

## Unreasonable and unreasonably persistent behaviour policy

- i. London TravelWatch is committed to providing a high-quality service to everyone who contacts us. We welcome all feedback from all passengers and will review every appeal brought to our attention. This policy is to help London TravelWatch staff manage unreasonable or unreasonably persistent contact from those who appeal to us.
- ii. Dealing with complaints from someone who is unreasonable or unreasonably persistent can take up a disproportionate level of resources. London TravelWatch is accountable for the proper use of public funds and we must therefore ensure that our resources are used wisely and provide value for money.
- iii. We will ensure that every appeal raised with us is reviewed and, where appropriate, we will make representations to the appropriate organisation where we believe there has been an injustice. However, we are unable to overturn or change the final decision made by a transport provider or ticket retailer.
- iv. In a very small number of cases people can pursue their complaints or queries in a way which can either hinder our investigation or create serious resource issues. These actions can occur either while their complaint is being investigated, or once we have concluded our investigations.
- v. Where someone is unsatisfied with the outcome to their appeal with London TravelWatch, they can request that their appeal is reviewed by the Head of Casework. There is no further escalation point within London TravelWatch.
- vi. **For TfL appeals only.** Where someone remains unsatisfied with their appeal outcome with a TfL complaint, they can take their complaint to the Local Government and Social Care Ombudsman (LGSCO). The LGSCO will check our handling of the case and can provide direction if they believe we have not carried out our role to our own standards. The LGSCO will not re-investigate the appeal and they cannot direct London TravelWatch to provide an outcome that is not within our gift to achieve. **NB The LGSCO will only consider complaints about TfL.**
- vii. London TravelWatch welcomes any challenge to the way a case has been dealt with or with the outcome itself. But persistence is different to being unreasonably persistent due to the number and type of contacts someone makes or by continued contact after the appeal has been reviewed by the Head of Casework.

### Defining unreasonable or unreasonably persistent behaviour

Unreasonable or unreasonably persistent behaviour has been defined by London TravelWatch as:

1. making numerous and continued contacts by phone or by email to one or more parties, that does not allow give a caseworker an opportunity to both review a complaint and

make representations on behalf of the person complaining. Continuous contact will delay any appeal being made.

2. continually demanding an immediate response.
3. continually demanding that London TravelWatch provide an outcome which it has previously explained it is unable to secure
4. appeals which are obsessive or unreasonable.
5. making many appeals about different issues in succession and/or insisting on a financial reward for each.
6. new appeals with minor alterations on matters we have already dealt with
7. repeated contact insisting on an outcome that would negatively affect other passengers
8. repeated contacts refusing to accept a final decision.

### **Using this policy**

If it is decided to activate this policy to manage a passenger's appeals, London TravelWatch may:

- insist that someone complaining confirms in writing all the points that the caseworker will raise with a transport provider or ticket retailer before an appeal is made. This is to ensure all elements of the appeal are captured at the outset and to prevent additional issues being raised at a later time
- refuse to take certain aspects of an appeal forward where there is no added value to the complaint
- only liaise with a passenger in writing
- refuse to continue liaising on a case where a final decision has been given.
- provide dedicated caseworker for all the passenger's appeals.
- only respond within specified timeframes and at no other time.

### **Appealing the decision to use this policy**

You have the right to appeal the decision to activate this policy to manage your appeals. Please write to our CEO, Michael Roberts [info@londontravelwatch.org.uk](mailto:info@londontravelwatch.org.uk) who will make the final decision. There is no further appeal process.

### **London TravelWatch will not engage with any person who uses**

- discriminatory or racist language or indicates discrimination or racism in their appeal.
- abusive or threatening language against any London TravelWatch staff member.