
Casework report

Agenda item: 8
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London TravelWatch Casework Team update

Issues raised by passengers

Season tickets

Passengers are very unhappy with the refund value of their season tickets. This is because passengers believe that have paid for the length of time their ticket is valid and do not realise that season tickets cost less than their validity. For example, an annual season ticket is valid for 12 months. But the cost of an annual season ticket is equivalent to 40 weekly tickets, which means that passengers can continue to use their ticket for the remaining 12 weeks but once 40 weeks have elapsed, there is no surrender value.

When a season ticket refund is calculated, again using an annual season ticket as the example, the rail operator will look at how many weeks and days the ticket has been used and refund the difference up to 40 weeks. However, passengers believe that their refund should be the difference up to 52 weeks. Rail operators refused to do this as season ticket refunds and their calculation are addressed in the National Rail Conditions of Travel.

During usual times, when a passenger wants to surrender a season ticket that has no value, they have the option of taking a changeover ticket instead. This would allow them to use the remainder of the season ticket on a different journey. But this option was not suitable for most as they would not be making any journeys.

Admin Charges

Rail operators are allowed to charge an administration fee of up to £10 for managing a passenger's ticket surrender. London TravelWatch (and Transport Focus) challenged this decision on more than one occasion but were informed that the charge would remain as per the advice from the Department for Transport. It is disappointing that rail operators charged the maximum administration fee at such a difficult time for passengers, as discretion could have been used to impose a reduced administration fee when processing season ticket refunds.

Eurostar

Eurostar passengers have had a particularly difficult time as the National Rail Conditions of Travel and the direction regarding refunds from the Department for Transport does not apply to Eurostar.

Passengers also struggled to understand why, if the Foreign and Commonwealth Office were advising against travel and the UK Government imposed the lockdown, refunds weren't automatic. Eurostar stated that they had to refund as part of the Passenger Rights and Obligations regulations by which they abide. Of course, if the Government advice did impose automatic refunds, this would have affected the entire transport industry.

Why were only vouchers offered to passengers?

Until trains are confirmed as cancelled, passengers are not entitled to a refund. In order to manage refunds, Eurostar were only cancelling trains 24 to 48 hours in advance (now 72 hours). In addition, some trains continued to run throughout lockdown. Passengers booked on the trains that still ran were not entitled to any refund but Eurostar thought this unfair and offered vouchers anyway. Passengers who have accepted vouchers and had their train subsequently cancelled can exchange their vouchers for a refund. This is a good outcome achieved for passengers and London TravelWatch has requested this information to be on Eurostar's website but their management team have so far refused.

At the beginning of lockdown, Eurostar's refund page was frequently checked to ensure that it was still on the website and functioning. Passengers could always use the refund option although it wasn't signposted to and the information on Eurostar's website was dominated by the voucher option. London TravelWatch has continually asked for refund options to be equally clear.

Has everyone had a refund?

Eurostar has advised that many people due to travel have contacted them. Where Eurostar has not heard or received a claim from a passenger, they reach out to the passenger themselves.

Eurostar and London TravelWatch

Eurostar have continued their usual quick response times to London TravelWatch appeals during the crisis and has listened to our representations without bias, resulting in some successful outcomes for individual passengers.

Some of our more general suggestions and requests have unfortunately been refused or not immediately acted upon by Eurostar, but they have continually maintained open dialogue and have taken care to listen and to explain their actions.

TfL

Despite the huge logistical issue of staff working from home, TfL reacted surprisingly quickly and effectively with their management of passenger contact. Season ticket refunds could be applied for online but initially the online calculator gave an incorrect refund value that was more than it should have been. TfL took ownership of this issue and honoured all the online calculators' estimates.

A complaints function, although much reduced, remained and remains in place with many passengers accepting that delays in receiving responses were inevitable particularly initially as about half of the contact centre staff were furloughed. TfL do have a back-to-work plan for their contact centre and an update will be given to the Head of Casework a few days before this meeting.

Rail Ombudsman

The Rail Ombudsman reduced the staff available during April and May following a reduction in appeals they received that were classed as in-scope. Although many passengers complained about the value of their season ticket refund, this is seen as policy issue and therefore is out of the scope of the Rail Ombudsman. These appeals are then sent to London TravelWatch or Transport Focus and it is much more challenging to achieve satisfactory outcomes on behalf of the passenger.

'Onboarding' of the work to include those remaining rail operators not yet part of the Rail Ombudsman Scheme was temporarily suspended at the start of lockdown. This is because

it was doubtful that the rail operators would have the resources available to make the changes required to allow this. How the rail operators return their staff to work, either at home or the office, will determine how quickly the onboarding process can be restarted.

The process that the casework team receive appeals via the Rail Ombudsman is usually smooth and straightforward. All staff involved in this process are friendly and helpful and quickly resolve issues as they arise.

The Rail Ombudsman is keen to reduce the referral time to their service from 40 working days to 20 working days. As signposting to London TravelWatch and Transport Focus was at 20 working days before the introduction of the Rail Ombudsman, we support this change and would like to see it implemented at the earliest opportunity.

Using appeals received by the Rail Ombudsman in January and February of this year as a marker, it is clear that they have seen an increase of about 20-25% of in-scope appeals compared to September and October 2019 and the Rail Ombudsman predicts this growth will continue.

The Rail Ombudsman shares insight with London TravelWatch although more detailed information would be helpful. We continue to discuss options during regular meetings.

Casework statistics – London TravelWatch

Casework statistics are usually reported on a quarterly basis in order give comparison over a reasonable time period. However, as the first quarter of this year is not yet complete, the statistics below reflect the time frame of 1 March to 22 May 2020. This means it incorporates the few weeks at the beginning of March before lockdown. The data also records contacts made to our external contact centre over the same time frame.

130 initial and enquiry contacts were made to Ventrice (outsourced contact centre).

107 appeals were made to London TravelWatch.

27% of these appeals resulted in a successful outcome. Most of these successes were for appeals regarding penalty fares, Oyster cards not working, Congestion Charge and staff complaints. It is extremely difficult for the casework team to achieve successful outcomes when challenging policy.

The appeals were fairly evenly split between National Rail, TfL and Eurostar, although in March we also received some residual penalty fare cases.

The main type of appeals have been refunds for both single/return journeys and season tickets and initially, penalty fares.

Transport Focus

The London TravelWatch Casework team have been managing casework for Transport Focus for a couple of months. They are enjoying creating relationships with the rail operators in the north with whom they have previously had little or no contact. The caseworkers have reported lots of support and quick responses to questions when they have asked Transport Focus staff for help and advice.

Recommendation

It is recommended that the Board note this report.