
Secretariat memorandum

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Casework report for the period January to March 2015

1 Purpose of report

- 1.1. To record the performance of operators in handling appeals for the period January to March 2015. 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 three 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 the third part gives more information about the issues passengers are bringing to us.
- 2.2 There is one appendix which summarises the volume and case type received over the past five years.

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 2015.

This part of the report records the volume of casework received during January to March 2015. A total of 1,381 contacts were received by London TravelWatch via telephone, email and web form.

Case types	Jan to Mar 2015	Oct to Dec 2014	Jul to Sep 2014	Apr to Jun 2014	Jan to Mar 2014	Oct to Dec 2013
Casework related telephone enquiries	188	188	392	451	436	355
Enquiries email	25	111	36	24	30	87
Initial cases	445	418	446	434	472	405
Request for papers	107	103	95	110	93	74
Appeals made to operator	306	210	287	296	274	237
Appeals responded to directly	302	244	306	320	347	235
Appeals sub total	608	454	593	616	621	472
Total contacts	1,381	1274	1562	1635	1652	1393

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.

Initials

An initial case is one where the complainant has not yet approached the operator.

Papers

A case classified as request for papers is asking the passenger to forward full correspondence between themselves and the operator.

Appeals made to operator

Where the passenger has already complained to the operator and London TravelWatch take 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.

NATIONAL RAIL				
Working days elapsed	January to March 2015		October to December 2014	
	No of cases closed	Percentage closed	No of cases closed	Percentage closed
Days 0-10	111	71%	85	79%
Days 11-20	14	9%	11	10%
Days 21-40	22	14%	7	7%
Day 41+	10	6%	4	4%
Total	157		107	

The National Rail operators are responding to 80% of London TravelWatches appeals within 20 days. This means that compared to last quarter the TOCs are taking over 20 days to respond to 20% of appeals.

There is no easily recognisable reason why there has been this increase in responses over 20 days. However, Southern had eight cases which were outside of the normal response time, Southeastern, Abellio Greater Anglia, GTR and South West Trains each had two cases which took longer than 20 days to fully respond to London TravelWatch.

Transport for London

Transport for London has no franchise obligation to respond to London TravelWatch but have traditionally followed the same policy. However, 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 2015		October to December 2014	
	No of cases closed	Percentage closed	No of cases closed	Percentage closed
Days 0-10	45	61%	28	57%
Days 11-20	16	22%	16	33%
Days 21-40	9	12%	4	8%
Day 41+	4	5%	1	2%
Total	74		49	

TfL's response times to London TravelWatch within 10 days have slightly improved in quarter four. However, nearly 40% of cases still take over 10 days for London TravelWatch to receive a satisfactory response and, as with the TOCs, there has been an increase in the number of cases taking more than 20 days.

National Rail operators' response times – closed cases

Operator	Jan to Mar 2015		Oct to Dec 2014		Jul to Sept 2014		Apr to June 2014		Jan to Mar 2014	
	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	2	1	11	1	1			2	7
BTP										
c2c	1	7	3	2	2	1	2	8	2	5
Chiltern	2	53	1	5	5	28	6	3	1	1
CrossCountry										
Department for Transport			1	29						
Deutsche Bahn										
East Coast	3	2	4	14	11	18	6	15	6	10
East Midlands Trains							1	1		
Eurostar	7	2	4	1	7	1	1	1	4	3
FCC/Thameslink/GTR	22	10	11	1	16	12	20	12	16	8
First Great Western	4	11	4	9	5	19	8	22	2	1
Grand Central										
Gatwick Express										
Greater Anglia	17	10	13	13	14	13	11	12	15	2
Heathrow Express							2	18	1	0
First Hull Trains	1	9			17	4	21	2	20	3
IAS	19	1	10	1	14	0	6	2	11	1
IPFAS	12	2	5	1	1	0	2	8	5	1
London Midland	2	37	2	50			1	5		
National Rail Enquiries	1	29	1	8	3	12				
Network Rail	1	31	1	42						
ORR										
RailEurope									1	1
RPSS	6	1	1	1						
Rail Easy										
ScotRail										
Southeastern	6	31	7	11	12	14	12	8	13	1
Southern	29	18	20	6	26	6	40	10	41	5
South West Trains	18	15	15	9	19	7	27	6	23	4
Trainline					1	0				
Virgin West Coast	1	58			1	0			4	3

Transport for London

Operator	Jan to Mar 2015		Oct to Dec 2014		Jul to Sept 2014		Apr to Jun 2014		Jan to Mar 2014	
	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	16	4	1	7	2	6	3
London Overground			1	1	3	4	5	2	4	1
TfL London Buses	21	15	21	10	20	11	24	9	40	9
TfL London Underground	20	10	4	14	16	6	16	8	14	4
TfL Roads & Streets	4	17	1	1	6	14	4	9	4	8
TfL Dial-a-Ride	1	4			2	0	1	2		
Oyster	22	12	18	7	27	6	25	9	25	4
TfL Other	6	3	3	9	16	15	5	1	13	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 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.

Information regarding cases open longer than 41 days

National Rail Operators

South West Trains

A passenger complained that during emergency engineering works there did not appear to be a replacement bus service from his station. Investigation revealed that a replacement bus was in operation. The caseworker persevered and the operator agreed that more could have been done to advise passengers of the replacement bus timetable and the location of the bus stop. The operator also offered a good will gesture to the passenger for the inconvenience.

Southern

- A passenger had not received compensation payments so approached London TravelWatch for help. The operator liaised with the caseworker on a frequent basis but the issue was not resolved. The caseworker realised that the operator was confusing the compensation payments with other claims the passenger was making and once this was explained to the operator the passenger received all compensation due.
- A passenger wanted a full response to quite complex questions regarding issues with various journeys he was making. The caseworker felt that there was a lack of detail in the operators first response, so returned to the operator requesting more detail. This was received and sent on to the passenger.
- Poor advice given to a passenger at a Southern station led a passenger to purchase a new ticket believing a refund would be given on a proportion of her existing ticket. Initially, Southern refused to make any offer but then agreed that there was no evidence to support either parties account and refunded half of the cost of the new ticket.

Southeastern/London Midland

A passenger travelling on London Midland had his season ticket from him as he was not carrying his photocard. The passenger could not get this ticket back and was forced to buy new tickets for his regular travel on Southeastern. The London TravelWatch caseworker tried unsuccessfully to get the season ticket returned, but it could not be found nor was there evidence that London Midland had the ticket. The season ticket then ran out but the caseworker continued his efforts to get a refund for the passenger. Eventually Southeastern agreed to refund the passenger for the additional tickets purchased only.

Chiltern

- A passenger approached London TravelWatch as he had had a minor accident boarding a train and was unsatisfied with the response from the operator. Chiltern originally stated that they had viewed the CCTV footage and it did not support the passengers account. But Chiltern would not let the passenger view the CCTV footage. Many emails were sent from London TravelWatch but only a few responses were received. Finally the passenger telephoned London TravelWatch to advise that Chiltern had made a substantial offer directly to him which he wanted to accept so the case was closed.
- A case was kept open longer than usual as a meeting between London TravelWatch and Chiltern was on the horizon and this was the best forum to discuss the station complained about. The passenger was aware that there would be a delay in response and the case was closed with the passenger giving full information.

Virgin trains

The passenger wrote to London TravelWatch as he was having difficulty getting a response. London TravelWatch took the case up as an appeal and also experienced a delay as the responses received did not address the issue to the caseworkers satisfaction.

GTR

A passenger complained to London TravelWatch as, on the day she was travelling, many trains going in the direction she wanted were not stopping at her station. London TravelWatch liaised with GTR, whose thorough investigation took some time. No record or evidence could be found to suggest the trains did not stop at the station. The passenger was advised that we were closing the case as no absolute conclusion could be reached.

London Midland

This case was kept open as there was a safety aspect to the complaint and the caseworker was discussing the issue with the London TravelWatch Safety Officer. The delay in this case being closed was not due to the lack of engagement from the operator.

Transport for London cases open longer than 21+ days

Transport for London – Streets

A driver incurred a congestion charge and subsequent court notice as TfL had not updated their records to the correct address. This case took much longer than usual to close due to staff absences on both sides. However, once the two members of staff had a discussion about the case, TfL withdrew the PCN and the further action in recognition of the difficulty faced by the passenger.

Oyster

- A passenger approached London TravelWatch as his London Underground delay claims were being refused. This was because his journeys were on the Metropolitan Line which runs to a timetable. When his arrival at his destination time was 15 minutes or more past the timetabled arrival time the passenger would claim. However, timetabled delays are not recorded in the same way as delays on the other London Underground lines which is why they were refused. This case was escalated within London TravelWatch who approached TfL. It was agreed in a senior meeting between these parties that refunds for arrivals 15 minutes beyond the timetabled time on the Metropolitan line should be honoured.
- A passenger was unhappy as his journey is priced as a via zone one even though he does not travel through zone one, London TravelWatch appealed to TfL who contacted their fares team. It was advised that the journey would be too open to fare evasion to reclass as a zone two and three journey. London TravelWatch then went back to TfL to ask if a pink reader could be placed at the station which would demonstrate the correct fare had been paid. TfL said that as the station was a National Rail managed station, it was not possible to install a pink reader.

Staff complaints

Very little information can be given to passengers who have made complaints about staff members. With two of the bus driver and one of the London Underground staff complaints, London TravelWatch kept these cases open until further information could be given by TfL, such as confirmation an investigation has taken place. This keeps the case open longer than usual.

Compensation claims (2 cases)

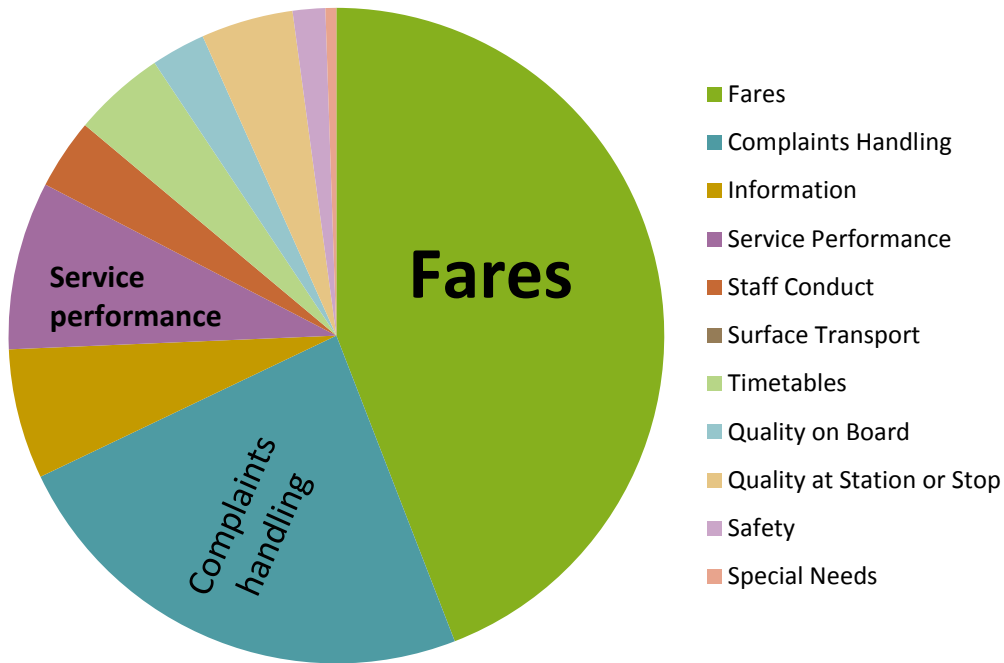
London TravelWatch cannot help with any compensation claims for. However, if the passenger is having difficulty connecting with a TOC insurer, the caseworkers will try to help by liaising with the TOC in an effort to expedite the matter. These cases are frequently open longer than average as the insurers are not normally quick to respond to the TOC.

Three further TfL cases were open longer than usual. Analysis of these cases revealed that liaison between London TravelWatch, the passenger and TfL and the fact that additional questions asked had prevented these cases being closed earlier.

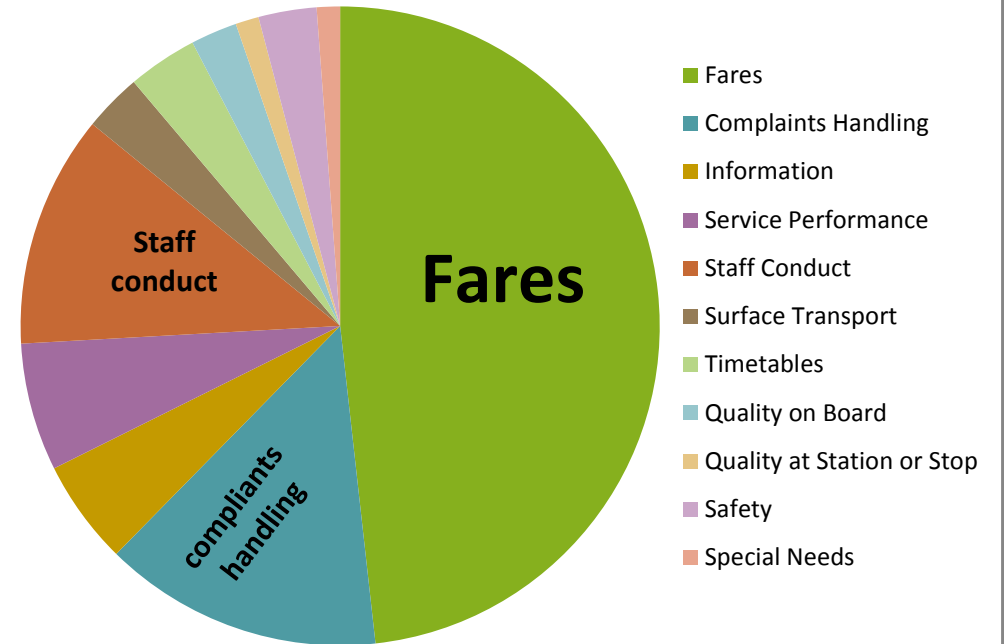
Three: appeals by category

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

Rail Complaints by Category



TfL Complaints By Category



3. Main issues received during quarter three

This part of the report highlights some of the issues that were raised in quarter three.

National Rail operators

Eurostar

The fire in the Eurotunnel which affected the Eurostar trains generated some casework. Most of the complaints received were about passengers unhappy with the compensation offered and this is an area which we cannot help because the compensation is in accordance with Eurostar's policy. The caseworker appealed some of these to Eurostar where we felt that a lack of available assistance at the time of disruption was justified.

East Coast

A relatively small number of complaints were received from passengers who were caught up in the disruption between Christmas and the New Year due to overrunning engineering works outside Kings Cross station. The few who contacted London TravelWatch complained of a lack of response or where the overrunning engineering works caused severe difficulties.

South West Trains

Delays to services caused by works at London Bridge caused complaints from passengers who did not understand why works at a station not on their route could cause problems.

All TOCs

The Increase in paper ticket fares coming into London resulted in a number of complaints received.

Transport for London

A sudden increase in initial cases regarding Santander Cycles is causing confusion. Investigation by both London TravelWatch and TfL cannot find the reason why passengers are sending their complaints directly to us. The casework staff will evaluate incoming cases and, where appropriate, telephone a complainant to ask the reason they have not directed their initial complaint to TfL. Recently news publications revealed an problem with the docking and then cost which was the issue in many of the complaints we received. This problem is apparently resolved so we keep an eye on it.

The change of Oyster fare structure to allow part time transport users to enjoy lower fares whilst increasing the cost of paper tickets caused many and repeated contacts from passengers used to travelling into London with a pre-purchased paper ticket who faced an increase of nearly 35% in the cost of their zones 1-6 paper travel card.

Appendix one: Quantity of cases received

