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## Secretariat memorandum

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### Casework report for the period October to December 2013

#### **1 Purpose of report**

- 1.1. To record the performance of London TravelWatch's Casework Team in the period October to December 2013 and identify any issues of concern regarding operator report performance in handling appeals.

#### **2 Performance report**

- 2.1 The report is divided into two 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 and gives more information about the issues passengers are bringing to us.
- 2.2 There are three appendices. The first is a graph summarising the volume and case type received over the past three years. The second shows train operating companies (TOCs) plus Transport for London (TfL), complaints per 100,000 and London TravelWatch appeal data. The third appendix explains internal performance against the time targets set for dealing with these.

#### **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 Transport for London 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.

## Part one: Case report – quantitative

This report covers incoming casework received from 1 October to 31 December 2013.

### Cases by type summary

This part of the report records the volume of casework received during 1 October to 31 December 2013.

A total of 1,393 contacts were received by London TravelWatch via telephone, email and web form.

Case Types	Oct to Dec 2013	Jul to Sept 2013	Apr to Jun 2013	Jan to Mar 2013	Oct to Dec 2012
Enquiries telephone	355	398	436	286	460
Enquiries email/webform	87	48	43	40	28
Initial cases	405	320	326	327	342
Appeal cases	237	291	341	386	323
Direct cases	235	250	331	347	271
Request for papers*	74	88	53	0	0
<b>Total</b>	<b>1393</b>	<b>1395</b>	<b>1530</b>	<b>1386</b>	<b>1424</b>

### Appeals

The number of appeals is about average for this time of year.

### Directs

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

### Papers

\*A case classified as request for papers is asking the passenger to forward full correspondence between themselves and the operator. Historically this request was classified as a direct case.

### Enquiries telephone

This is a record of all telephone calls that have some connection to casework. It is not a record of all incoming telephone calls received by London TravelWatch.

## Part two: Operator response times

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.

The national rail operators have steady performance with the majority of cases responded to within 20 days. Further effort will be made with these operators to reduce the response times.

<b>NATIONAL RAIL</b>				
Working days elapsed	Oct to Dec 2013		July to Sep 2013	
	No of cases	No of cases	No of cases	No of cases
Days 0-10	<b>100</b>	<b>79%</b>	<b>126</b>	<b>81%</b>
Days 11-20	13	10%	12	7%
Days 21-40	7	6%	15	10%
Day 41+	6	5%	3	2%
Total	126		156	

The operator response times have been maintained over the previous two quarters with 89% of responses within 20 days.

There were six cases within this period which took over 41 days to receive a satisfactory response. More information on these are given after the operator response times breakdown.

<b>TRANSPORT <i>for</i> LONDON</b>				
Working days elapsed	Oct to Dec 2013		July to Sep 2013	
	No of cases	No of cases	No of cases	No of cases
Days 0-10	<b>59</b>	<b>78%</b>	<b>72</b>	<b>78%</b>
Days 11-20	14	18%	19	20%
Days 21-40	3	4%	1	1%
Day 41+	0	0%	0	0%
Total	76		92	

Transport for London has maintained their response times of 78% within 10 days and reduced the quantity of appeals that have longer response times. The overall quantity of appeals received have dropped by approximately 30 cases since quarter one. This suggests that the internal escalation process that TfL has put in place may be reducing the appeals sent to London TravelWatch.

## OPERATORS' RESPONSE TIMES

Operator	Oct to Dec 2013		Jul to Sept 2013		Apr to Jun 2013		Jan to Mar 2013		Oct to Dec 2012	
	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 appeal cases	Average working days
ATOC	1	52	3	6	1	55	1	1		
BTP										
c2c					3	1	4	1	2	5
Chiltern	3	18	1	7	5	9	2	1	2	12
CrossCountry										
Department for Transport			1	3	1	1				
Deutsche Bahn										
Docklands Light Railway	2	1	2	4	13	3	8	1	9	37
East Coast	1	61	3	17	6	33	8	6	4	2
East Midlands Trains			1	0	1	3	1	23	1	16
Eurostar	3	3	8	4	6	1	14	2	13	2
First Capital Connect	16	5	25	10	20	33	18	8	25	14
First Great Western	3	6	2	5	5	13	11	30	7	14
Grand Central	5	3			2	15			1	1
Gatwick Express										
Greater Anglia			8	14	14	2	18	16	16	3
Heathrow Express	2	11					5	32		
Hull Trains										
IAS	13	3	13	2	20	3	14	9	10	
IPFAS	8	1	10	0	13	2	10	9	9	2
London Midland	3	2	7	16	9	7	5	34	1	1
London Overground	5	2	3	9			4	6	1	15
National Rail Enquiries		6	2	8						
Network Rail					1	43	2	40	1	51
ORR										
RailEurope			1	20						
RPSS			2	4	3	1	1	1		
ScotRail	1	1								
Southeastern	13	9	12	5	22	13	12	16	17	8
Southern	39	6	32	5	26	6	40	8	15	5
South West Trains	12	5	19	6	32	7	39	15	26	17
Trainline	2	4					1	1		
Virgin West Coast	1	1	5	1	3	8	6	1	6	7

Operator	Oct to Dec 2013		Jul to Sept 2013		Apr to Jun 2013		Jan to Mar 2013		Oct to Dec 2012	
	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
TfL London Buses	20	5	26	3	20	8	29	16	33	14
TfL London Underground	14	6	10	14	16	10	32	15	18	30
TfL Roads & Streets	2	5	2	23	2	3	2	1	11	5
TfL Dial-a-Ride										
Oyster	16	8	31	4	37	10	49	14	37	11
TfL Other	17	2	17	4	20	4	7	9	2	5

*\*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 to respond to appeal cases. Most operators are responding to cases within 20 working days. For those operators giving rise to relatively few cases, the average response time should be treated with caution, as a delay in responding to a single case may significantly affect the average.

## **Information regarding response times**

### **Rail operators**

The First Capital Connect case regarding line to line tickets took some time to resolve and access to this ticket type can be found on the TOC website. Line to line tickets are where an operator has two railway lines which are linked by a bus journey and currently First Capital Connect is the only operator to have this ticket.

The ATOC case took time to resolve as ticket restriction discussions took place between ATOC, Southeastern and London TravelWatch. The appeal was not upheld as the ticket in question was not accepted on HS1.

London TravelWatch did not receive a response from the standard customer services team so the case was escalated internally within East Coast and a satisfactory response was reached.

The Chiltern case was a penalty fare issue where the appeal was rejected but the caseworker believed that the TOC was not properly instructing the appeals body. The appeal was upheld and the appeals body recommended changes in process to all TOCs who use the same appeals body.

The Southern case only took longer than normal as the caseworker visited the station where the issue occurred. There was some liaison to visit the station and further discussion post the visit. The outcome was finally successful and more information will be displayed on the outside of the station after it was closed.

The Southeastern case took longer as they had responded to London TravelWatch but the caseworker requested records which is called 'trust' (which means the main railways' recording of train movement) be rechecked before a final response was sent to the passenger. It was found that these records were, very unusually, incorrect. An investigation into why the trust system contained an error revealed that some information is occasionally entered onto the trust manually and may have contained mistakes. Normally however, the information is automatically transferred so it would be correct.

### **Transport for London**

Three cases took longer than 20 days to resolve.

The first appeal was a passenger waiting too long to receive their compensation cheque. TfL originally thought the cheque had been sent but investigation revealed they hadn't and the cheque was sent.

The second was because the passenger having started an appeal with London TravelWatch had resumed contact with TfL without our knowledge and it took some time before we (TfL and London TravelWatch) realised this.

The third appeal was delayed as the bus driver, about whom we received an appeal that TfL had not satisfactorily managed the complaint, was sick absent from work and could not be interviewed.

## **Part three: Main issues received**

This part of the report highlights some of the issues that were most complained about during Quarter Three 2013.

### **Penalty fares and prosecutions**

There has been an increase in passengers contacting London TravelWatch regarding prosecutions issued by TOCS. Whether there is a general rise in prosecutions or more passengers are contacting London TravelWatch is unclear. What is concerning is the penalty fare process, which has clear procedures for the passenger to understand, is being ignored in favour of using prosecutions, which has no standard procedures and leaves the passenger completely at the unaware of the severity of their circumstances and also gives them no right to appeal.

The casework team have retained a success rate of having 40% of penalty fares either cancelled or the appeal process restarted.

Passengers remain unclear about their rights surrounding consequential loss. All TOCs who run services to the airports surrounding London receive claims regarding missed flights due to train delays. Greater Anglia, who operate the Stansted Express, receive the highest number of complaints regarding this issue. Of the 50 initial cases received in quarter three, 22% were regarding claims for missed flights.

Although Oyster is a TfL product, it does frequently offer a cheaper alternative on rail journeys. Journey costs on the national rail enquiries website are substantially higher than using Oyster. Information in very small print is given regarding Oyster but it is not listed as the cheapest fare. For example Hither Green to Euston station using Oyster is £4.60 peak and £3.60 off peak. The national rail enquiries website lists the 'cheapest fare' as £7.00 which is almost double the off peak Oyster fare. Another example is Twickenham to Liverpool Street Station, which is £6.20 peak and £4.30 off peak on Oyster compared to the national rail enquiries 'cheapest fare' of £8.00.

Similarly many passengers who know that travelling around London is more cost effective using Oyster are unaware that a point to point through ticket offers more protection when there are delays on a journey, particularly when multiple modes are used (not London buses).

### **Transport for London**

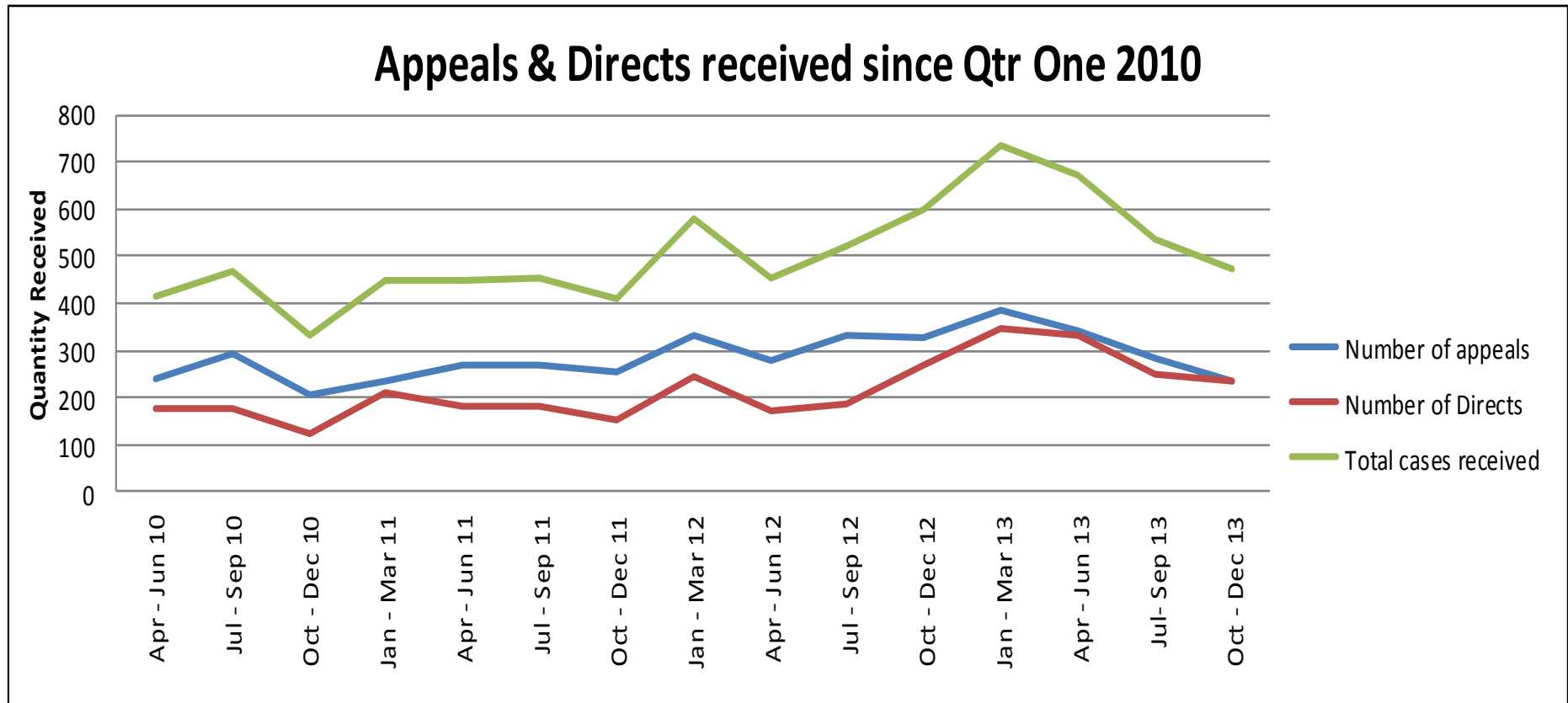
We have received feedback regarding the proposed changes to London Underground's operational arrangements and passed these back to the policy team.

A rise in bus initials provoked further interrogation of the bus routes and bus operators. Two quarters in 2013-2014 were analysed and the same two quarters in 2012-13 were used for comparison purposes.

There was no correlation found across our complaint range – appeals, directs, initials – for the same bus route or operator.

The highest number of bus complaints are made about the bus driver and cover topics such as the bus driver did not stop, drives too sharply, driver wouldn't allow travel without Oyster or payment, was rude when asked for help and wouldn't allow my dog on the bus. TfL appear to take these complaints seriously, however, there is very little they can advise the passenger other than the driver has been interviewed. Any action taken against the driver is confidential employee information and cannot be disclosed to a third party.

Appendix one: Quantity of cases received





## Appendix two: London TravelWatch appeals and TOC complaints per 100,000

Quarter two figures as Quarter three are not yet posted on the ORR website

TOCS	Appeal	TOC complaints per 100,000
Abellio London		
ATOC	5	
C2C		14
Chiltern Railways	2	41
Cross Country		
Department for Transport	1	141
Dial-a-Ride		119
Docklands Light Railway	2	3
East Coast	5	
East Midlands Trains	1	86
Emirates Airline		3
Eurostar	8	
First Capital Connect	33	16
First Great Western	4	48
Gatwick Express		A Southern product
Grand Central Railway		Non franchised operator
Greater Anglia	9	26
Heathrow Express		No franchised operator
London Buses	29	2
London Midland	10	35
London Overground	3	2
London Tramlink	1	2
London Underground	17	1
National Rail Enquires	2	
Network Rail	1	
Oyster	35	1
Passenger Focus		
Rail Europe	1	
South West Trains	20	11
Southeastern Railway	13	9
Southern	36	6
Transport for London	14	6
Transport for London Streets ( <i>inc C charge</i> )	2	15
Virgin	5	173

### Appendix three: Targets

Type	Performance	Target
Acknowledgement	100% of 405 cases acknowledged (to passenger) within 5 working days	100% within 5 working days
Appeals Opened	99.6% of 237 appeals opened referred within 5 working days	75% within 5 working days
Appeals Closed	100% of 202 appeals final replies within 10 working days  100% within 20 working days	90% within 10 days  100% within 20 days
Directs	100% of 235 responses to appellant within 10 working days	Target 90% within 10 days  100% within 20 days