
Secretariat memorandum

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PC115

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Casework report for the period January to March 2017

1 Purpose of report

- 1.1. To record the operator performance in handling appeals made by London TravelWatch on behalf of passengers, and identify key concerns.

2 Summary

- 2.1. The number of initials and telephone enquiries has fallen but the number of appeals continues to rise.
- 2.2. More passengers are appealing about, or expressing within their appeal, their dissatisfaction regarding the way their complaint was handled by the operator.
- 2.3. For the first time we are including information about casework successful outcomes.
- 2.4. There are six parts to this report:
- 1) Contacts received – breakdown of contacts received during the previous twelve months
 - 2) National Rail operators and Transport for London (TfL) response times to London TravelWatch appeals
 - 3) National Rail operators and TfL response times
 - 4) Response details -information about appeals where the rail operator has taken longer than 20 days to respond and TfL has longer than 10 days
 - 5) Appeals received by category pie graphs
 - 6) Issues received - information on issues received by the casework team

3 Appendices

- 3.1. Appendix A shows the incoming casework over the previous few years.
- 3.2. Appendix B shows the outcomes to appeals closed in quarter four.

4 Equalities and inclusion implications

- 4.1. There are none arising from this report

5 Legal powers

- 5.1. Section 248 of the Greater London Authority Act 1999 places upon London TravelWatch (as the London Transport Users Committee) a duty to consider – and, where it appears to it to be desirable, to make representations with respect to – any matter affecting the services and facilities provided by TfL which relate to transport (other than freight) and which have been the subject of representations made to it by or on behalf of users of those services and facilities. Section 252A of the same Act (as amended by Schedule 6 of the Railways Act 2005) places a similar duty upon it in respect of representations received from users or potential users of railway passenger services provided wholly or partly within the London railway area.

6 Financial implications

- 6.1. There are no specific financial implications for London TravelWatch arising from this report.

1: Contacts received

This report covers incoming casework received from January to March 2017

In quarter four a total of 2,209 contacts were received by London TravelWatch via telephone, email and web form.

Case types	Jan to Mar 2017	Oct to Dec 2016	Jul to Sep 2016	Apr to Jun 2016	Jan to Mar 2016
Casework related telephone enquiries	401	617	738	1,003	860
Enquiries email	173	140	51	60	45
Initial cases	631	791	1241	1,362	880
Initial plus cases	246	235			
Request for papers	212	194	137	111	160
Appeals made to operator	227	248	246	235	209
Appeals responded to directly	212	223	353	419	310
Appeals responded to directly plus	107	58			
Appeals sub total	592	529	599	654	519
Total contacts	2,209	2,506	2,766	3,190	2,464
Appeals carried over from previous quarter	46				
Total cases	2,255				

New category - Appeals carried over from previous quarter

Where the appeal was started at the end of one quarter and carried over to the next. It was previously very difficult to separate cases carried over from cases received. However, with some system changes, we can now see the both the newly received cases and those that are existing without duplication.

Enquiries telephone

This is a record of all telephone calls that has been received by London TravelWatch.

Enquiry

These are cases where the passenger has contacted London TravelWatch looking for information that is not a complaint.

Initials

An initial case is one where the complainant has written to London TravelWatch but has not yet approached the operator.

Initial plus

An initial plus case is where the passenger has not yet approached the operator but where the caseworker has felt the need to respond to the passenger and/or forward the complaint to the operator.

An example of this type of case is one where a passenger's initial contact clearly demonstrates that they are struggling with the English language. In these cases, we forward the complaint to the correct operator and ask that they respond directly to the passenger and we then close the case. In these circumstances, we would usually also advise the passenger of our actions.

Papers requested

A case classified as request for papers is one where we have asked the passenger to forward copies of all correspondence between themselves and the operator. We cannot consider taking forward a case without this information.

Appeals made to operator

Where the passenger has already complained to the operator and London TravelWatch has taken it forward as an appeal.

Appeals responded to directly

A 'direct' categorised case is one where London TravelWatch responds directly to the passenger without needing to contact the operator.

Appeals responded to directly (plus)

These are cases where more correspondence is required but London TravelWatch is not appealing. Examples of this type of case would be one where we do not have to appeal to an operator but we do need some additional information in order to respond fully to the passenger.

2: Operator response times – closed cases

National Rail operators

This target, agreed with the rail operators, requires them to respond to 75% of appeals referred to them within 10 working days, and 100% within 20 working days. It is accepted that in some complex cases it may not always be possible to meet these deadlines. We expect to receive a holding response from an operator followed by regular updates on progress. Performance to this target relates to the substantive response from the operator rather than the holding response.

NATIONAL RAIL				
Working days elapsed	January to March 2017		October to December 2016	
	No of cases closed	No of cases closed	No of cases closed	Percentage closed
Days 0-10	108	65%	122	79%
Days 11-20	24	14%	21	14%
Days 21-40	28	17%	11	7%
Day 41+	6	4%	0	
Total	166		154	

The appeal response times from the railway operators have not been as good when compared to the previous quarter. This was anticipated as both GWR and South West Trains reported large backlogs although they try to prioritise London TravelWatch cases. These backlogs appear to be have been effectively managed as complaints about these operators have started to reduce.

GTR continue to be overwhelmed by contacts due to poor performance and the continuing strike action. Now that GTR also offer compensation at the point of 15 minutes delay, the quantity of their contacts has increased further.

2. Transport for London

TfL has no franchise obligation to respond to London TravelWatch but has traditionally followed the same policy as the rail operators. Their response targets for complaints from passengers and appeals from London TravelWatch is 10 working days.

TRANSPORT for LONDON				
Working days elapsed	January to March 2017		October to December 2016	
	No of cases closed	Percentage closed	No of cases closed	Percentage closed
Days 0-10	18	41%	26	70%
Days 11-20	13	29%	6	16%
Days 21-40	12	27%	4	11%
Day 41+	1	3%	1	3%
Total	44		37	

TfL's response times within 10 working days have significantly deteriorated in quarter four. This is because the Executive Customer Service Team at TfL continued to deal with a large amount of challenging contacts following the tram incident in November. They have advised that the large proportion of the tram work is completed and see no reason why these response times will not return to previous levels.

3. National Rail operators' response times – closed cases

Operator	Jan to Mar 2017		Oct to Dec 2016		July to Sept 2016		Apr to June 2016		Jan to Mar 2016	
	No of cases	Average working days	No of cases	Average working days	No of cases	Average working days	No of cases	Average working days	No of cases	Average working days
ATOC					1	1				
BTP										
c2c	4	2	5	18	3	13	1	1	6	21
Chiltern	6	30			5	5	3	1		
CrossCountry										
Department for Transport										
Deutsche Bahn										
V East Coast			1	5	1	0			1	104
East Midlands Trains										
Eurostar	4	1	6	1	19	3	17	2	7	1
GTR	22	9	32	5	20	5	31	2	28	3
GWR	35	15	7	14	6	3	3	5	1	0
Grand Central			1	33						
Gatwick Express										
Greater Anglia	11	6	6	7			9	1	8	1
Heathrow Express	6	1	7	9.5	2	11	3	56		
Heathrow Connect	1	0								
First Hull Trains										
AS	2	0	2	1	6	0	16	1	13	1
IPFAS	0	0	1	1	2	0	3	0	2	1
London Midland	1	0			1	1	3	2	2	1
NR Enq										
Network Rail			1	11			1		2	3
ORR							1	2		
RailEurope										
RPSS									1	1
Rail Easy										
ScotRail										
Southeastern	8	14	15	7	6	5	12	2	11	15
Southern	30	12	38	10	55	6	38	7	29	5
South West Trains	15	8	20	6	25	4	19	7	25	3
Trainline			2	4			1		2	2
Virgin West Coast	16	4	10	5	8	4	1	1	1	1

Transport for London

Operator	Jan to Mar 2017		Oct to Dec 2016		Jul to Sept 2016		Apr to Jun 2016		Jan to Mar 2016	
	No of cases	Average working days	No of cases	Average working days	No of cases	Average working days	No of cases	Average working days	No of cases	Average working days
Docklands Light Railway	1	18	2	5					3	7
London Overground	2	31	4	40	3	9	3	21	4	12
TfL London Buses	9	13	10	9	15	5	15	8	9	10
TfL London Underground	4	11	2	10	5	5	9	2	3	15
TfL Roads & Streets	13	14	1	9	2	3	3	6	2	7
TfL Dial-a-Ride					1	0			1	28
Oyster	9	13	13	9	10	7	14	6	11	10
TfL Other			1	1	7	3	6	6	2	11
Tramlink					1	7			1	0
TfL Rail	4	20	4	1			3	2	2	0
TfL cycles							1	5		
Victoria Coach Station					1	10				

**IPFAS, AS and RPSS are all appeal or revenue collection bodies. AS also manages the first stage penalty fare appeal for Transport for London.*

The table above and on the preceding page shows the average time taken by each operator or TfL mode, to respond to appeal cases. The average response times should be treated with caution, as a delay in responding to a single case may significantly affect the average.

4. Response delays

Not all cases that are open longer than usual are because the operator has not responded to the caseworker. Some cases take longer to deal with as they require further investigation and other cases can be kept open to allow ongoing negotiation between London TravelWatch and the operator. This is acceptable as long as the caseworker keeps the appellant updated on a regular basis.

Some cases where the transport operator has taken what could be considered too long to respond to London TravelWatch, have nevertheless been resolved to the passenger's satisfaction. The caseworkers are aware that response delays from operators do not necessarily mean negative outcomes for passengers and keep this in mind when chasing the transport operator for a response.

The transport operator sometimes asks for further information that can delay the case being closed while the caseworker requests this from the passenger. Such cases can become lengthy; particularly if the passenger is away at the time the request is made.

Rail cases with longer than 20 days response times

During quarter four there were 28 rail operator cases that took over 20 days to send the response to London TravelWatch. A further six cases were only just over the time limit, the explanation for those particular cases are not given here.

GWR 12 cases

This rail operator changed its customer service contractor, which coupled with a sudden spike in performance delays and claims caused long delays in responses. About half of the GWR cases received in quarter three took longer than 20 working days for the caseworker to receive a response for this reason. GWR kept the casework team up to date with progress and changes throughout this time.

Chiltern 4 cases

Chiltern were not receiving emails from London TravelWatch and therefore were not responding. This was raised with Chiltern who responded quickly, putting a new process into place to ensure that emails from us were caught immediately. The outstanding appeals were treated as priority and responses to them all were received within a few days.

Southern

- i. In this case, the passenger did receive a response within 20 days but directly from Southern rather than via the caseworker. Southern apologised and reminded their staff to respond directly to the London TravelWatch caseworker making the appeal.
- ii. Mr B had made a complaint about a queuing system and Southern had mistakenly responded with comments regarding issues on strike days. London TravelWatch appealed this response but the station manager was on leave. On his return, the station manager asked London TravelWatch to obtain additional information from the passenger and these two issues delayed the response. However, Mr B was fully informed of the circumstances and was satisfied with the final response.

Southeastern

- i. Mr J was unhappy that there was only an anytime single ticket for his peak time journey and that the cost of this single ticket was only slightly less than the off peak return fare. The caseworker appealed to see if there was any future plans to introduce further ticket options. Southeastern said that as the anytime single cost less than the off peak return ticket, there was no need to add further tickets to the database. ***The actual journey has been purposely omitted as it would identify the passenger.***
- ii. The caseworker received a quick response within the timeframe for this case and wrote to the passenger to see if the offer was acceptable. Despite frequent efforts to contact the passenger, we received no response and eventually closed the case.

GTR

- i. Mr S had a new season ticket that would not consistently open the barriers at some stations. Mr S had tried to get the staff at the station to replace it but they had refused. Mr S approached London TravelWatch who appealed. GTR said that the ticket should have been replaced earlier and apologised for the problem. The case was kept open until Mr S confirmed that he was in receipt of the new ticket and that it consistently opened all the barriers at the stations he used.
- ii. Mrs F had her refund refused because rail replacement bus services had been organised in place of the cancelled train. However, Mrs F had checked before she travelled and the information online only stated the cancelled train so Mrs F decided not to travel. London TravelWatch appealed because the caseworker believed that Mrs F had checked before travelling and was not to know that she would have had to look more closely to find the information about bus replacement services. A longer time was taken while GTR checked to see what information was available to passengers regarding the service. They agreed that the information on the replacement bus service could have been clearer and issued a full refund.
- iii. Mrs T appealed to London TravelWatch as she had not received a response from her complaint to GTR. The caseworker asked GTR to check but they could not find her original complaint. The caseworker asked that GTR respond directly to Mrs T. They did so within the 20 day period but forgot to advise London TravelWatch so the case remained open longer.

Thameslink

Mr X made a delay repay appeal to South West Trains that was refused so he appealed to London TravelWatch. The caseworker believed the passengers' journey was with Thameslink. The delay was while the caseworker found the journey route taken by the passenger and investigated as to where the delay responsibility lay. As Thameslink had not previously had sight of the complaint, an appeal should not really be made. However, Thameslink accepted that it would not be fair to send the passenger back through the system, so responding favourably offering a full refund. Mr X was very happy that London TravelWatch had resolved the problem and asked that Thameslink donate the compensation to charity.

Virgin Trains East Coast

- i. This case originally went to Virgin West Coast who refused to take responsibility. Virgin Trains East Coast resolved the complaint to the passengers' satisfaction but liaising with both operators delayed the case being closed.
- ii. Mrs H was issued a refund by cheque that had the wrong prefix so she could not cash it. She was reassured that the new cheque would be issued but she did not receive it so approached London TravelWatch. The caseworkers' investigations revealed that each time the refund for the passenger was checked, the complaint was marked refund paid and closed which is why a new cheque was not sent. Finally, our contact at Virgin East Coast circumnavigated the issue by refunding directly into the passengers bank account and also sent some complimentary tickets for the inconvenience caused. Waiting for the passenger to send in the additional information required, added to the delay in closing this case.

Virgin West Coast

On advice from Virgin West Coast, Mrs B used the Virgin app to purchase tickets. On the day she travelled, the app failed so the ticket could not show. By the time staff at Euston had resolved the issue some two hours later, there was no point Mrs B travelling so she went home. When Mrs B tried to claim a refund for her unused journey, Virgin charged her £10 administration fee so Mrs B approached London TravelWatch. The caseworker appealed stating that Mrs B did not travel due to the Virgin app failing and not out of choice. The caseworker also stated that Mrs B was out of pocket as she had to pay additional peak time travel cost in order to get to Euston station. Virgin agreed and refunded both the administration costs and additional travel costs incurred by the passenger.

Greater Anglia

Ms F trains were cancelled so she used a different rail operator to take a train that went closest to her usual route home and a taxi for the rest of the journey. Ms F wanted to claim for the additional train ticket she had to purchase and the taxi fare. Ms F was using a pay as you go Oyster card to travel which is accepted at Hertford East but not Hertford North. Greater Anglia had refused to offer any refund as no (paper) ticket had been purchased and therefore no contract existed. Therefore, Ms F appealed to London TravelWatch. The caseworker appealed because Ms F had made this journey many time previously so argued that the spirit of a contract existed. In addition, as Ms F could not use her Oyster card to travel to Hertford North so she had to buy the more expensive paper ticket to get close to home. Greater Anglia understood the caseworker's additional argument that Ms F had chosen the cheapest possible alternative route and agreed, on this occasion, to refund Ms F.

Transport for London cases with longer response times than 10 days

There are 22 cases that took longer than TfL's 10 day response target and these are detailed below. Four of these case response times are just outside of this target so details are not given in this paper.

TfL Crossrail

- i. Ms K purchased a season ticket on line with TfL to be sent to her by post. When she did not receive it, she had to purchase additional tickets to travel. She claimed a refund of these tickets when she received her season ticket. TfL agreed this refund but Ms K did not receive it despite contacting TfL on a few occasions. London TravelWatch appealed and the refund was made but TfL did not confirm that payment had been made so the case was kept open longer than usual.
- ii. Mr B wrote to MTR Crossrail on a couple of occasions but appealed to London TravelWatch when he did not receive a response. This is because TfL manage Crossrail complaints and not MTR. The caseworker found that MTR had forwarded the complaint to TfL who investigated as to where the complaint had gone. Mr B's complaint was found and satisfactorily addressed. The pathway for complaints between MTR and TfL has also been improved which should prevent future delays for passengers who send complaints to MTR in error.
- iii. Mr C appealed to London TravelWatch as he had not had a respond to his complaint. On appeal, the caseworker was informed that a response had been sent from TfL. The caseworker asked for a copy of the original email to provide Mr G with the evidence that it had indeed been sent and to the correct email address.

TfL Underground

- i. Mrs B appealed to London TravelWatch because she did not believe that TfL's response addressed her concerns about her local underground station. The caseworker felt that TfL's response was very detailed but not directly relevant. The caseworker contacted TfL and a comprehensive investigation took place. This was performed over a period of time and included peak, off peak, late night and weekend travel. Mrs B was happy with the outcome.
- ii. Mrs S was passed back and forth between c2c and TfL regarding his complaint about the information displayed on the screens at Upminster station. On receipt of this appeal, London TravelWatch approached TfL as they have responsibility for the information displayed on the screens at Upminster Station although c2c have responsibility for other areas. TfL confirmed that they would update their staff concerning giving the correct information. They also confirmed that that Upminster was part of a 40 station upgrade programme. Mrs S was satisfied with this response.

TfL Bus

- i. Mr G was unhappy with the generic response to his complaint about the performance of his bus route so appealed to London TravelWatch. We asked TfL to respond to the specific delay Mr G had mentioned and if there were any forthcoming improvement measures. TfL indicated that two sets of roadworks on that route were causing issues. These roadworks in addition to heavy traffic caused the delay outlined in Mr G's

complaint. TfL also indicated that Mr G's route was due for performance evaluation and this would be done once the route is clear of these two major roadworks.

- ii. Mr G was unhappy that TfL's response regarding the occasional lack of bus blinds on the buses on his route was vague and unsatisfactory. The caseworker appealed and asked to know which buses on this route were without correct bus blinds and when these were to be installed. TfL confirmed that the bus blinds should be in place on all buses on Mr G's route by the end of April 2017.
- iii. Mrs A wanted to be given a definite date when countdown screen at her bus stop would be repaired and working again. TfL were unable to give her a definite date so she appealed to London TravelWatch. The case was kept open while the caseworker tried to obtain a date. We were able to obtain a more specific time frame but not an actual date. Therefore, the passenger remained unsatisfied.
- iv. Mr P wanted to know why his bus had been curtailed and complained to TfL. He was advised of the difficulties of road works on his route. Mr P was unsatisfied with the response so appealed to London TravelWatch. Due to the time that had elapsed from when the journey took place to when the caseworker made an appeal, it took time for TfL to find the issue with the particular bus Mr P had used. It was discovered that the bus was curtailed as the road works had caused severe traffic tailbacks. Curtailing the bus did cause problems for those on board but it was the best way to ensure passengers in the opposite direction were not left without a service as their buses were stuck in the traffic jam.

TfL Congestion Charge

- i. Mr A, resides in the congestion charge area, but could not make the changes required to his personal profile on his congestion charge web account. Mr A tried to contact TfL IT but received no response. After receiving an appeal, the London TravelWatch caseworker contacted TfL congestion charge who could investigate the passenger account and the lack of responses to his complaint. The congestion charge department contacted Mr A to help resolve the issues with his online account and amend his personal profile. Mr A was satisfied with this outcome.
- ii. Mrs L is a car owner who lives in the congestion zone and has always been in receipt of the resident discount for her car. She started receiving unpaid congestion zone charges after her resident discount failed to automatically renew. Mrs L did not receive a response from TfL and so appealed to London TravelWatch. The caseworker appealed and then chased for a response. TfL advised that they were experiencing a backlog of these cases as they had switched to a new system that didn't export some residents' data automatically. They applied the appropriate discount and removed all outstanding charges. TfL also refunded Mrs L for all of the expenses she incurred while waiting for the problem to be resolved. Mrs L was happy with the outcome.
- iii. *London TravelWatch received two further cases similar to the two above. These cases were not dealt with within the 10 day time period but were settled to the appellants satisfaction. The issues the congestion charge team experienced with the new system appears to have been resolved.*

TfL Overground

Mr S complained that he could not leave his bike at this station due to other cycles that were left, and apparently, abandoned in the cycle racks leaving no room for others. TfL had said that they would look into it but the abandoned bikes remained. The caseworker appealed and the TfL exec team contacted the station manager to put the 14 days removal notices on the bikes that appeared to have been abandoned. After this time had elapsed, TfL had a contractor remove the cycles. The station manager also had the area tidied up and took photos so both TfL and London TravelWatch had the evidence that the work had been completed to pass to the passengers. This process did take time but TfL continually updated the caseworker of progress who, in turn, could keep the passenger informed. The passenger was satisfied as he could see progress being made and was happy with the outcome.

TfL Oyster

- i. Three cases were kept open by the caseworkers until the appellant confirmed that refunds and direct contacts from TfL staff had been made.
- ii. Ms W thought she qualified for an 18+ Oyster card but her application was refused. Ms W then paid full price for her tickets until she was told by her school that she qualified for a 16+ Oyster card. Ms W complained to TfL who offered her a £20 good will gesture. Ms W thought this an unsatisfactory amount considering the much higher costs she had to pay for full price tickets due to TfL's error, so she appealed to London TravelWatch. The caseworker spent time liaising with TfL about this case that is why the case was open longer than usual. Eventually a sum was negotiated and agreed upon that was much more satisfactory to Ms W who was pleased to accept the increased offer.

TfL Streets

Mr P advised his London TravelWatch caseworker that he needs more time than most people when corresponding. This is the reason that this case was open longer than usual

TfL general

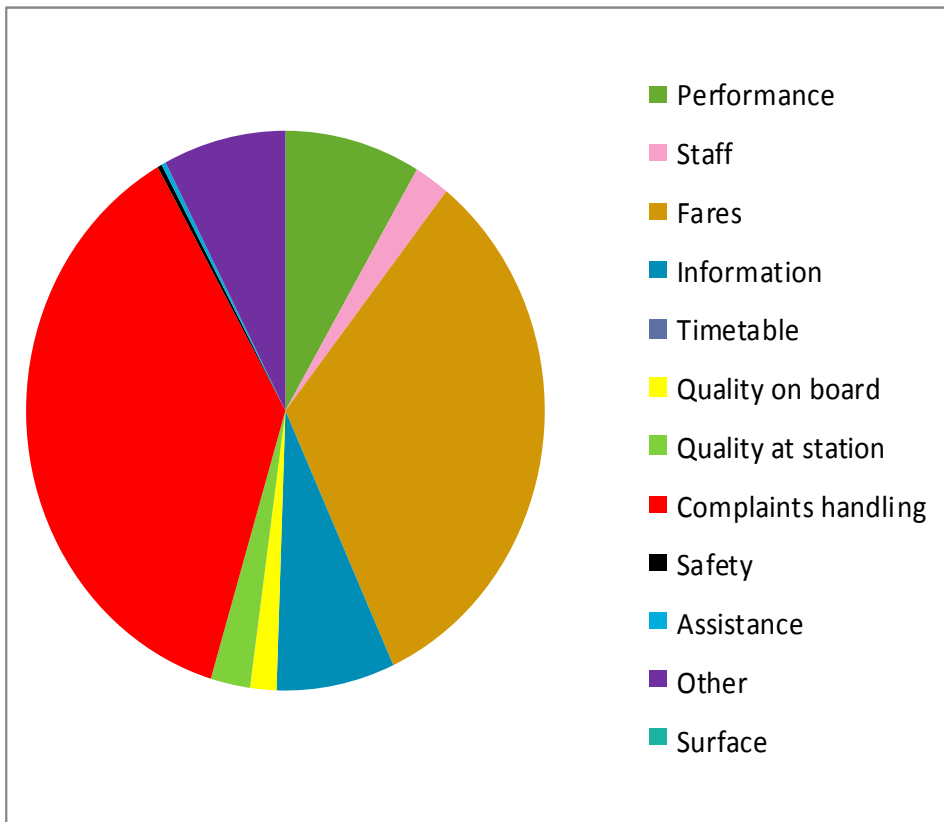
Mr L was unhappy with the way the consultation for the Archway gyratory system had been managed but more so, with the responses he had received from TfL. The caseworker knew that the response would be delayed as TfL were working on providing a similar response to politicians' questions and wanted to ensure consistency. The caseworker advised the passenger of this known delay at the outset and the passenger confirmed that he was happy to wait.

5: Appeals by category

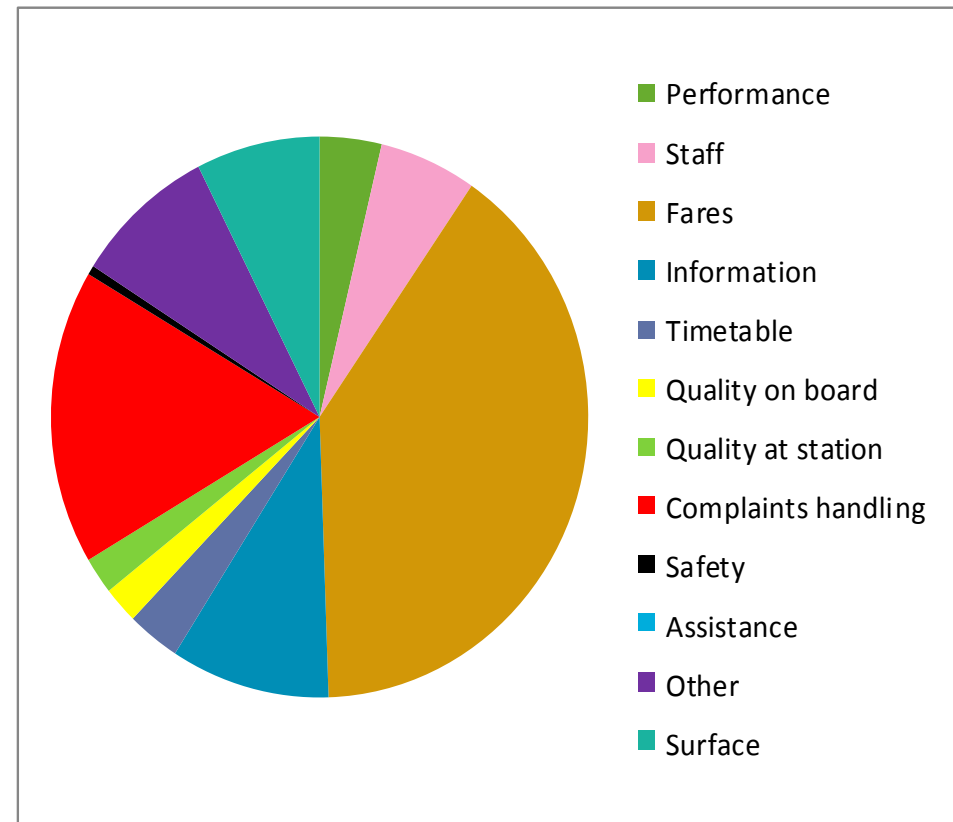
The charts below summarise the main types of appeals received by London TravelWatch regarding both National Rail operators and Transport for London.

More passengers are expressing dissatisfaction with the way their complaint has been handled. This is usually in conjunction with the issue which caused them to make their initial complaint.

Rail operators



Transport for London



6. Main issues received

This part of the report highlights some of the issues that were raised from passenger contact.

National Rail operators

By the end of quarter four, it was clear from the reduction of appeals received by London TravelWatch that GWR were beginning to effectively manage their caseload. However, GWR continue to liaise with the casework team regarding their current outstanding caseload.

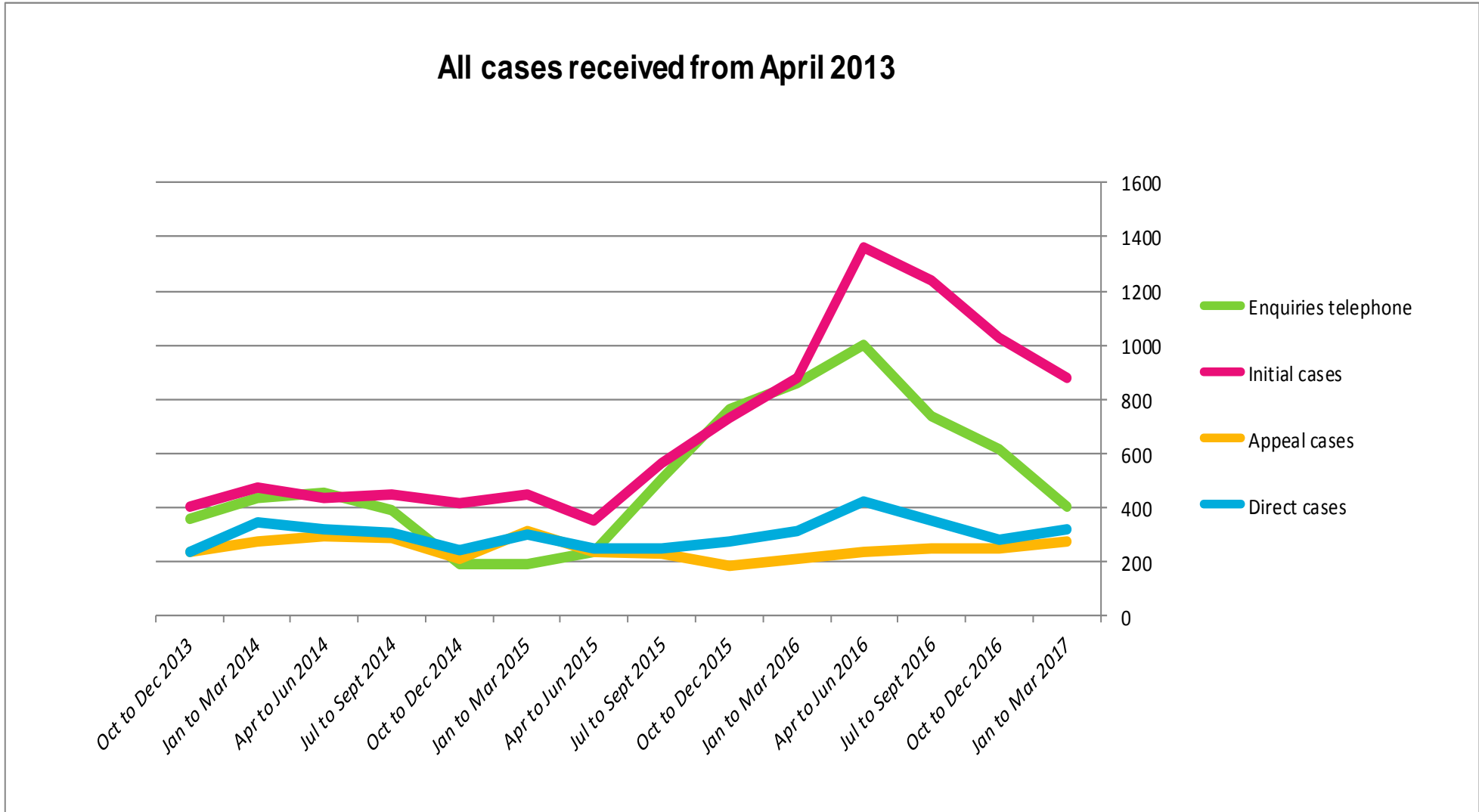
Some rail operators are struggling to respond to appeals from London TravelWatch made using CRA 2015. Although there has been a subtle but very real increase in positive outcomes to cases where the CRA 2015 was used as a tool to help with the appeal.

Southern's removal of late and through night services is causing concern to passengers who have taken jobs based on the train timetable. Southern passengers are able to use the Thameslink service instead but complain that these services operate on a lower frequency and are less reliable.

Transport for London

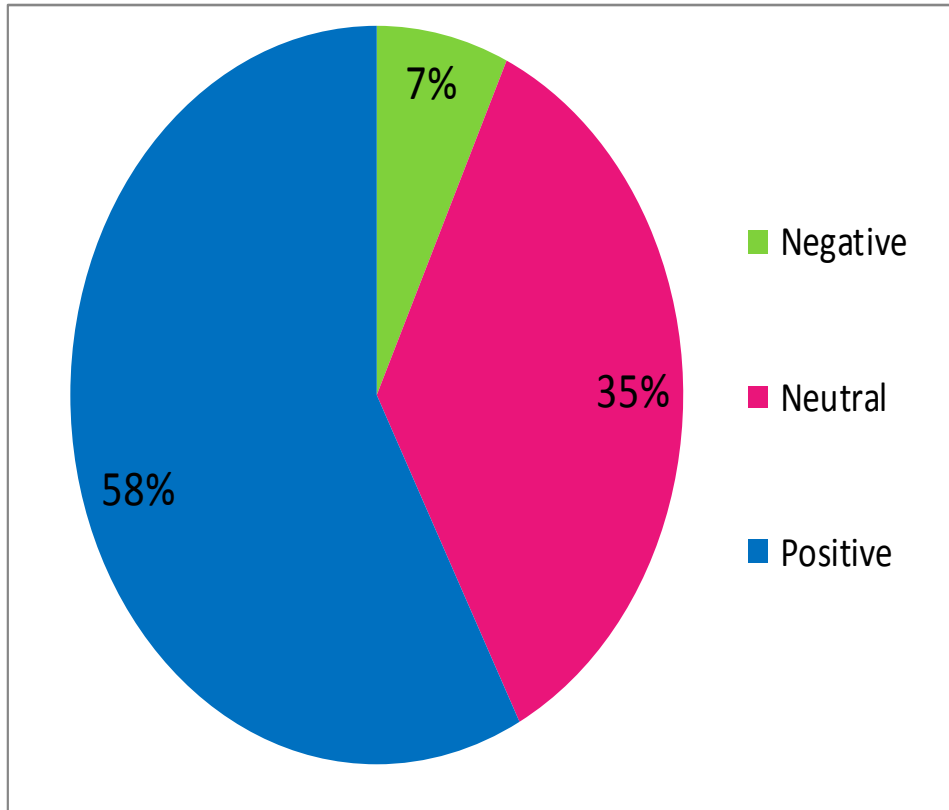
All TfL contact pages have been migrated to the new system. This means the online forms are much more user friendly regardless of the type of device used to access them. It should also mean that passenger complaints have not been lost.

Appendix A: Quantity of cases received



Appendix B: Outcomes to appeals – quarter four

Rail



TfL

