
Casework report

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Agenda item: 6
LTW696
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Quarter two

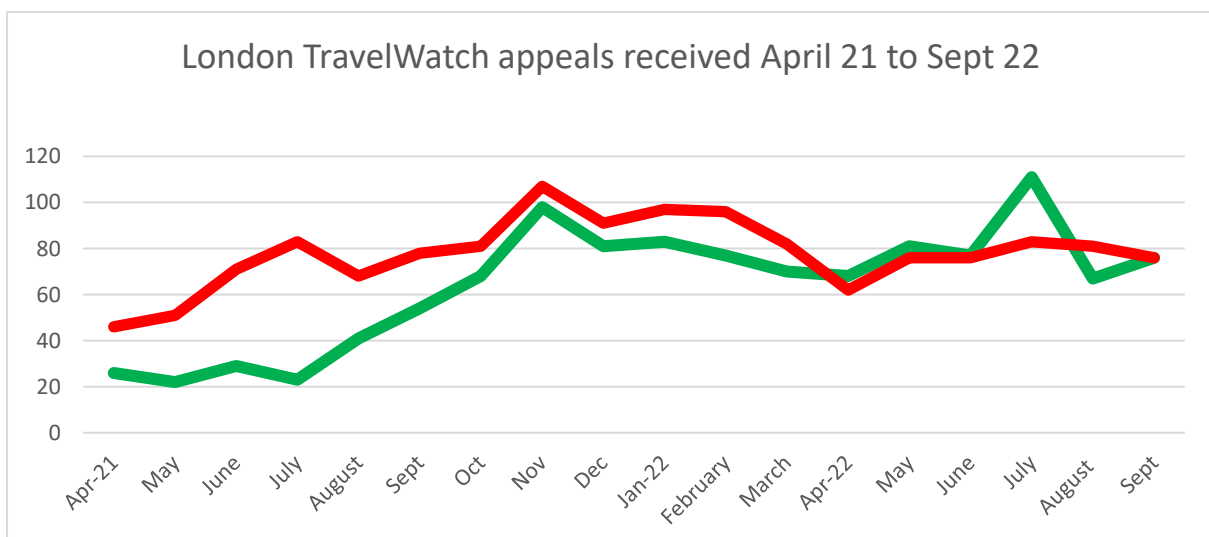
Overview

This report gives details on the types and numbers of cases we have received and our responses. Information is also provided about contacts with Ventrica and the Rail Ombudsman, plus appendix one contains the anonymous responses to our passenger survey.

Casework appeals and contacts

In Q2 the casework team identified a higher number of cases when compared to the previous quarter.

An appeal is where the passenger has already complained to the transport provider or ticket retailer and remains unsatisfied with the outcome.

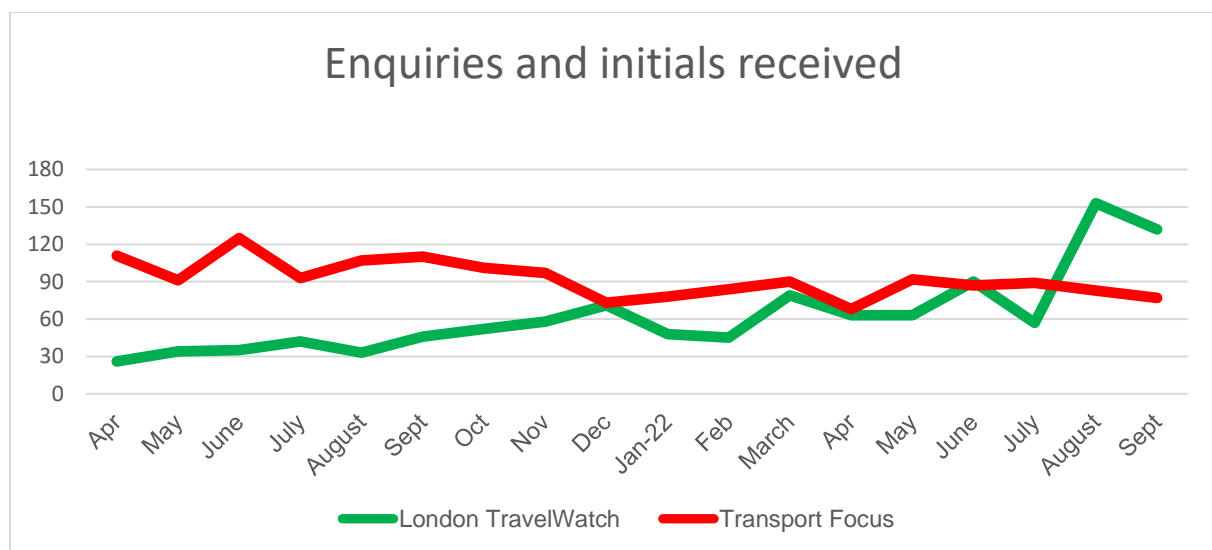


Initial and enquiry contacts

Our outsourced provider Ventrica manages all the initial contacts and enquiries on behalf of London TravelWatch and Transport Focus. The casework team provide Ventrica with advice and support on managing complicated or unusual contacts.

An initial case is where the passenger has complained directly to London TravelWatch or Transport Focus before first approaching the transport provider or ticket retailer.

An enquiry case is where a passenger is asking questions directly of London TravelWatch or Transport Focus or others cases that do not fall within the categories of appeals and initials.



Forecasting casework for 2022/23

With the ongoing changes in restrictions and work practices due to Covid, the industrial action, and the challenges experienced by Eurostar and TfL, it is impossible to accurately forecast the number of appeals the casework team are likely to receive over the next 12 months. I think we can be certain more people will be travelling in 2022/23 than in 2021/22, unless new covid variants or other issues affect passengers using the railway.

Rail operators

A large portion of cases received in quarter two were based on passengers looking for refunds. Passengers who are entitled to refunds from rail operators as part of their ticket terms and conditions, are signposted to the Rail Ombudsman. London TravelWatch and Transport Focus receive complaints from passengers who want refunds and/or compensation where the rail operators are not obliged as part of their terms and conditions and those of the National Rail Conditions of Travel.

Heathrow Express will be joining the Rail Ombudsman scheme on 1 November.

Ticket retailers

Ticket retailers are not yet part of the Rail Ombudsman scheme. Therefore, any uplift in passengers using these retailers to purchase tickets will also increase the number of contacts to Transport Focus and London TravelWatch.

Eurostar (full report given at previous London TravelWatch Board meeting)

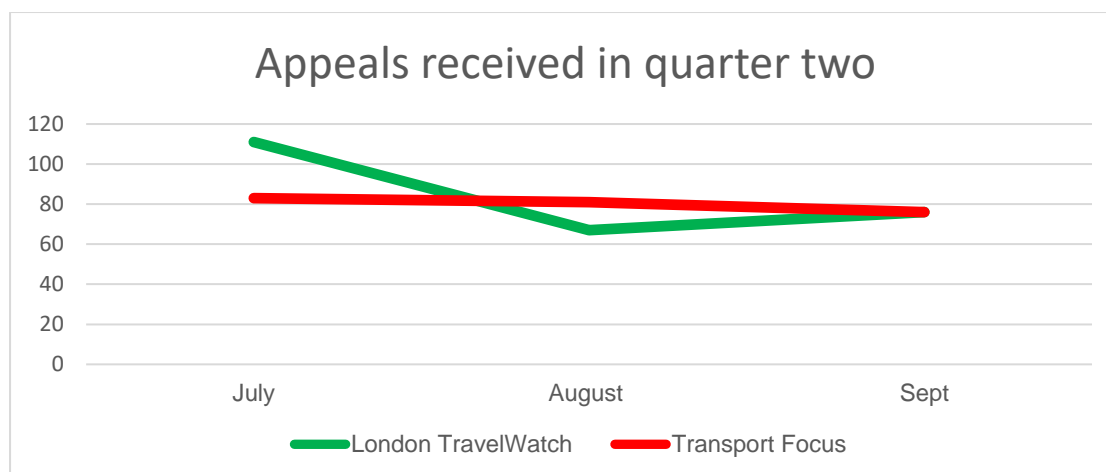
After Eurostar having turned off their telephones lines in August and September (a full report was given to the recent London TravelWatch Board), we have been advised that Eurostar will reactivate their phone lines on 3 October.

TfL

TfL's response times remain slower than passengers' expectations which is due to lack of staff and recruitment challenges. Increased liaison between London TravelWatch and the TfL Contact Centre Manager is managing our outstanding appeals but it is an ongoing issue.

Appeals received by Transport Focus and London TravelWatch from July to September 2022

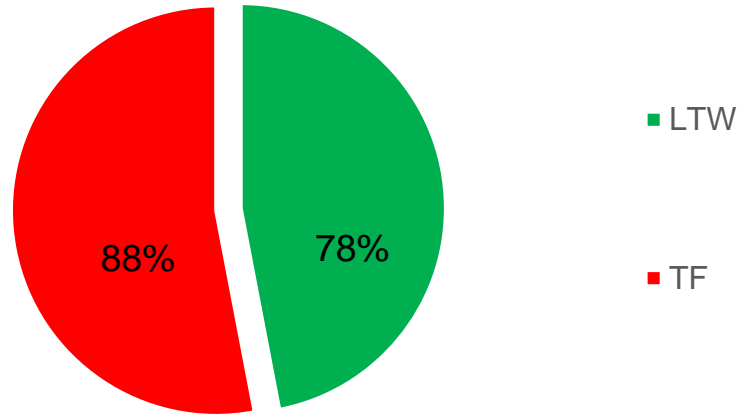
Total appeals received - London TravelWatch 254 and Transport Focus 240.



Casework performance

The target for closure for appeal cases is 35 working days (WD). This target has not changed since prior to the start of the Rail Ombudsman. As cases are now more complicated and require additional challenge with repeated contacts to provide the passenger with addition value, this target is under review.

Appeals closed within 35 working days



Rail operators with highest number of closed appeals in quarter two

| Operators receiving the most complaints | No of complaints | Subject of complaint | Outcome |
|---|------------------|---------------------------------------|---------------------------|
| Eurostar | 81 | Refund policy and complaints handling | 32 successful, 16 neutral |
| thetrainline | 44 | Refunds and complaint handling | 21 successful, 11 neutral |
| Northern | 16 | Penalty fares | 5 successful, 5 neutral |

*An example of a neutral outcome would be one where the passenger is complaining about a penalty fare including its issuing and the appeal process. The caseworker would explain the passenger’s rights and responsibilities with regards to penalty fares and the appeal process.

Trainline

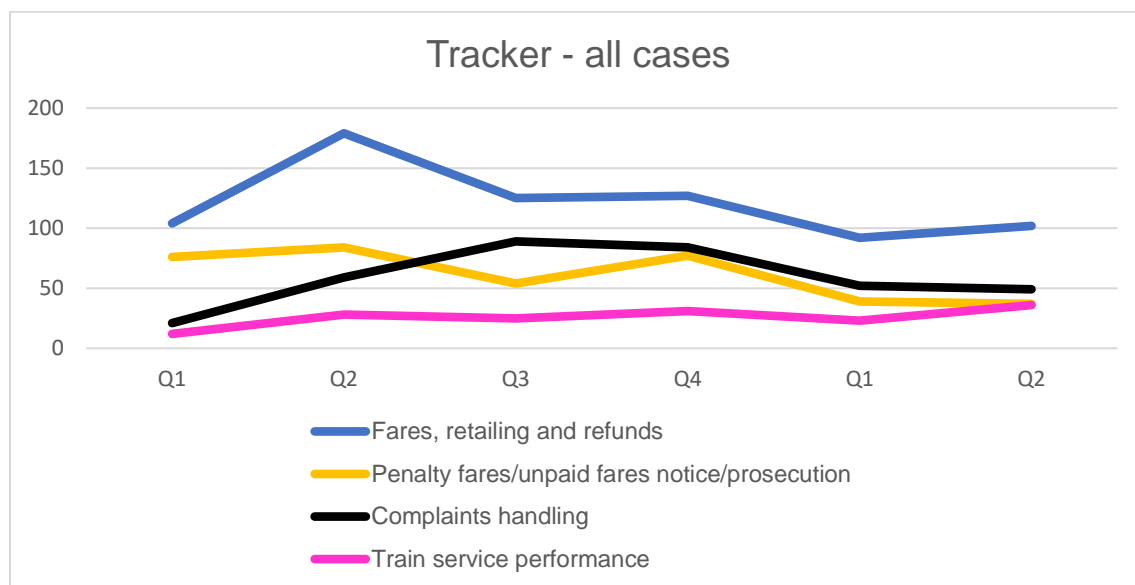
London TravelWatch and Transport Focus are the appeals bodies for Trainline and all ticket retailers because these organisations do not currently fall within the remit of the Rail Ombudsman. Trainline have identified that a proportion of appeals were made to Transport Focus and London TravelWatch because of complaint handling errors at their end. They are going to look at their processes with a view to reducing the number of people making appeals to Transport Focus and London TravelWatch.

TfL appeals by mode with the highest number of received appeals

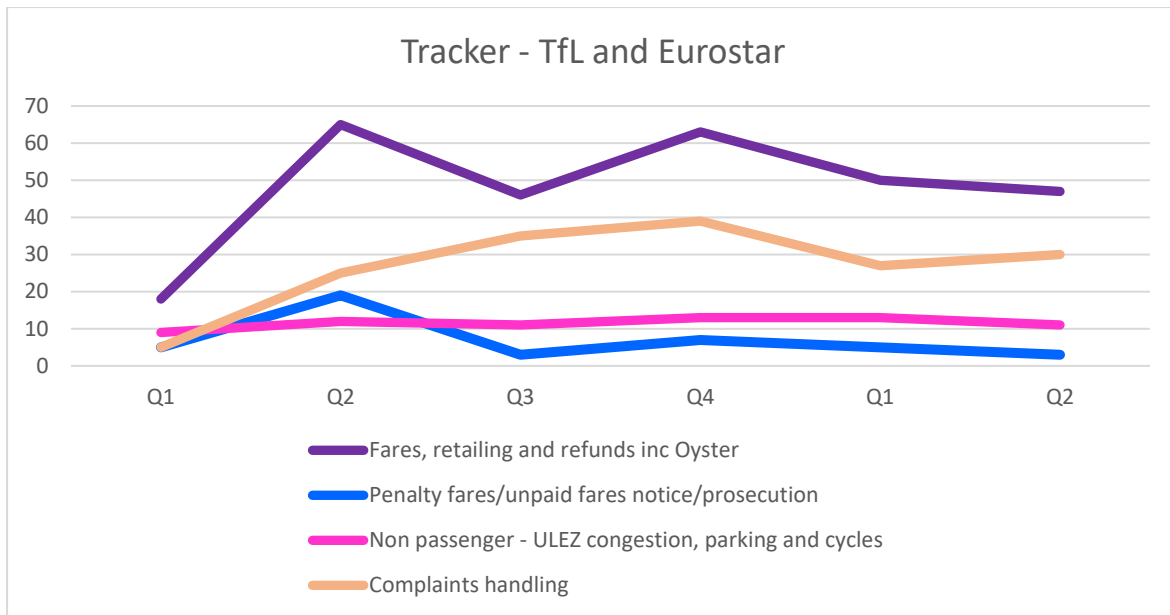
| TfL by mode | No of complaints | Subject of complaint | Outcome |
|------------------------------------|------------------|--|--------------------------|
| TfL Congestion Charge | 11 | Refunds, refund policy, lack of response, PCN parking and complaints handling. | 22 Successful, 2 neutral |
| TfL Oyster and Contactless payment | 18 | | |

Case types received

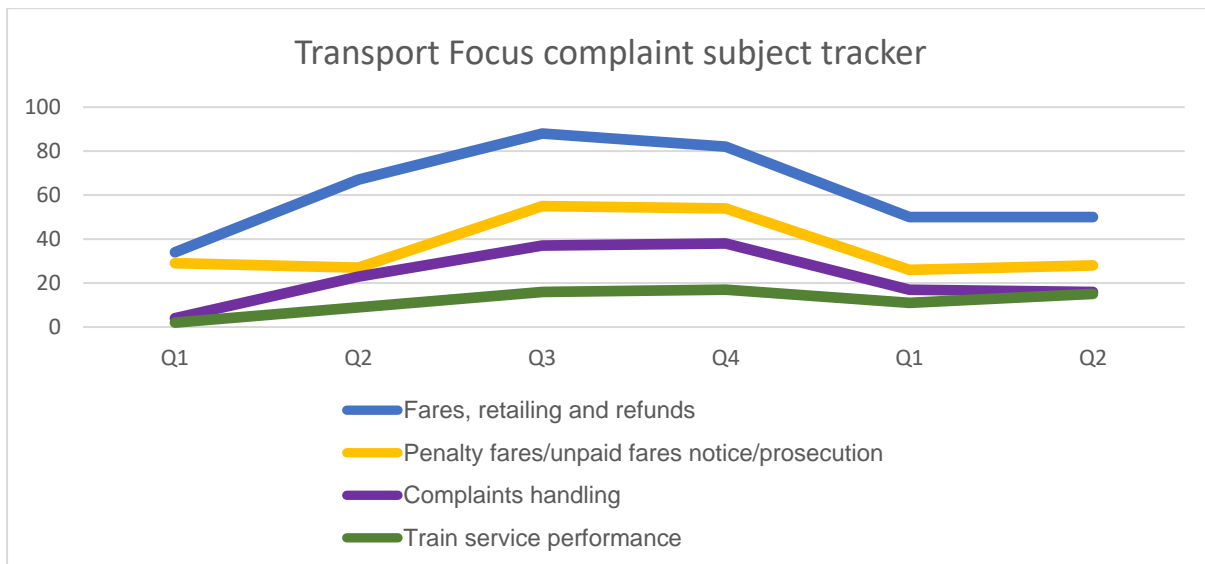
The four categories which London TravelWatch and Transport Focus usually receive complaints are regarding fares, penalty fares, service performance and complaints handling. This year we have tracked these categories to look for any trends. Appeals regarding fares and refunds have returned to usual levels and contacts regarding complaint handling have levelled off. Interestingly, complaints about train service performance is increasing reflecting the timetable changes and recovery of services on the day following industrial action.



The top four complaint categories received from those in the London TravelWatch-only geographical remit is slightly different, as we also take complaints from drivers who have incurred parking, congestion and ULEZ fines. Contacts about fares (via Oyster) have increased as passengers return to the network in higher numbers.



Transport Focus only tracker



Closed appeals for quarter two

The casework team do not have the authority to insist that a transport provider or ticket retailer respond favourably to our appeals. All the successes are achieved using negotiation, persuasion and the relationships the casework team cultivate with their industry contacts.

187 appeals closed for London TravelWatch in this period.

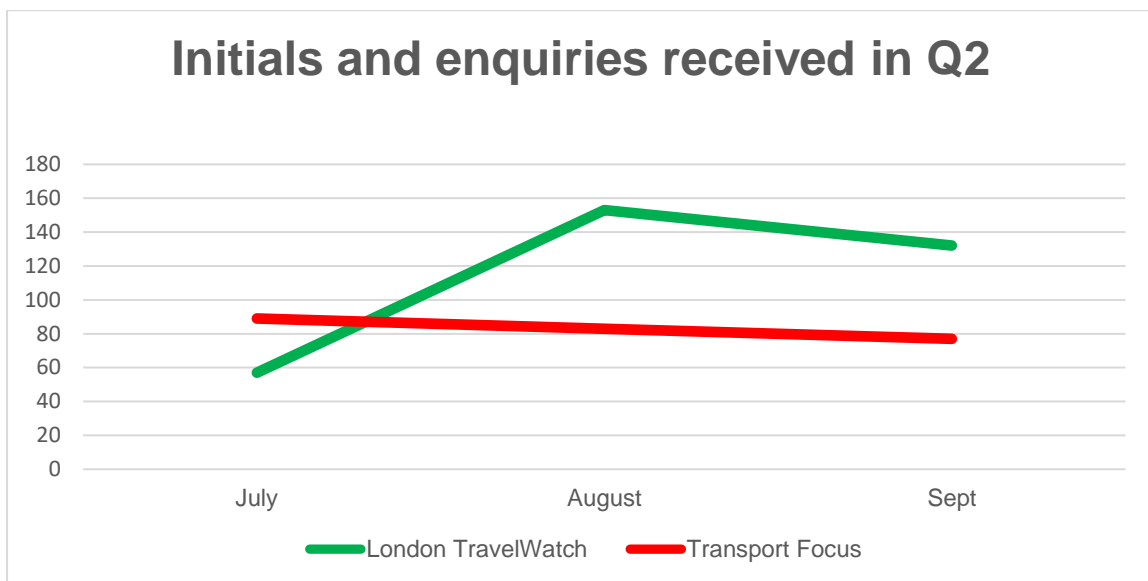
156 appeals closed for Transport Focus in this period.

Initial and enquiry contacts

In quarter two our outsourced provider Ventrica, received 342 contacts for London TravelWatch and 249 for Transport Focus.

The table below shows how many of these case types were received for both Transport Focus and London TravelWatch per month in the previous three months. The majority of passenger contacts were for those looking for help with refunds and who hadn't yet contacted the transport provider/ticket retailer.

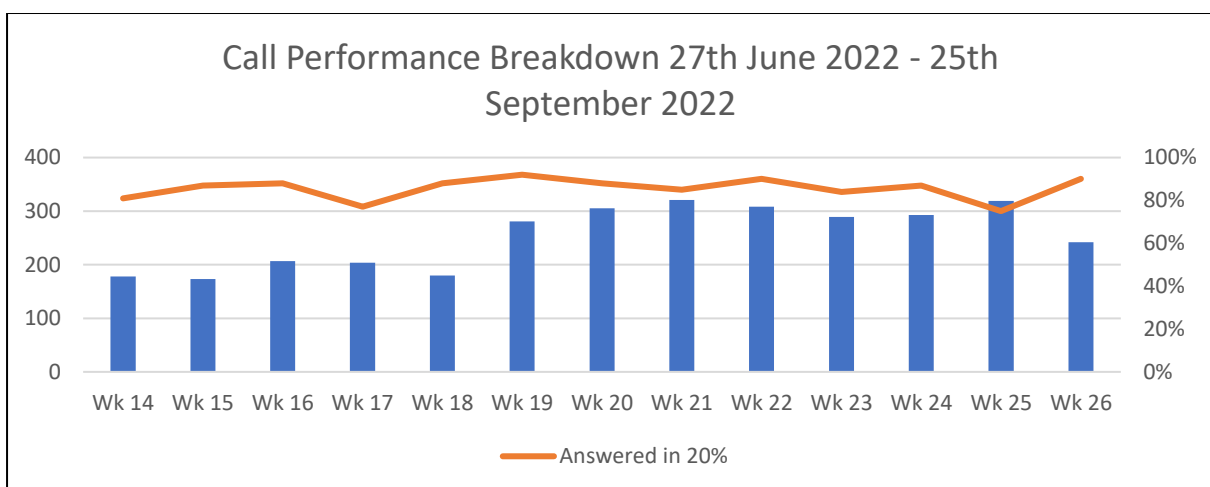
In addition, during quarter two, London TravelWatch received an uplift in case from passengers who were not getting responses from Eurostar. The Casework team handled these outside of the usual appeal process to prevent the passengers incurring further response delay.

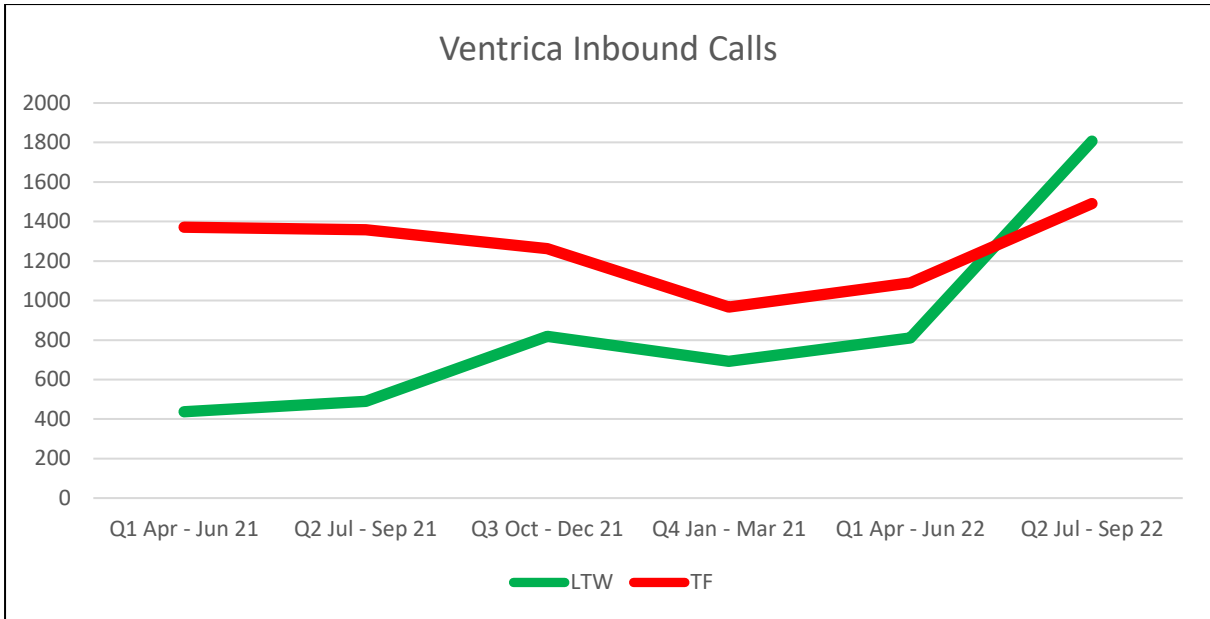


Ventrica – call answering and initial enquiries

Calls answered in 20 seconds by Ventrica

The number of calls answered in 20 seconds improved in the last few months sick absence caused the slight dip in week 25.





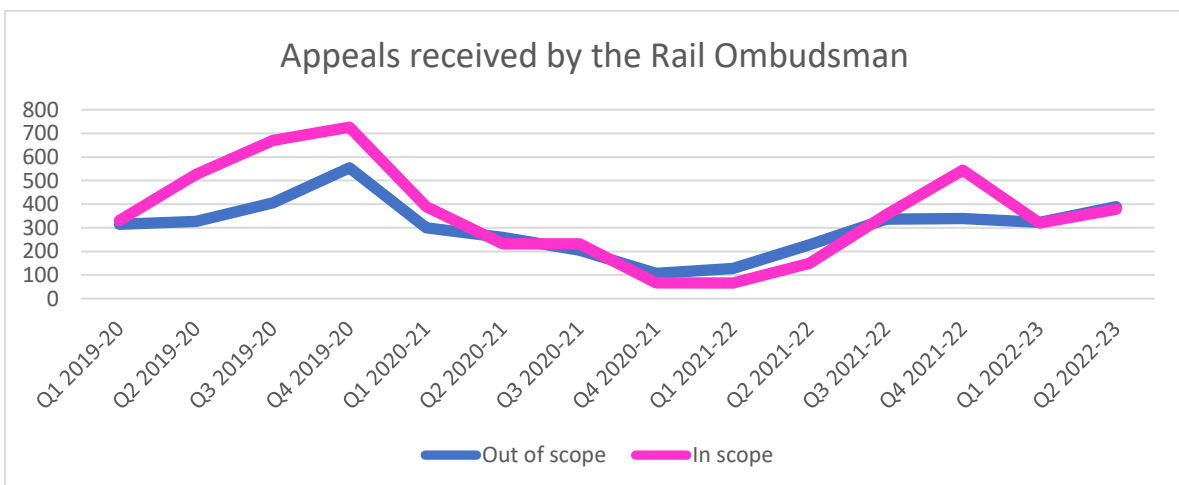
There was a sharp upturn in the number of contacts received by Ventrica on behalf of London TravelWatch from the end of June which was likely to be caused by the increased number of complainants unable to reach, and therefore get a response, from Eurostar.

The number of Transport Focus contacts is also steadily tracking upwards although the growth is less sharp than that of London TravelWatch.

It is suspected that the upturn of contacts is short term and will reduce within the next few months. This will continue to be monitored as continued, sustained growth will require further resources at Ventrica and at London TravelWatch/Transport Focus to maintain timeframes.

Rail Ombudsman

In quarter two the Rail Ombudsman received 398 and closed 598 in scope appeals. This is an increase of cases received in quarter two.

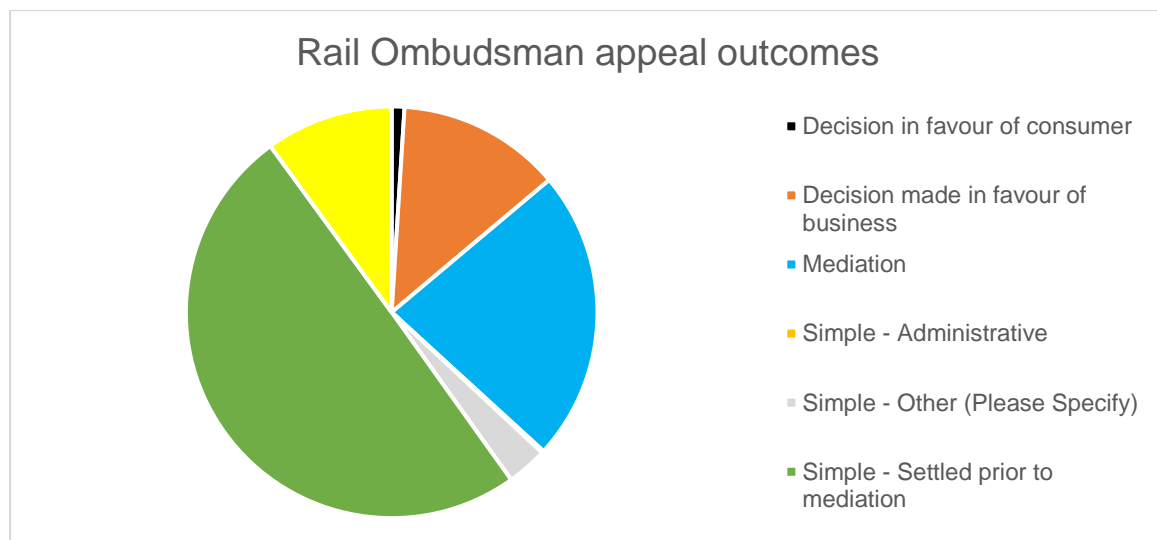


Most of the complaints received by the Rail Ombudsman were regarding how complaints were being handled and delay compensation. During this quarter, there were 400 cases that were considered out of scope of the Rail Ombudsman, 13 were considered in scope for London TravelWatch and 38 in scope for Transport Focus and these were transferred to us.

Most of the closed appeals were about:

| Rail Operator | No of complaints | Subject of appeals | Outcome |
|-------------------|------------------|---|---|
| Avanti West Coast | 130 | Complaints handling, delay compensation and performance | 74 were settled prior to mediation, 30 went to mediation, 14 settled in favour of TOC and one in favour of passenger. |
| GWR | 90 | Complaints handling and refunds | 64 were settled prior to mediation, 18 went to mediation and 7 made in favour of the TOC. |

Rail Ombudsman appeal outcomes

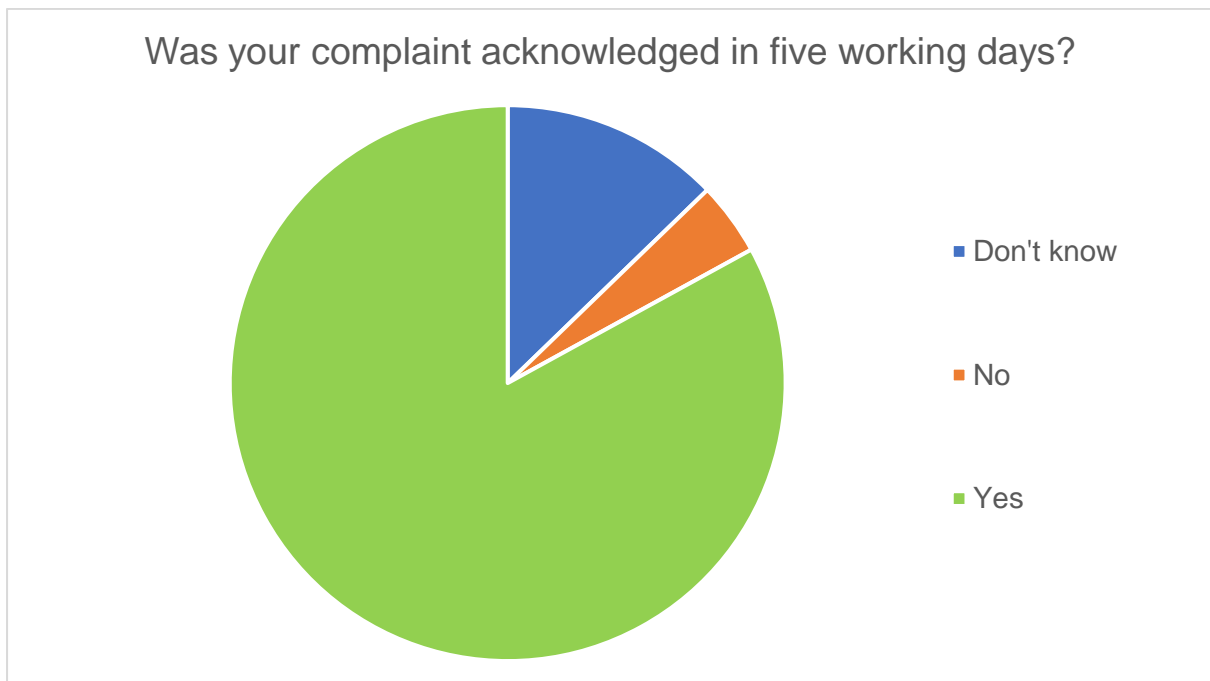
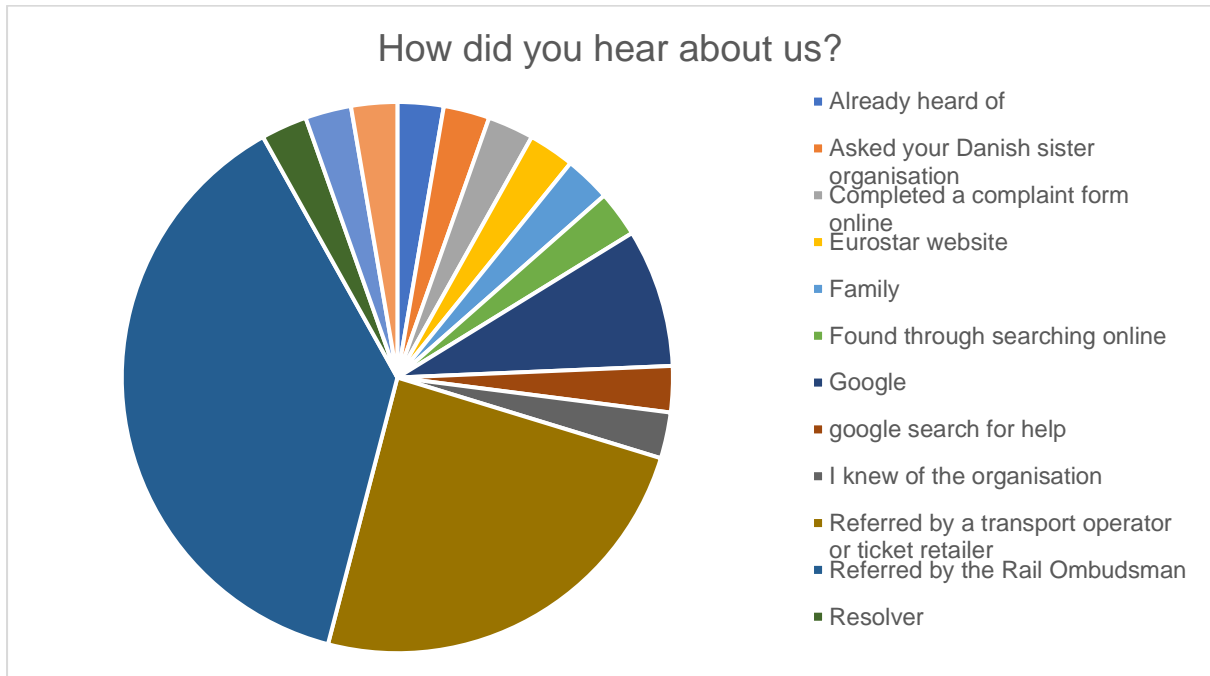


Recommendations

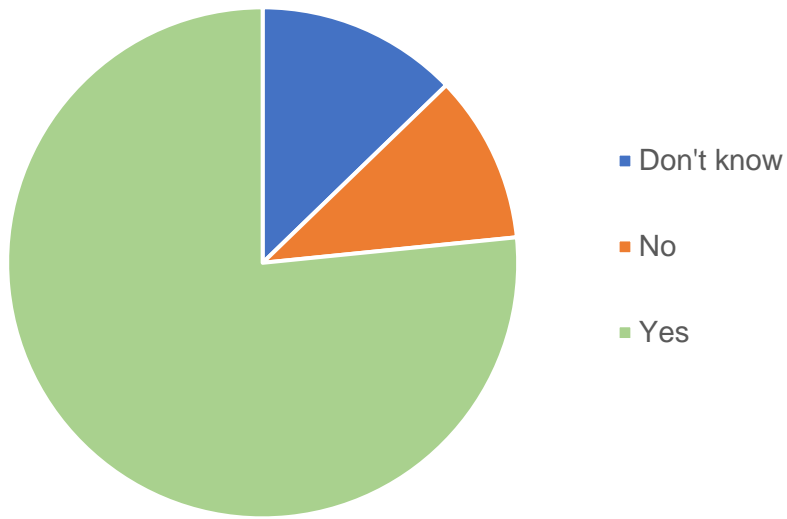
The Board/Committee are asked to note this report.

Appendix one – Survey responses

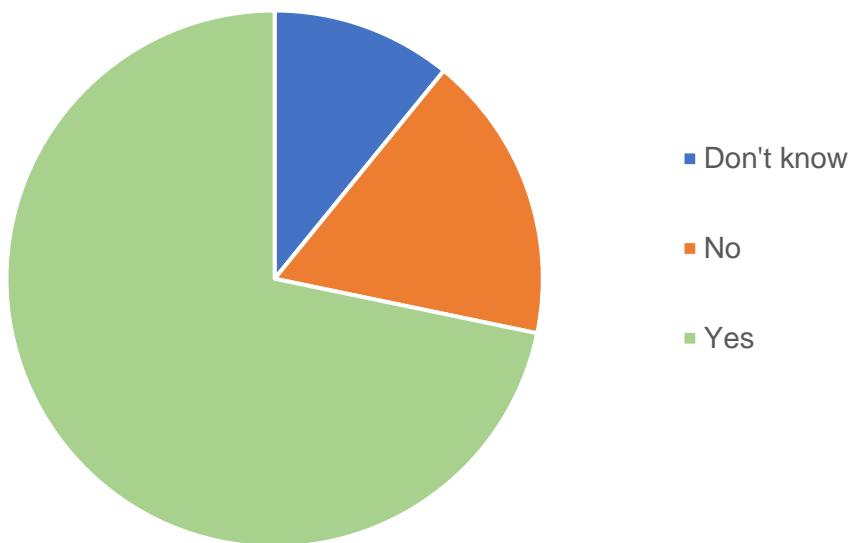
We received 47 responses to our survey in quarter two. Please note that the survey is anonymised.



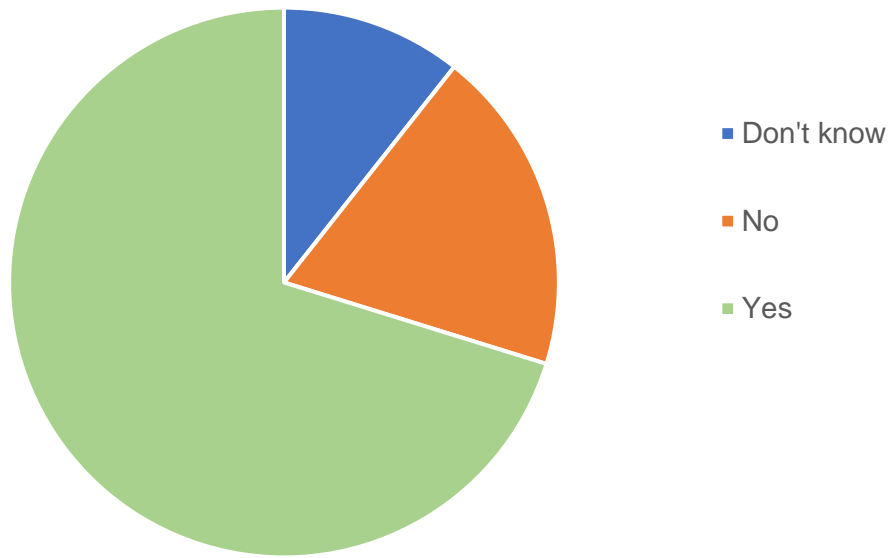
Did you receive an explanatory note with your acknowledgement



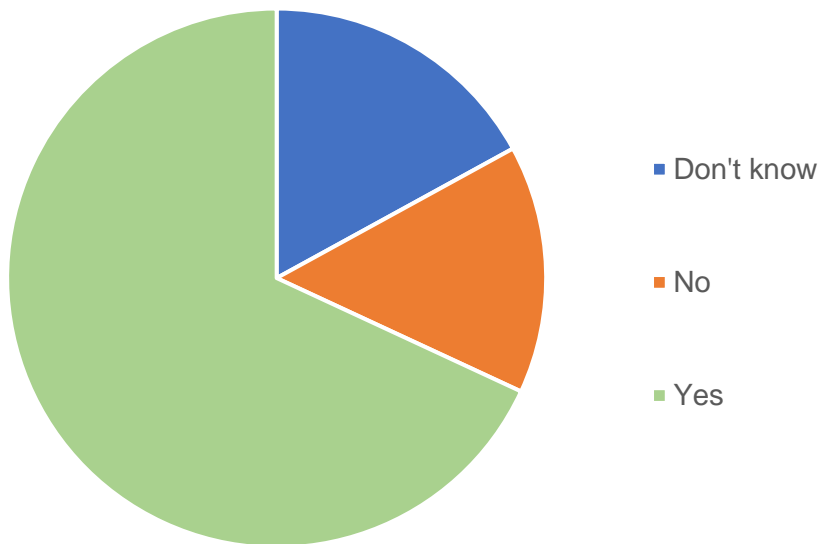
Did you casework explain the timescales of your complaint?



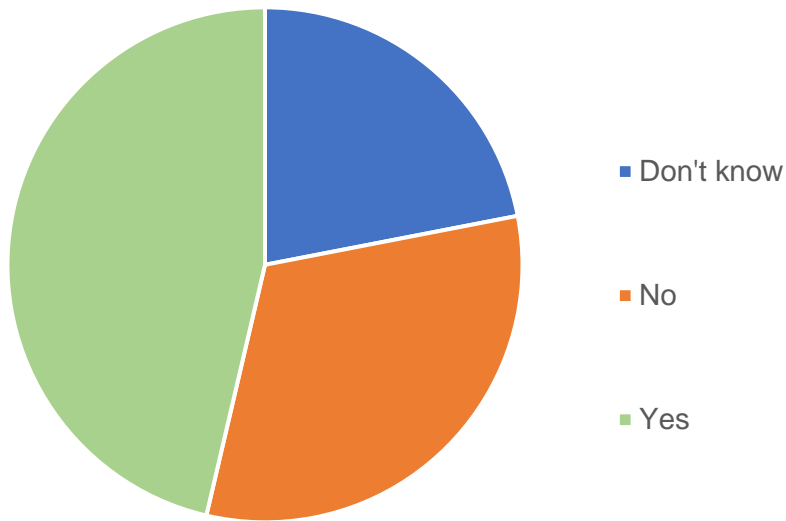
Did your caseworker maintain contact with you at least ever 22 working days?



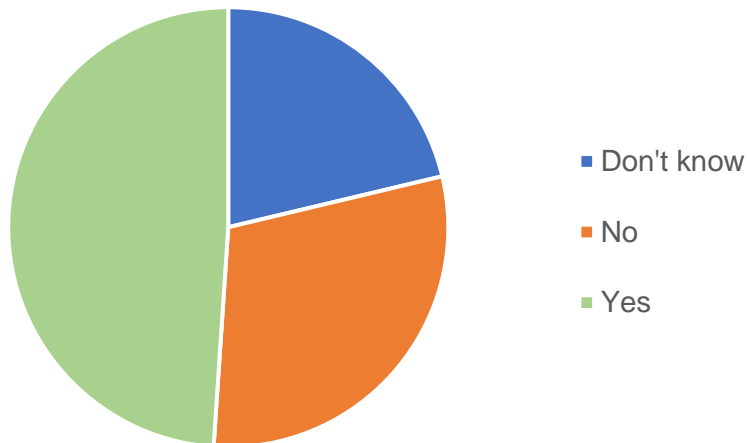
Did your casework outline your complaint in the final response?



Did your caseworker explain if we were unable to help you?



Did we close within 35 days?



The text below is copied directly from the passenger feedback and has not been changed.

10. Please tell us more about how you feel about the service that we provided below

Good service

The service was very good, although I'm disappointed that I didn't get the outcome I was looking for, and I didn't get any follow up when I replied with further points.

Very disappointed in the service. Totally unsatisfactory. Would not recommend. Feel extremely let down

Very efficient, straight forward and supportive. Talking to someone helped me to see what I should do and without your assistance I would not have had the backing needed to get the quick and fair outcome.

| |
|--|
| It was a complete waste of time complaining as the rail operator doesn't seem to care about customer care - and your organisation didn't help me at all |
| Took way too long, actually over 5 months to get resolved. Follow up calls were not made. |
| Good service despite not having an expected ending |
| you don't appear to have sufficient powers to resolve what I considered a blatant misrepresentation. |
| It was really amazing I was impressed |
| very satisfied with the service i received, i was being ignored by eurostar who were being difficult in regards to a refund that i was within my rights to receive and within days of contacting watchdog and you reaching out to them, i was suddenly issued my refund! i would have gotten no where without you and i am grateful for all your help |
| Fab service - eurostar reacted within 48 hours after it coming from you |
| I had a very positive experience - the caseworker was polite and efficient and my claim was resolved with the best possible outcome |
| It's great how much you have managed to negotiate for me! Very satisfied |
| I expected that the clarification of my complaint would be obtained from more than just Avanti for example the rail ticket office who has provided me with information which I highlighted What did happen was that the responses from Avanti were totally accepted without any questioning and passed to me This to me was unacceptable |
| Having felt that The Trainline was completely unable to either understand my complaint or to deal with it, it was a tremendous relief to speak to someone who took me seriously and also the position I had been placed in. I had felt that I was banging my head against a brick wall and being send round in a loop by Trainline employees who tried to fob me off. Transport London dealt with my concern efficiently and were able to make a difference. Although neither I nor the person who dealt with my case felt that the Trainline fully recompensed me I did feel that a moral victory was won and there was a promise of better training for Trainline employees so that others are not placed in the same position I had. |
| Was really unimpressed Felt that your organisation was not proactive and basically constrained |
| The caseworker could have been more dedicated. They accepted the transport operator's saying about lacking information, but it has been provided in my email. |
| My complaint related to a rail company refusing to deal with an appeal I made as it was out of time. I believe I had good reasons for this and had explained these to the rail company. They maintained their decision but directed me to the ombudsman. The ombudsman said they could not assist as the issue was outside of their remit and directed me to the transport watchdog team. The transport watchdog team again said they could not assist as the issue was outside of their remit. The person who handled my complaint was excellent in their communications with me, however I found it very frustrating that there was apparently no organisation prepared to look into a straightforward and (I imagine) common issue. The result is that I was left with no choice but to pay what I consider to be an unfairly administered fine. |
| case was referred to you by rail ombudsmen and then referred back to them as within their remit |
| You secured me the refund that I was due. The service was very clear, pacy and well communicated . Thank you. |
| Bias service and clearly in favour of the train company throughout the process. The case worker was not fair and she did not work hard enough in this case. She gave up very easily to the train company's lies. |

| |
|--|
| Good service |
| Excellent. I didnt think my issue was ever going to be resolved because of how useless TFL were when dealing with their complaints department, but you guys pulled through! TFL acknowledged their issues, and I got compensated the amount I was owed (plus a bit more). Very happy with how much you helped, especially given how little the refund I was chasing was. |
| Very helpful - following your intervention, Heathrow Express paid my due refund, almost 3 months after it was requested. |
| Member of staff very helpful and we received our refund. However, I expressed my concern that the congestion charge website is very misleading which must result in many motorists (who do not have an account) paying the congestion charge when in fact they never entered the zone and consequent TFL must be making a lot of money out of this |
| I was very grateful that you were able to resolve my issue. |
| Service was awful you met timelines and provided standard info but didn't seem to understand my complaint. I have just learnt from your first question there is a rail ombudsman! It was as though you are a parrot for the train operator, appalling. |
| Essentially a waste of time, energy and effort. The outcome was simply to be told that the rail company can do what they please, without any real oversight existing over their egregious practices. Apparently there is no watchdog or other body which has any leverage whatsoever with the rail operator. |
| Really helpful. |
| I was very disappointed as all that seemed to happen was that your service asked Avanti for comment on my complaint and accepted this . Why was my complaint not verified by another independent source as i suggested and why was Avanti allowed to answer a totally different question |
| You don't have enough "teeth". TFL are allowing fare dodging on a massive scale. They pick on easy targets such as women and the elderly and shove them though the barriers. This is assault. Staff choose to ignore it when it happens in front of them. They don't want to get involved. No wonder revenue is down. A very large percentage of travellers never pay! |
| very helpful |
| Great service, finally felt heard and got my money back in a timely manner. Very professional customer service too |
| Excellent |
| It was a worthless "computer says no" response which did nothing to protect the rights of people who believe that anonymous methods of payment are essential for a free society. At present, whenever TfL screws up and wrongly fines us for whatever reason, we are cheated out of the refund we deserve. It doesn't have to be like this, because TfL staff are perfectly capable of doing what they used to do, i.e. looking into the case on the top-up machine and refunding the wrongful fine. The problem is a senseless management instruction preventing them from doing so and thus discriminating against libertarians. |
| The caseworker was good and helpful, and diligent. Strangely chiltern rail gave him some inaccurate info that said they acted dishonestly with me! |
| I never received any information i was waiting for a case worker to contact me but no one ever did |
| appalling. im on the verge of suicide and homelessness and this whole process was a waste of time and energy |
| Poor. Although some of the above criteria appeared to be mostly met, the outcome itself was unsatisfactory and I received no further response after mentioning so. I found the response lengthy and borderline insulting. |

The operator I was complaining about dragged the timescales out, implied I was lying and then changed this to claim I was being unreasonable. The caseworker did the best she could in the circumstances but the operator behaved appallingly and knew her hands would be tied

So far as I am aware, the caseworker did nothing more than act as a "post office" between TfL and me. I was expecting her to confirm that what TfL kept saying was nonsensical and that they had not answered a reasonable question I had been asking TfL since 20th February