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**Secretariat memorandum**

Author: Susan James

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Casework report for the period October to December 2015.

**1 Purpose of report**

- 1.1. To record the performance of operators in handling appeals for the period October to December 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 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.

**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**

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

## 1: Cases received

This report covers incoming casework received from October to December 2015.

This part of the report records the volume of casework received during October to December 2015. A total of 2,125 contacts were received by London TravelWatch via telephone, email and web form.

<b>Case types</b>	<b>Oct to Dec 2015</b>	<b>Jul to Sep 2015</b>	<b>Apr to Jun 2015</b>	<b>Jan to Mar 2015</b>	<b>Oct to Dec 2014</b>
Casework related telephone enquiries	761	504	233	188	188
Enquiries email	76	51	29	25	111
Initial cases	732	562	352	445	418
Request for papers	98	90	77	107	103
Appeals made to operator	182	228	237	306	210
Appeals responded to directly	276	250	247	302	244
<b>Appeals sub total</b>	<b>458</b>	<b>478</b>	<b>484</b>	<b>608</b>	<b>454</b>
<b>Total contacts</b>	<b>2,175</b>	<b>1,685</b>	<b>1,175</b>	<b>1,381</b>	<b>1274</b>

### Enquiries telephone

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

The increase in telephone calls in the last two periods can, in part, be attributed to the ability to more easily record them. Further information is given in section 4: Increase in contacts - telephone.

### Initials

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

A scrutiny of the increase in initials is given in section 5: Increase in contacts - initials.

### 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	October to December 2015		July to September 2015	
	No of cases closed	Percentage closed	No of cases closed	Percentage closed
Days 0-10	86	79%	90	69%
Days 11-20	6	5%	16	13%
Days 21-40	12	11%	12	9%
Day 41+	5	5%	12	9%
Total	109		130	

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

## 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	October to December 2015		July to September 2015	
	No of cases closed	Percentage closed	No of cases closed	Percentage closed
Days 0-10	45	83%	31	48%
Days 11-20	8	15%	15	24%
Days 21-40	1	1%	10	16%
Day 41+	1	1%	8	12%
Total	55		64	

The efforts made by both Transport for London and London TravelWatch has clearly reduced the response times with over 80% of responses sent within 10 days. Some cases were open longer as due to the necessary investigation process and some were open longer due to errors made by London TravelWatch.

## National Rail operators' response times – closed cases

Operator	Oct to Dec 2015		Jul to Sept 2014		Apr to June 2015		Jan to Mar 2015		Oct to Dec 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			3	59		4	1	2	1	11
BTP										
c2c	2	5			3	36	1	7	3	2
Chiltern			2	33	1	55	2	53	1	5
CrossCountry										
Department for Transport									1	29
Deutsche Bahn										
V East Coast	7	7	7	18	12	50	3	2	4	14
East Midlands Trains	1	28	1	1	1	60				
Eurostar	10	6	15	2	4	0	7	2	4	1
FCC/GTR	14	5	11	11	14	7	22	10	11	1
GWR	1	2	2	11	2	8	4	11	4	9
Grand Central										
Gatwick Express										
Greater Anglia	4	3	5	5	20	15	17	10	13	13
Heathrow Express	2	71	1	3						
First Hull Trains	1	9			1	0	1	9		
IAS	3	6	18	1	10	0	19	1	10	1
IPFAS	5	9	10	1	18	0	12	2	5	1
London Midland	3	18	6	13			2	37	2	50
NR Enq							1	29	1	8
Network Rail			1	25	5	35	1	31	1	42
ORR										
RailEurope										
RPSS	2	1	1	1	2	1	6	1	1	1
Rail Easy										
ScotRail										
Southeastern	7	11	13	16	17	40	6	31	7	11
Southern	27	11	14	27	15	11	29	18	20	6
South West Trains	20	4	16	9	18	11	18	15	15	9
Trainline			1	15						
Virgin West Coast			3	9	2	82	1	58		

## Transport for London

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

*\*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 have 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 operator's cases with longer than 20 days response times**

5 of the rail operator cases took 21 days to respond. As these are only just over the time limit, an explanation is not given here.

#### **Southern**

The passenger, the operator and London TravelWatch were all confused about which delays the passenger was claiming compensation for. Once this was resolved, the operator sent the compensation and the case was closed. The passenger was happy that London TravelWatch had kept trying to resolve the complaint and achieved a satisfactory outcome.

Another Southern case was poorly managed by London TravelWatch so it was open longer than necessary. A staff member sent an appeal to the wrong address and did not chase it so it was left on the casework system. A new caseworker took over the case and it was resolved. The passenger received an apology and was satisfied with the positive outcome to the case.

A passenger had a poor experience with cancelled trains, incorrect information from staff and had his request for compensation denied. He complained to London TravelWatch as he was unhappy with the good will gesture offered by Southern. As we have no remit regarding this type of payment, the caseworkers do not usually appeal for increases in good will gestures. On this occasion, the caseworker felt that the passenger's request was justified and took the time to achieve an outcome to which the passenger found satisfactory.

Due to London TravelWatch staff absence, a complaint about the locked toilets and having to ask for a key lengthier than it should have been. At our request the operator was quick to respond in order to reduce further delay to the passenger.

A passenger expressed dissatisfaction on the location of a Southern poster. London TravelWatch spent too long trying to achieve a satisfactory outcome for the passenger. The passenger was unsatisfied with the outcome.

### **Eurostar**

A passenger complained due to an incident at security at St Pancras. Due to the uniqueness of the complaint, the details of the complaint have not been given here, as it would clearly indicate this particular passenger. The passenger refused a good will gesture from Eurostar but took over 15 days to advise London TravelWatch of this refusal so the case was open much longer than usual.

### **Heathrow Express**

Communication is currently not easy with the Heathrow Express/Connect due to many staff changes and the casework team not knowing to whom to appeal. Enquiries have not revealed any new contact so further work will need to be done in this area. This problem caused delays to two cases. We believe that open access routes are not obliged to liaise with a watchdog although generally they respond using the same process and time frames for good practice.

### **East Midlands Trains**

This is another case where giving details would clearly indicate the passenger. The length of the complaint being open was due to a large number of communications between operator and passenger. The complaint was not closed to passenger's satisfaction but London TravelWatch could not achieve the response desired.

### **Southeastern**

A passenger tried to pay his penalty fare but it did not register. The penalty fare then incurred administration charges. The caseworker took up the appeal and investigation eventually found that there was a fault with that passenger's payment. Southeastern wrote to the passenger to formally apologise and refund the penalty fare as a gesture of good will. The passenger was satisfied with this outcome.

As passenger appealed to London TravelWatch as she was unsatisfied as to how the operator responded to her complaint about delays (not refund claims). Due to staff absence at the rail operator and London TravelWatch, the case although closed to the passenger's satisfaction, was opened longer than usual.

### **GTR (including Great Northern)**

This passenger's general complaint over service performance was missed due to system changes at the operator. Also, London TravelWatch did not chase for a response early enough so the case dragged on for some time. We have not received feedback on whether or not the response the caseworker sent was found to be satisfactory.

An error by a London TravelWatch caseworker meant that this case was open much longer than necessary as the rail operator had responded but the response had been missed.



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

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

### **London Underground**

A passenger complained that London Underground staff was rude to him and TfL had not responded. The caseworker contacted TfL who advised that a letter had been sent in response to the passenger's complaint to them. A copy of the letter was emailed to the caseworker to forward to the passenger. The passenger refused to believe that the letter had not just been created. The caseworker went back to TfL to see if there was any evidence in posting. In the meantime, the passenger wrote to TfL and other bodies. This confused matters and took a while for TfL and London TravelWatch to find out who was writing to whom. London TravelWatch then closed the case but by this time 25 days had passed so the case looked like the response took longer than usual.

A passenger complained that they had not received a cheque for a refund. The caseworker appealed but the passenger continued to liaise directly with TfL. If the caseworker had chased the case earlier and TfL had responded to the appeal, both parties would have understood the situation. Therefore when the case was closed, 17 days had passed.

### **London Bus**

A passenger complained that his bus was not pulling up to the kerb correctly and he felt that nothing was being done to address this. The caseworker asked if a monitoring report had been completed for this particular route and particular stop. London Buses checked their report and found that the bus and stop had been assessed and was found that the buses did pull into the kerb whenever they were able but other traffic did prevent this action on some occasions. As the report had to be found, the response took a few days longer than it should have.

A passenger wrote to London TravelWatch as his bus was constantly being turned early and the replies he had received from London Buses were nonspecific. The response took longer than usual to respond to as the caseworker asked for specific journeys to be investigated. TfL made a full response within 14 days and the caseworker responded to the passenger.

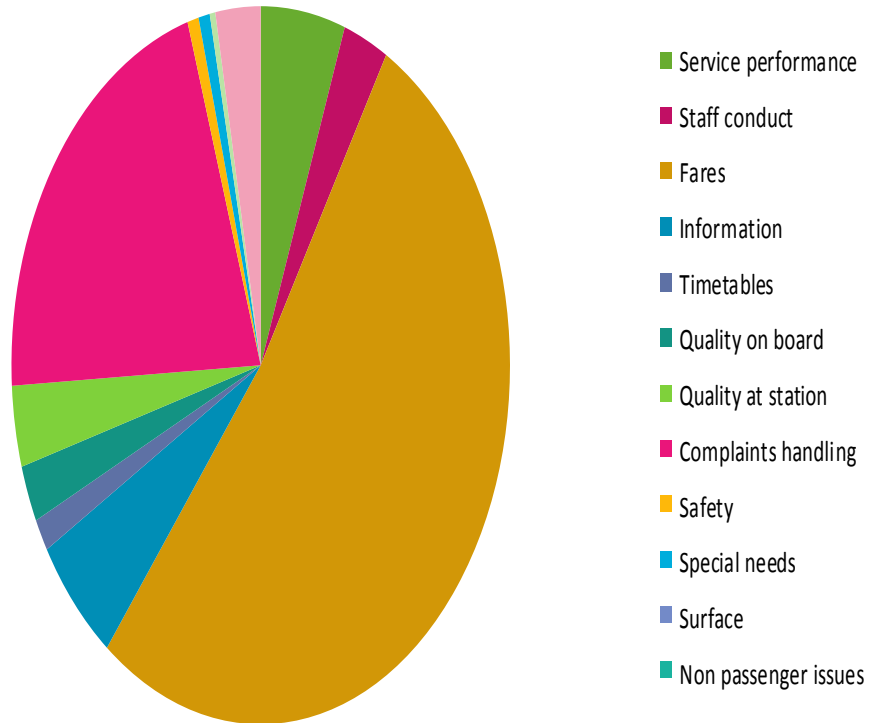
### **Congestion Charge**

A road user approached London TravelWatch because her appeals made as per the process were being ignored and the costs were increasing. London TravelWatch appealed but there was a mix up at TfL as to who was dealing with the case and London TravelWatch did not chase as regularly as we should have. Eventually, the TfL agreed to cancel the fine completely as the user's experience from start to finish was so poor. The passenger was satisfied with the outcome.

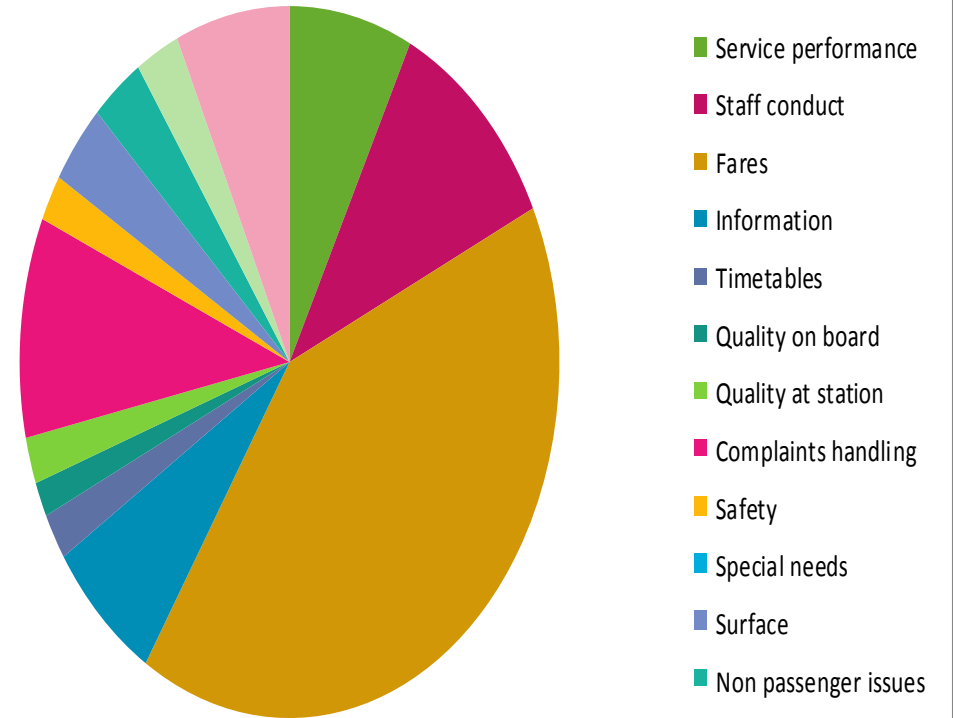
## Four: appeals by category

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

### Rail by complaints category



### TfL by complaints category



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

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

### **Delays**

Delays across all modes are causing an increase in contacts (although not necessarily complaints). Train passengers appear to be feeling frustration due the absence of what they believe to be action taken against the operators for poor performance. Bus passengers feel that their bus is not turning up on time and the explanation they are being given is not specific.

All passengers appear to believe that as the problems continue, no-one is listening or doing anything to improve their journey.

Some passengers have expressed 'excuse fatigue' for the reasons given for delays. Even passenger action is met with a lack of sympathy that only constant delays for other reasons could provoke.

### **c2c**

The recent change to the timetable and stopping pattern has increased passenger contact considerably. Passengers have approached London TravelWatch to appeal about the lack of response from c2c which London TravelWatch are also experiencing.

### **All rail operators**

19% of all telephone contacts are received from passengers who have incurred penalty fares. Most passengers feel that they have not had sufficient opportunity to make their case to the penalty fare appeals bodies. Neither body will accept phone calls regarding penalty fares because if the issue escalated and went to court, there can be no doubt of what information has been given to the passenger. Subsequently, passengers contact London TravelWatch with the expectation that their appeal can be upheld.

## **Transport for London**

### **Complaints**

TfL's website is very user friendly and the information passengers need is clear. Unfortunately, the complaints and feedback sections has still not been updated. The complaints page does not allow the complainant to retain a copy of their complaint and the webforms are not easy to use on a handheld device

### **Main telephone contact centre**

TfL have experienced problems with their contact centre where the system answered the call but then went silent. London TravelWatch contacted TfL each time this happened although no calls have been received regarding this issue for the last 10 days.

## 5. Increase in contacts – telephone

Passengers still want to be able to speak to a person and what can start out as an enquiry can quickly become a complaint when the passenger cannot find the telephone number they need.

### Case example

For example a passenger rang looking to speak to Thameslink about a slippery floor in one of its stations. He was asked where he got our telephone number. He advised that although we are not top of the google result list, we are one of the only organisations whose telephone number is easy to find. A caseworker recreated the steps he took and the following occurred.

Into the search engine the passenger wrote 'train station complaint London'

Top three results, advert for Trainline, National Rail Enquiries and London TravelWatch

National Rail Enquiries gives the options of complaining about a train station, then gives you the option of finding the operator who manages the station, then enter the station name, then gives lots of station information but not a telephone number.

London TravelWatch gives an option to a menu, then contact us and a telephone number.

The passenger was frustrated and cross that I could not help him. After some explanation and time he accepted my reasons and took the Thameslink telephone number as he then wished to complain.

Previously, the casework team have carried out mini-surveys to ask passengers a little more information about how they found our number or why they are ringing us in the first instance. Unfortunately, the sample is small, as some passengers are already upset and it would not be wise to engage the passenger in this discussion. Other callers, once engaged, want to ask further questions such as why we can't help them and that they don't want to ring elsewhere or be put into an automated system. Some passengers are impatient and do not want to linger on the phone when we are unable to assist them.

As the phone calls have increased, more of the resource time is taken by answering calls rather than concentrating on casework. It is not unusual for a passenger to want to discuss their initial complaint at length. A contact classed as a 'quick call' can frequently be longer than 15 minutes before ending. This has had an impact on casework response quality and does not give a clear indication of the workload of the casework team.

When asked for some feedback the casework teams thoughts are that some passengers believe that as the watchdog, we should be approached in the first instance regardless of the guidance given on when to contact us.

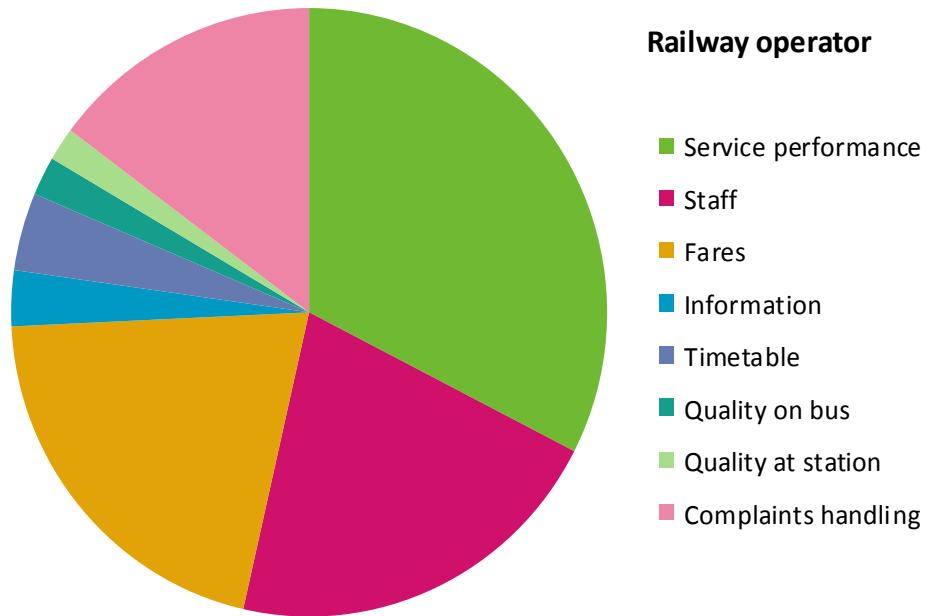
## 6. Increase in Contacts – Initials

Scrutiny of the initials revealed that the split between contacts regarding rail operators and TfL is virtually the same. The issues recorded for initials are almost the same as those recorded for appeals.

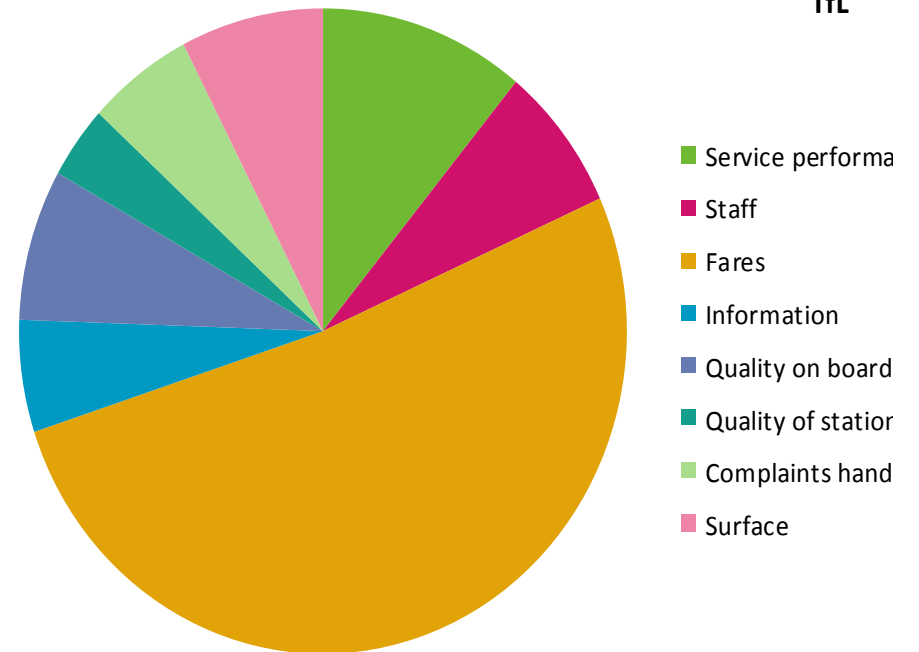
NB: Initials are not necessarily complaints.

## Initial case issues

### Railway operator



### TfL



Appendix one: Quantity of cases received

