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**Secretariat memorandum**

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LTW525

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Casework report for the period January to March 2016

**1 Purpose of report**

- 1.1. To record the performance of operators in handling appeals for the period January to March 2016. To identify any issues of concern regarding operator performance and highlight key issues reported by the public.

**2 Performance report**

- 2.1 The report is divided into six parts. The first part records the volume and the type of incoming work. The second part monitors the time taken by transport operators to deal with appeals, the third part gives more information about the responses time and the fourth part details the issues being raised by passengers to London TravelWatch. The fifth and six part gives information about the sudden increase in initials and telephone contacts.
- 2.2 There is one appendix which summarises the volume and case type received over the past five years.
- 2.3 Unfortunately, during the first half of this quarter our most experienced and only full time caseworker was away on sick leave. This also coincided two of the ticket office consultations. Our remaining staff did a good job of maintaining the services although perhaps inevitably, some mistakes were made as detailed in this report.

**3 Equalities and inclusion implications**

- 3.1 Due account will be taken whenever any such implications arise from cases brought to the attention of London TravelWatch.

**4 Legal powers**

- 4.1 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.

## **5 Financial implications**

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

## 1: Cases received

This report covers incoming casework received from January to March 2016.

This part of the report records the volume of casework received during January to March 2016. A total of 2,464 contacts were received by London TravelWatch via telephone, email and web form.

| Case types                           | Jan to Mar 2016 | Oct to Dec 2015 | Jul to Sep 2015 | Apr to Jun 2015 | Jan to Mar 2015 |
|--------------------------------------|-----------------|-----------------|-----------------|-----------------|-----------------|
| Casework related telephone enquiries | 860             | 761             | 504             | 233             | 188             |
| Enquiries email                      | 45              | 76              | 51              | 29              | 25              |
| Initial cases                        | 880             | 732             | 562             | 352             | 445             |
| Request for papers                   | 160             | 98              | 90              | 77              | 107             |
| Appeals made to operator             | 209             | 182             | 228             | 237             | 306             |
| Appeals responded to directly        | 310             | 276             | 250             | 247             | 302             |
| <b>Appeals sub total</b>             | <b>519</b>      | <b>458</b>      | <b>478</b>      | <b>484</b>      | <b>608</b>      |
| <b>Total contacts</b>                | <b>2,464</b>    | <b>2,125</b>    | <b>1,685</b>    | <b>1,175</b>    | <b>1,381</b>    |
| <b>Consultation responses</b>        | <b>16,000+</b>  |                 |                 |                 |                 |

### Enquiries telephone

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

### Initials

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

The increase in telephone enquires and initials is discussed in section 5 – Increase in contacts

### Papers

A case classified as request for papers is one where we have asked the passenger to forward full 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.

## 2: Operator response times – closed cases

### National Rail operators

This target, agreed with the rail operators, requires them to respond to 75% of referrals from London TravelWatch within 10 working days, and to 100% within 20 working days. It is accepted that in some complex cases it may not always be possible to meet these deadlines, and in these cases 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. The tables show the performance achieved during the period under review.

| <b>NATIONAL RAIL</b> |                       |                   |                          |                   |
|----------------------|-----------------------|-------------------|--------------------------|-------------------|
| Working days elapsed | January to March 2016 |                   | October to December 2015 |                   |
|                      | No of cases closed    | Percentage closed | No of cases closed       | Percentage closed |
| Days 0-10            | 125                   | 90%               | 86                       | 79%               |
| Days 11-20           | 7                     | 5%                | 6                        | 5%                |
| Days 21-40           | 3                     | 2%                | 12                       | 11%               |
| Day 41+              | 4                     | 3%                | 5                        | 5%                |
| Total                | 139                   |                   | 109                      |                   |

There has been an improvement in the response times from the railway operators. Some of the cases that took longer than average to close due to delays by London TravelWatch in progressing cases.

## Transport for London

Transport for London has no franchise obligation to respond to London TravelWatch but have traditionally followed the same policy. In late 2013 TfL reduced their response targets for passengers and London TravelWatch from 20 to 10 days.

| TRANSPORT for LONDON |                       |                   |                          |                   |
|----------------------|-----------------------|-------------------|--------------------------|-------------------|
| Working days elapsed | January to March 2016 |                   | October to December 2015 |                   |
|                      | No of cases closed    | Percentage closed | No of cases closed       | Percentage closed |
| Days 0-10            | 26                    | 69%               | 45                       | 83%               |
| Days 11-20           | 7                     | 18%               | 8                        | 15%               |
| Days 21-40           | 5                     | 10%               | 1                        | 1%                |
| Day 41+              | 1                     | 3%                | 1                        | 1%                |
| Total                | 38                    |                   | 55                       |                   |

London TravelWatch liaises with the central TfL executive team and also directly with the contact teams for other TfL modes.

The central team are keen to respond within 10 days and take active steps to try to ensure this happens. Other modes within TfL require more investigation and generally take longer to close. LOROL has stated in their complaints handling policy that they will respond within 20 working days. When this response time was questioned, LOROL stated that TfL's aim of responding in full to passengers complaints within 10 working days did not apply to them.

## National Rail operators' response times – closed cases

| Operator                 | Jan to Mar 2016 |                      | Oct to Dec 2015 |                      | Jul to Sept 2014 |                      | Apr to June 2015 |                      | Jan to Mar 2015 |                      |
|--------------------------|-----------------|----------------------|-----------------|----------------------|------------------|----------------------|------------------|----------------------|-----------------|----------------------|
|                          | 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                     |                 |                      |                 |                      | 3                | 59                   |                  | 4                    | 1               | 2                    |
| BTP                      |                 |                      |                 |                      |                  |                      |                  |                      |                 |                      |
| c2c                      | 6               | 21                   | 2               | 5                    |                  |                      | 3                | 36                   | 1               | 7                    |
| Chiltern                 |                 |                      |                 |                      | 2                | 33                   | 1                | 55                   | 2               | 53                   |
| CrossCountry             |                 |                      |                 |                      |                  |                      |                  |                      |                 |                      |
| Department for Transport |                 |                      |                 |                      |                  |                      |                  |                      |                 |                      |
| Deutsche Bahn            |                 |                      |                 |                      |                  |                      |                  |                      |                 |                      |
| V East Coast             | 1               | 104                  | 7               | 7                    | 7                | 18                   | 12               | 50                   | 3               | 2                    |
| East Midlands Trains     |                 |                      | 1               | 28                   | 1                | 1                    | 1                | 60                   |                 |                      |
| Eurostar                 | 7               | 1                    | 10              | 6                    | 15               | 2                    | 4                | 0                    | 7               | 2                    |
| FCC/GTR                  | 28              | 3                    | 14              | 5                    | 11               | 11                   | 14               | 7                    | 22              | 10                   |
| GWR                      | 1               | 0                    | 1               | 2                    | 2                | 11                   | 2                | 8                    | 4               | 11                   |
| Grand Central            |                 |                      |                 |                      |                  |                      |                  |                      |                 |                      |
| Gatwick Express          |                 |                      |                 |                      |                  |                      |                  |                      |                 |                      |
| Greater Anglia           | 8               | 1                    | 4               | 3                    | 5                | 5                    | 20               | 15                   | 17              | 10                   |
| Heathrow Express         |                 |                      | 2               | 71                   | 1                | 3                    |                  |                      |                 |                      |
| First Hull Trains        |                 |                      | 1               | 9                    |                  |                      | 1                | 0                    | 1               | 9                    |
| IAS                      | 13              | 1                    | 3               | 6                    | 18               | 1                    | 10               | 0                    | 19              | 1                    |
| IPFAS                    | 2               | 1                    | 5               | 9                    | 10               | 1                    | 18               | 0                    | 12              | 2                    |
| London Midland           | 2               | 1                    | 3               | 18                   | 6                | 13                   |                  |                      | 2               | 37                   |
| NR Enq                   |                 |                      |                 |                      |                  |                      |                  |                      | 1               | 29                   |
| Network Rail             | 2               | 3                    |                 |                      | 1                | 25                   | 5                | 35                   | 1               | 31                   |
| ORR                      |                 |                      |                 |                      |                  |                      |                  |                      |                 |                      |
| RailEurope               |                 |                      |                 |                      |                  |                      |                  |                      |                 |                      |
| RPSS                     | 1               | 1                    | 2               | 1                    | 1                | 1                    | 2                | 1                    | 6               | 1                    |
| Rail Easy                |                 |                      |                 |                      |                  |                      |                  |                      |                 |                      |
| ScotRail                 |                 |                      |                 |                      |                  |                      |                  |                      |                 |                      |
| Southeastern             | 11              | 15                   | 7               | 11                   | 13               | 16                   | 17               | 40                   | 6               | 31                   |
| Southern                 | 29              | 5                    | 27              | 11                   | 14               | 27                   | 15               | 11                   | 29              | 18                   |
| South West Trains        | 25              | 3                    | 20              | 4                    | 16               | 9                    | 18               | 11                   | 18              | 15                   |
| Trainline                | 2               | 2                    |                 |                      | 1                | 15                   |                  |                      |                 |                      |
| Virgin West Coast        | 1               | 1                    |                 |                      | 3                | 9                    | 2                | 82                   | 1               | 58                   |

## Transport for London

| Operator                | Jan to Mar 2016 |                      | Oct to Dec 2015 |                      | Jul to Sept 2015 |                      | Apr to Jun 2015 |                      | Jan to Mar 2015 |                      |
|-------------------------|-----------------|----------------------|-----------------|----------------------|------------------|----------------------|-----------------|----------------------|-----------------|----------------------|
|                         | 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 | 3               | 7                    |                 |                      |                  |                      |                 |                      |                 |                      |
| London Overground       | 4               | 12                   | 7               | 3                    | 6                | 10                   | 4               | 1                    |                 |                      |
| TfL London Buses        | 9               | 10                   | 8               | 6                    | 20               | 19                   | 13              | 13                   | 21              | 15                   |
| TfL London Underground  | 3               | 15                   | 7               | 5                    | 16               | 22                   | 7               | 24                   | 20              | 10                   |
| TfL Roads & Streets     | 2               | 7                    | 2               | 5                    | 3                | 7                    | 1               | 1                    | 4               | 17                   |
| TfL Dial-a-Ride         | 1               | 28                   | 1               | 2                    |                  |                      |                 |                      | 1               | 4                    |
| Oyster                  | 11              | 10                   | 14              | 6                    | 12               | 18                   | 6               | 6                    | 22              | 12                   |
| TfL Other               | 2               | 11                   | 9               | 6                    | 7                | 9                    | 6               | 10                   | 6               | 3                    |
| Tramlink                | 1               | 0                    |                 |                      |                  |                      |                 |                      |                 |                      |
| TfL Rail                | 2               | 0                    |                 |                      |                  |                      |                 |                      |                 |                      |

*\*IPFAS, IAS and RPSS are all appeal or revenue collection bodies. IAS 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.

### **3. 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 necessary 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 which 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**

There are seven of the rail operator cases which took over 20 days to for London TravelWatch to receive a response. One case took one day more than the 20 day aim and for this reason no case information is given in this section

#### **c2c (three cases)**

London TravelWatch received many contacts from passengers regarding the new stopping pattern and timetable on c2c trains. Very cold trains was also a complaint from some early morning commuters. Passengers complained but did not receive a response so raised the issues with the London TravelWatch casework team who also struggled to get responses. This matter was raised at the senior-level bilateral meeting and the cases were then resolved. However, by this time more than 20 days had passed.

#### **Virgin East Coast**

The passenger purchased a second set of tickets because a malfunction with a TVM at Kings Cross meant he could not print off his tickets. His request for a refund was refused because the machine stated that the tickets had been printed so the passenger approached London TravelWatch. The response delay was because the operator had not received the first two appeals made by the caseworker. A contact from Virgin East Coast then made an appointment to visit the casework manager, so the passenger was asked if they would mind waiting longer for a response. The passenger was offered a full refund of the more expensive second set of tickets purchased and due to the time taken to deal with the appeal a goodwill gesture was also offered. The passenger was happy with the outcome.



## **Southeastern**

- i. The passenger appealed to London TravelWatch as he did not feel that his complaint about the constant delays to his journey was being addressed. He also did not believe that Southeastern had given evidence of efforts they were making to improve. London TravelWatch made sure that the passenger received a full response which addressed all of his questions.
- ii. During disruption the passenger was given poor alternative journey advice by a Southeastern staff member which resulted in him being an hour late for work. The passenger appealed to London TravelWatch because Southeastern kept asking for his ticket for evidence of his journey but he had already sent it to them. The caseworker took the complaint forward and provided payment evidence which the rail operator found sufficient for their records and therefore obtained the refund for the passenger.

## **Transport for London cases with longer response times than 10 days**

Five of TfL's cases took 11 days to respond. As these are only just over the time limit, an explanation is not given here. Details of the other eight cases are given below.

The contact team who manage a large proportion of the TfL appeals advised the caseworker manager that due to sudden and long term sick leave of two key staff members, that there was a lack of experienced staff to manage the appeals. However, every effort was made to manage this and some cases were delayed due only to resource issues. TfL did ensure that the caseworkers received acknowledgements to confirm the case had been received.

### **Dial a Ride**

Details of this case cannot be given as it would identify the passenger. The caseworker and the manager at Dial a ride recognised that a change in policy was required. This has been actioned so the passenger has a successful outcome and all passengers in similar situations will also benefit from this success.

### **TfL Rail**

The passenger approached London TravelWatch because he was advised that printed timetables were available for TfL and was then advised differently. The caseworker obtained the timetables but the passenger remains unsatisfied as he feels the timetables are not the quality they should be.

### **Oyster**

- i. The passenger experienced difficulties trying to claim a refund from TfL following a service delay as he had a paper ticket. It was found that the difficulty was because the passenger was making claim before the delay was confirmed on TfL's systems. The delay in closing the case was because there was confusion over duplicate claim. The passenger received refunds for all claims and advice how to avoid delays in the future.

- ii. The passenger was unsatisfied with this response as he thought it should be more detailed. The caseworker agreed and appealed to TfL. A new response was drafted and sent to the passenger via the caseworker and both were satisfied with the response.
- iii. The passenger had loaded her season ticket onto her Oyster card but was unable to activate it. TfL did not resolve the issue so the passenger appealed. When the caseworker contacted TfL a very thorough investigation took place as the problem should have been resolved at the passengers first contact with TfL. The passenger was given a refund for the additional tickets she had to purchase in the interim and good will gesture in recognition of the unnecessary inconvenience.

## **LOROL**

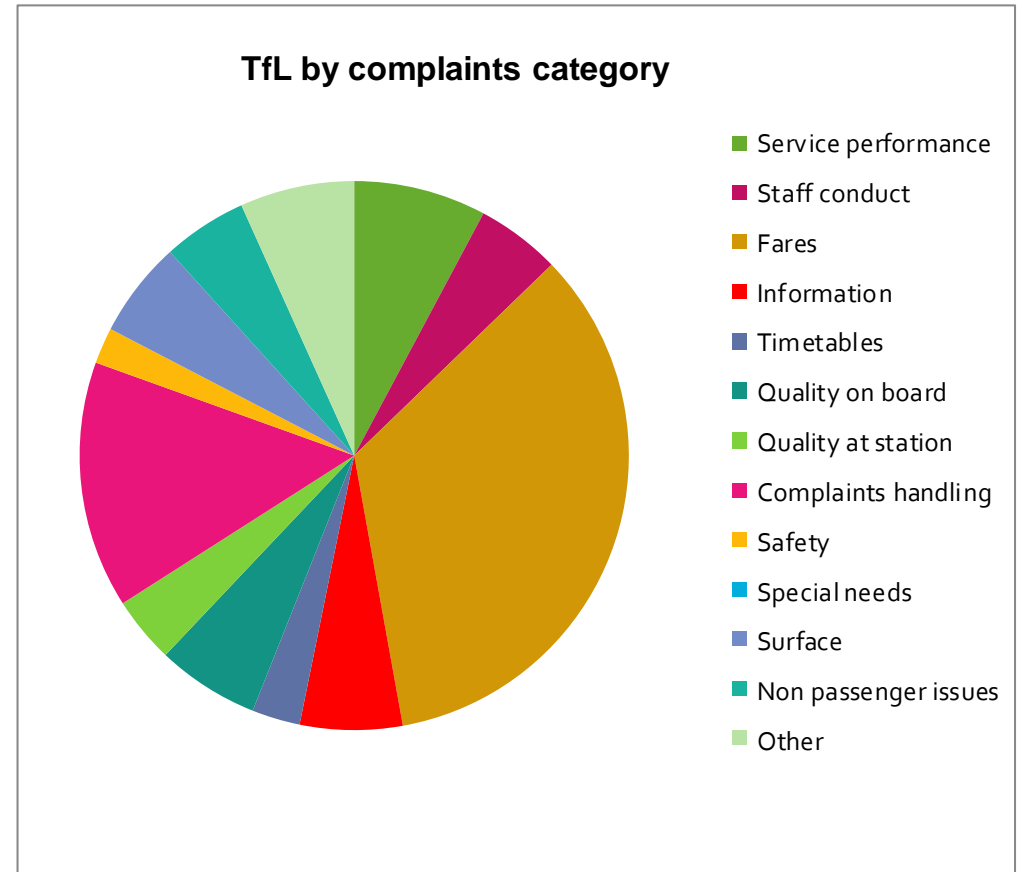
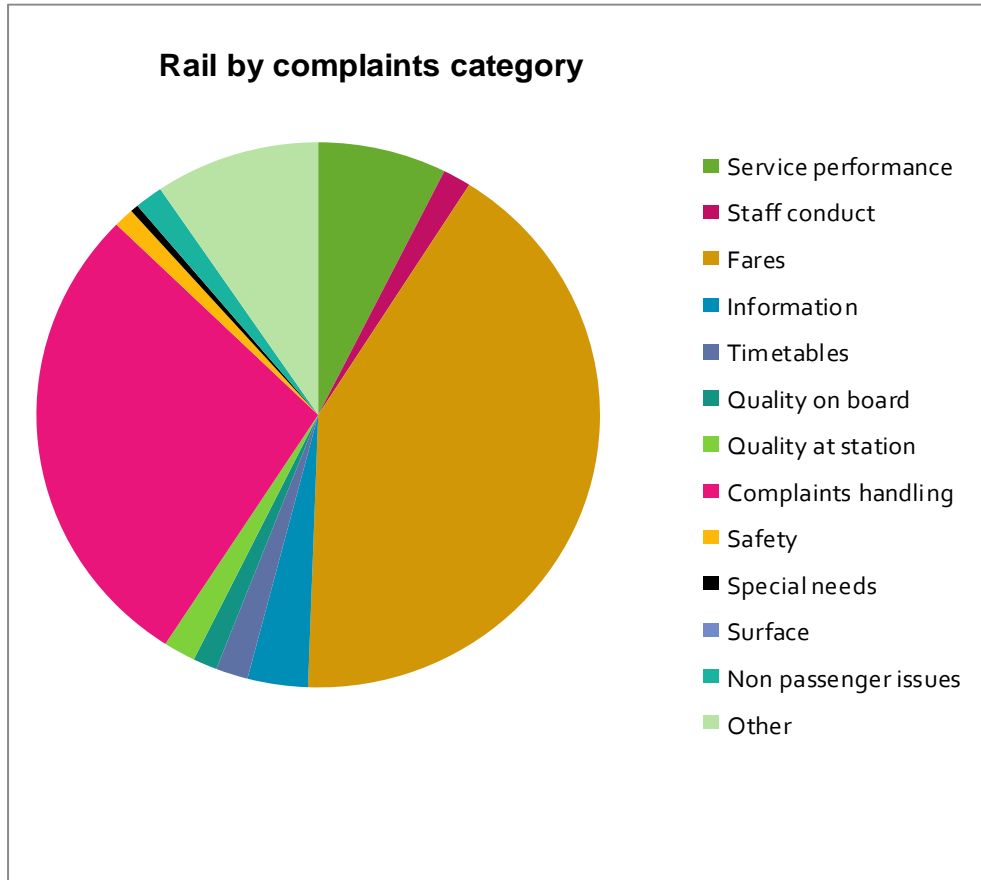
The passenger approached London TravelWatch as he felt the response he received was evasive and took over two months to obtain. The caseworker appealed and chased again for a response after 20 days. After this further delay LOROL advised the caseworker that there was nothing further they could add. The caseworker advised the passenger and expressed regret that further information could not be obtained.

## **Buses**

- i. The passenger was unsatisfied because she had not received the promised update regarding her bus route. The caseworker appealed and TfL investigated and raised it with their performance team. This was fed back to the passenger and with the confirmation that the bus operator had written with further information.
- ii. This passenger approached London TravelWatch because despite repeated assurances from TfL the bus stop shelter number did not match that of the bus stand. The delay in closing this case is because the contact team at TfL would not respond to close the case until the necessary work had been carried out and they that they could absolutely confirm this.

## Four: appeals by category

The charts below clearly demonstrate the categories of appeals received by London TravelWatch regarding both National Rail operators and Transport for London.



## **4. Appeals by Category - main issues received**

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

### **Delays**

Poor performance across all the modes is a concern for passengers who cannot understand why constant delays and cancellations do not attract higher compensation. Many passengers believe that operators are 'in breach' of their contract when services fail.

### **GTR and Southern**

Some passengers have complained that they have not received a response from their initial complaint to the operator. The casework team have raised this with the rail operator who are keen to get details so that they can investigate as their initial complaints are dealt with by an outsourced company.

### **Eurostar**

After the terrorist attacks in both Paris and Brussels, some Eurostar passengers have decided they do not wish to travel at all. Eurostar have offered free travel date exchanges even on non refundable and non transferable tickets but appellants believe their decision not to travel should attract a full refund.

## **Transport for London**

### **Appeals**

The absence of appeals from two TfL modes is very noticeable. In February, the DLR experienced delays, breakdown and other infrastructure problems. However, very few appeals are received from DLR passengers. Tramlink passengers also do not generally reach appeal stage. For both modes this suggests that either few complaints are made or that the complaints are managed well. The customer contact centres for these two modes either do not receive a large number of complaints or they manage them very well.

### **TfL website for complaints and feedback update**

TfL's website is very user friendly and the information passengers need is clear. Unfortunately, the complaints and feedback sections have still not been updated. The system, which was originally put in place to make improvements in this area, has not been successful. TfL have sourced a new system, although it will take considerable time for it to be rolled out across the entire organisation.

## **5. Increase in contacts – telephone and initials**

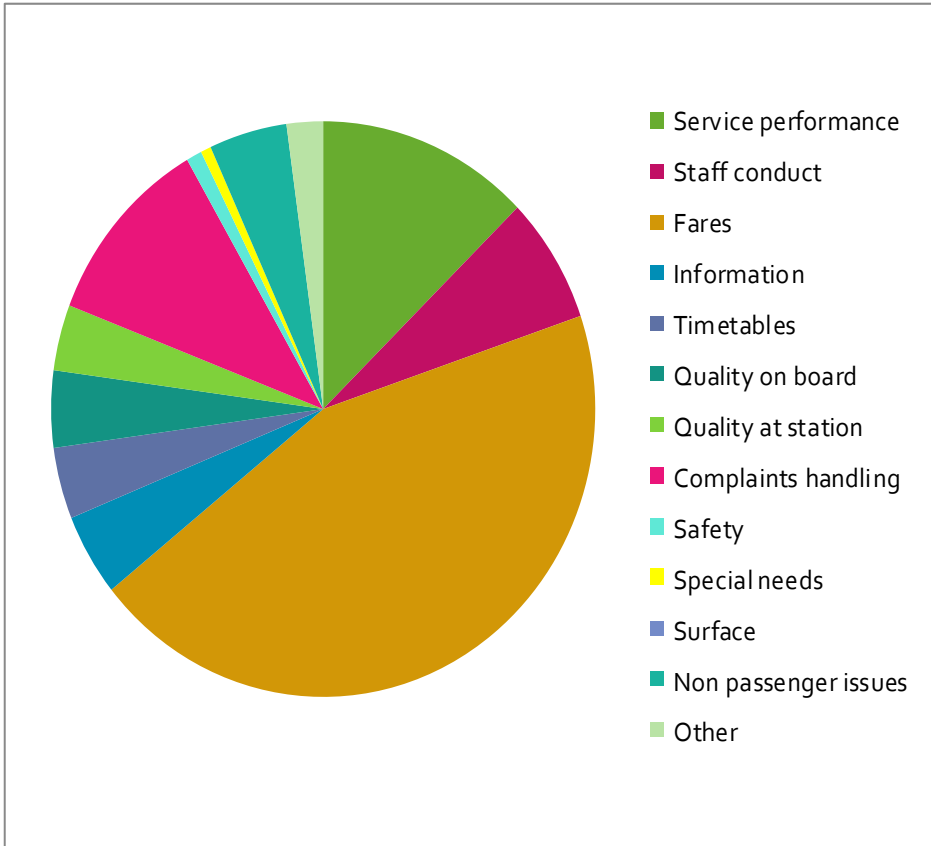
Further research has been carried out as to why there is an increase in initial cases and telephone calls.

A caseworker raised the issue that passengers using other search fronts to locate contact details for make a complaint. When using these options, London TravelWatch appears as one of the top search results. As the search matches words or phrases on our website it can seem to a passenger that London TravelWatch is the place to make complaints. Also, as these search fronts are powered by Google, there is no way to separate how many passengers have found the London TravelWatch contact details by this method.

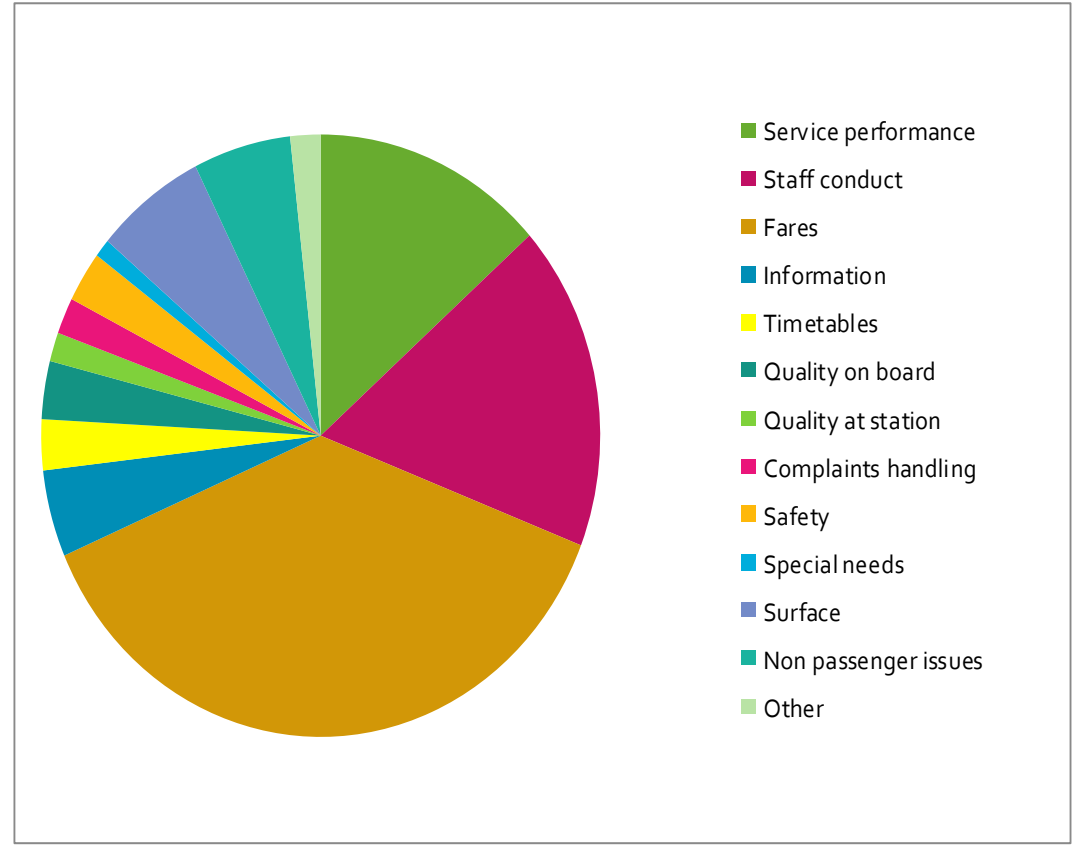
The casework team, which consists of one manager, one administrator, one full time casework office and two part time casework officers, are currently struggling to cope with the incoming work and maintain standards. The return to full time hours of the full time caseworker will help to some extent if the current levels of incoming cases continue but will not allow for any other work such as quality checks, satisfaction questionnaires or knowledge/research sessions.

Initial case issues

Rail operators



TfL



Appendix one: Quantity of cases received

