

Policy Committee

Secretariat memorandum

Author: Susan James

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Casework report for quarter four January to March 2019

1. Purpose of report

To record the quantity of cases and the types of issues passengers have raised with London TravelWatch.

2. Summary

The Rail Ombudsman 'went live' on 26 November 2018, but this did not have any real reduction impact on incoming casework in quarter four, as many complaints related to journeys before this date.

There are eight parts to this report.

- i. Contacts received – breakdown of contacts received during the previous five quarters
- ii. TfL response times to London TravelWatch appeals
- iii. Pie charts depicting appeals received according to category
- iv. Issues received - information on issues received by the casework team
- v. Casework and the current workload
- vi. The Rail Ombudsman and TfL
- vii. Recommendations
- viii. Rail ombudsman and TfL
- ix. Appendix A shows the incoming casework for the previous year

3. Equalities and inclusion implications

There are no specific implications arising from this report.

4. Legal powers

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.

5. Financial implications

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

(i) Contacts received

This report covers the incoming casework received from January to March 2019 and includes the previous four quarters for comparison.

This part of the report records the volume of casework received January to March 2019. London TravelWatch received 1,698 casework contacts via telephone, email and web forms.

Case types*	Jan to Mar 2019	Oct to Dec 2018	Jul to Sep 2018	Apr to Jun 2018	Jan to Mar 2018
Casework related telephone enquiries	304	164	237	315	442
Enquiries email	18	37	28	66	58
Initial cases	227	356	509	392	345
Initial plus cases	64	145	143	127	149
Request for papers	120	221	272	192	196
Appeals made to operator	227	292	319	239	226
Appeals responded to directly	263	322	275	191	256
Appeals responded to directly plus	136	161	98	115	143
Appeals sub total	626	775	692	545	625
Total of new contact	1,359	1,698	1,881	1,637	1,815
Appeals carried over from last quarter	32	32	22	32	49
Total cases	1,391	1,730	1,903	1,669	1,864

*See following page for case definitions used in this quarter.

Enquiries telephone

This is a record of all telephone calls that have 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

As initials above but where the caseworker has felt the need to respond to the passenger and/or forward the case 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 for them to respond directly to the passenger. For this type of case, we would usually also advise the passenger of our actions.

Such cases are resource heavy which is why they have their own category.

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 the 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. This is because London TravelWatch already has the information needed to answer the passengers query.

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, usually from the passenger, in order to respond fully.

This category was created to demonstrate additional work and correspondence between a passenger and caseworker but where the case cannot be fairly classed as an appeal.

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 separate the existing cases from those newly received.

(ii)Transport for London

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

TRANSPORT for LONDON				
Working days elapsed	January to March 2019		October to December 2018	
	No of cases closed	Percentage closed	No of cases closed	Percentage closed
Days 0-10	75	89%	61	87%
Days 11-20	7	9%	4	6%
Days 21-40	1	1%	5	7%
Day 41+	1	1%	0	0%
Total	84		70	

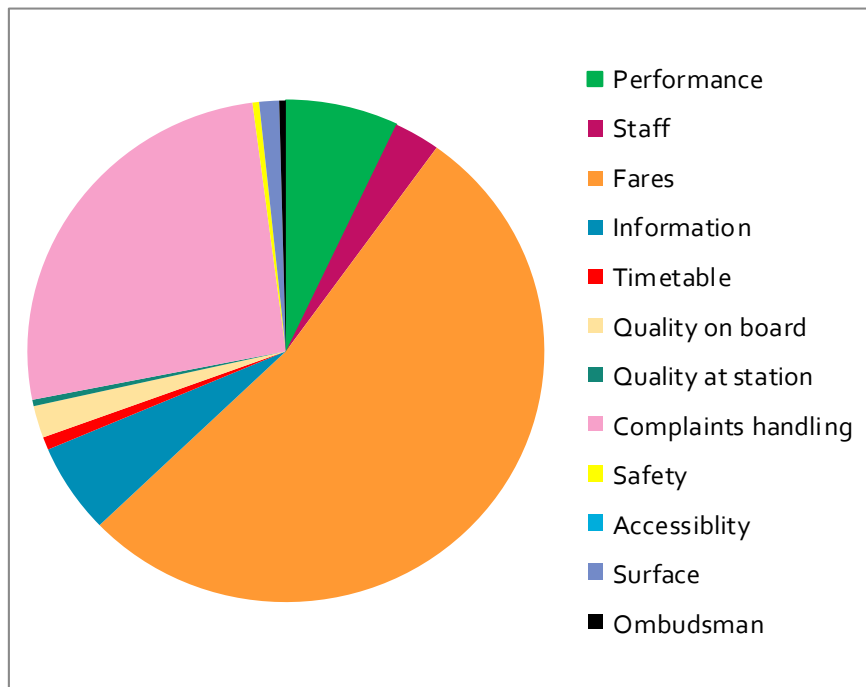
The Customer Executive team at Transport for London have continued to proactively monitor the appeals received from London TravelWatch in order to respond within the 10 days period. The Customer Executive team does not deal with appeals regarding congestion charge, dial a ride, cycles, streets and penalty fare/prosecutions so they cannot impact the response time of all modes. Appeals regarding congestion charge, dial a ride and penalty fares can take longer than 10 days due to the investigation involved. The casework team expects this and looks for the majority of appeals to be responded to within 10 working days rather than all.

(iii) Appeals received by category

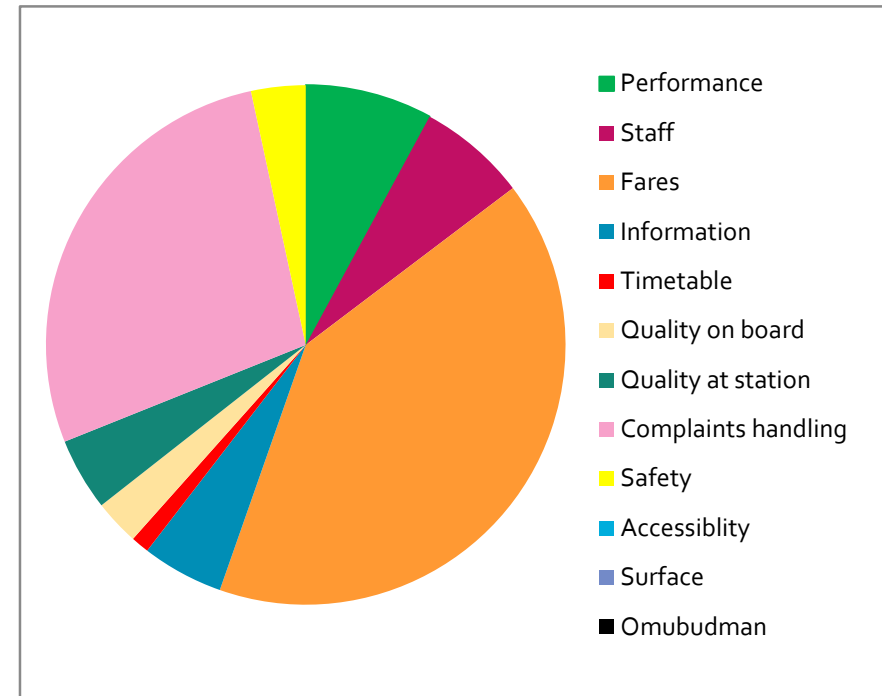
The charts below summarise the main types of appeals received by London TravelWatch regarding both National Rail operators and Transport for London.

There was an increase in appeals regarding TfL staff, service performance and surface issues such as PCNs.

Rail



TfL



(iv) Main issues received in quarter four

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

Rail

GTR

Contacts from passengers who have been refused the additional industry compensation offered to qualifying passengers by GTR following the timetable changes in May 2018, continued into quarter four. Passengers have also been complaining about the lack of frequency of direct services on their chosen routes since the timetable change.

Greater Anglia and Stansted Express

Passengers complaining about the lack of notices regarding ticket information at Liverpool Street and Tottenham Hale. Passengers using Oyster/contactless payment to this station wrongly believe that their ticket will be accepted until challenged by a revenue inspector. Delays on the Stansted Express causing missed flights continued to be an issue.

SWR

SWR, in line with other operators now offer the delay repay scheme. However, passengers renewing their season tickets have continued to complain to SWR that, as a result of the change to the delay compensation, they are no longer entitled to a percentage reduction of their ticket price. This continues despite the fact that all season ticket holders would have renewed their tickets at least once since the new scheme came into effect in September 2017 (for delays after 30 minutes and after 15 minutes from January 2018). Although SWR did still offer season tickets holders a reduction in their ticket costs until March 2018 as a good will gesture, they could perhaps have been clearer to passengers that this offer was limited to one time only.

Eurostar

Eurostar had very high levels of contact following service cancellations mainly due to industrial action of border security at Gare du Nord. Passengers were unhappy that the compensation, which was a percentage of their ticket cost, did not reflect the inconvenience and stress the cancellations caused. Also, passengers were emailing and telephoning London TravelWatch for journey advice, as the telephone lines at Eurostar were busy and emails were not being responded to quickly enough.

TfL

Buses

Service performance and lack of reliability is a cause for complaint on the buses. TfL will usually state poor performance on the road as the reason. Whilst this may frequently be the main cause, poor logistical management of the fleet of buses working on the routes could also be a cause. When heavy traffic builds up, the bus company will curtail routes or turn buses early in order to reduce passenger waiting times. However, they do not always curtail buses at a stop where passengers can access services from other bus operators. Nor do they appear to join up with other bus operators in order to try to reduce the waiting times for passengers along a particular stretch of the route where more than one bus company operates.

During large scale disruption, TfL manage the diversions and changes and take into account all services in order to reduce the impact on passengers.

Tube

The noise some tube trains make when travelling between stations has been raised by passengers on a number of occasions. High pitched screeching as a level described as 'very uncomfortable' is experienced by passengers on a regular basis. TfL have advised London TravelWatch that the reason for this is that they have removed some of the sound dampeners, this is so that less vibrations are experienced by residents who live over or near the tube lines.

Consequential loss

Currently, rail operators adhere to the National Rail Conditional of TravelWatch, which advises passenger of their rights regarding consequential loss. Under these conditions it advised that each claim will be evaluated on its own merit. TfL responds in a similar way but their own conditions of carriage do not mention the rights under which passengers may claim for this type of loss.

(v) Casework current situation

The workload for the casework team did not reduce in quarter four, but early indications show both a reduction in appeals despite an increase in contacts. The majority of contacts come from passengers who are unhappy with the response they have received from a transport provider. They have then looked online, found London TravelWatch's details, and sent their complaint to us. If the complaint is not within the scope of London TravelWatch, the caseworker will explain the new complaints process and suggest the passenger return to the transport provider and wait to be signposted to the Rail Ombudsman.

There may be further dialogue following this initial contact between the caseworker and passenger because a transport provider does not have to signpost to the Rail Ombudsman until eight weeks from the time the complaint was first received. Passengers have expressed dissatisfaction with this process and have indicated that they feel the timeline is intentionally protracted to put people off taking the matter further. However, it is unlikely that we will continue to receive high numbers of these types of contacts once the system involving the Rail Ombudsman becomes more embedded.

London TravelWatch still has a statutory duty to respond to any appeal within our geographical remit and this still includes most of TfL modes and Eurostar. However, the obligations are widely defined and could accommodate changes in the way passenger contact is managed. This should reflect the needs of the passengers under the new passenger appeal system but it may be some time before the new processes can be fully established and implemented.

(vi) The ombudsman and TfL

TfL Rail and Overground appeals will be managed by the rail ombudsman from 1 July 2019. It is unlikely to have any affect as relatively few cases are received by London TravelWatch each quarter regarding these modes. However, this cannot be measured with any accuracy until the end of quarter one 2019/20.

(viii) Recommendations

This report is for information only and there are no recommendations arising from it.

Appendix A: Quantity of cases received

