner will be established by the Crossrail High Level Forum (for further information see Information Paper F4, High Level Forum). The Complaints Commissioner's main functions are expected to be:

- to ensure the existence and function of his office is well publicised to those affected by works;
- mediate in unresolved disputes between the project and individuals or bodies;
- make reports to the High Level Forum; and
- advise the nominated undertaker where action could be taken to reduce the instance of complaints.

The Complaints Commissioner will not have power to determine a dispute but will act as a mediator. Any dispute still unresolved following his involvement would have to be addressed through the relevant dispute resolution process.

2.4 The Complaints Commissioner's role will not cover the following:

- Planning conditions; where a complainant disagrees with the determination, or conditions applied to a determination, of any consent application made by a qualifying authority under Schedule 7 of the Act. The Complaints Commissioner may be called to mediate in matters of compliance but be able to do no more than make recommendations to the nominated undertaker and their contractor (the Complaints Commissioner does have a role in dealing with the environmental effects of construction; this is likely to be most of his work).
- Property compensation issues; in the case where the vendor disputes the terms, or proposed terms, of any property acquisitions made under the Crossrail Act.

- Settlement Deed; any disputes arising from the application of the Settlement Deed.
- Matters relating to operation of the railway.

3. Status of Appointment

3.1 The Complaints Commissioner will be appointed by the High Level Forum.

3.2 The Complaints Commissioner's role will relate to the construction of Crossrail, and not its operation. Once construction has been completed the Complaints Commissioner's role will terminate. Complaints relating to the operation of the service will follow the same procedure as for other passenger rail services, ie through London TravelWatch or the Rail Passengers Council (Passenger Focus) as appropriate.

3.3 The Complaints Commissioner is expected to ensure that they are accessible, through all major media and in person, to all who may reasonably require his/her services.