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**Casework report**

Agenda item: LTW716

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**Glossary of terms**

Appeal	A complaint that has already been made to a transport provider or ticket retailer.
Case	Electronic file where all information from a passenger contact is held.
Consultation	The industry seeks to make changes and invites formal responses.
Enquiry	A passenger is asking questions directly or London TravelWatch or Transport Focus or other contacts that do not fall within the categories of appeals and initials.
Initial	The passenger has complained directly to London TravelWatch or Transport Focus before first approaching the transport provider or ticket retailer.
Rail Ombudsman	The alternative dispute resolution (ADR) provision for rail passengers in England, Scotland, and Wales. NB. Not all issues are considered in scope for the Rail Ombudsman.
Tickets Retailers	Sell rail tickets but do not provide any form of transport.
Ventrica	The current outsourced contact centre who manages the telephone calls and first contacts. This provision is currently being market tested.

## April to June 2023

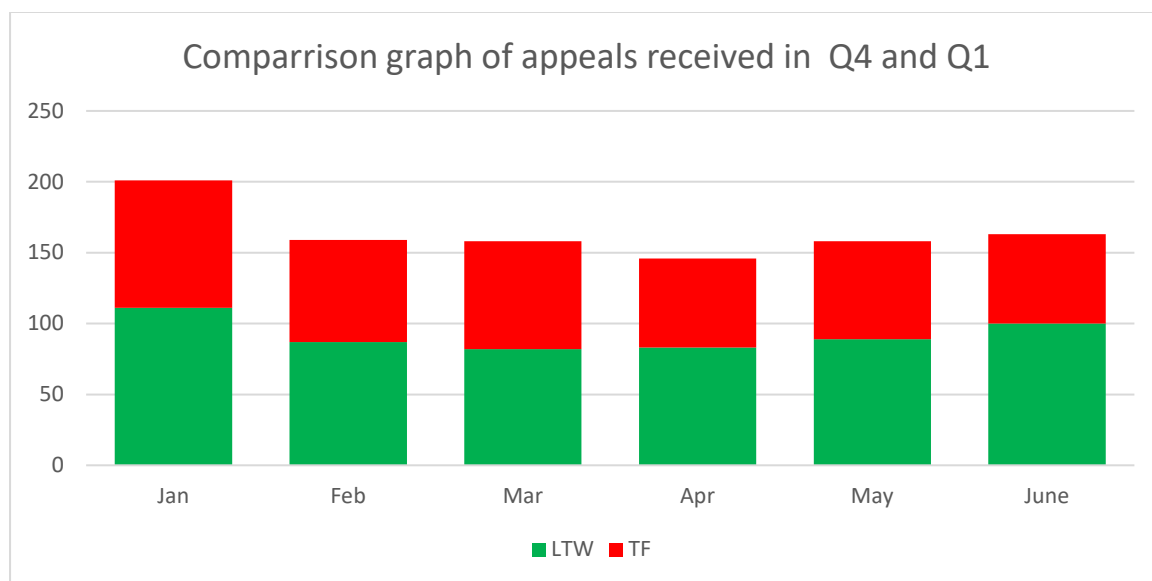
### Overview

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.

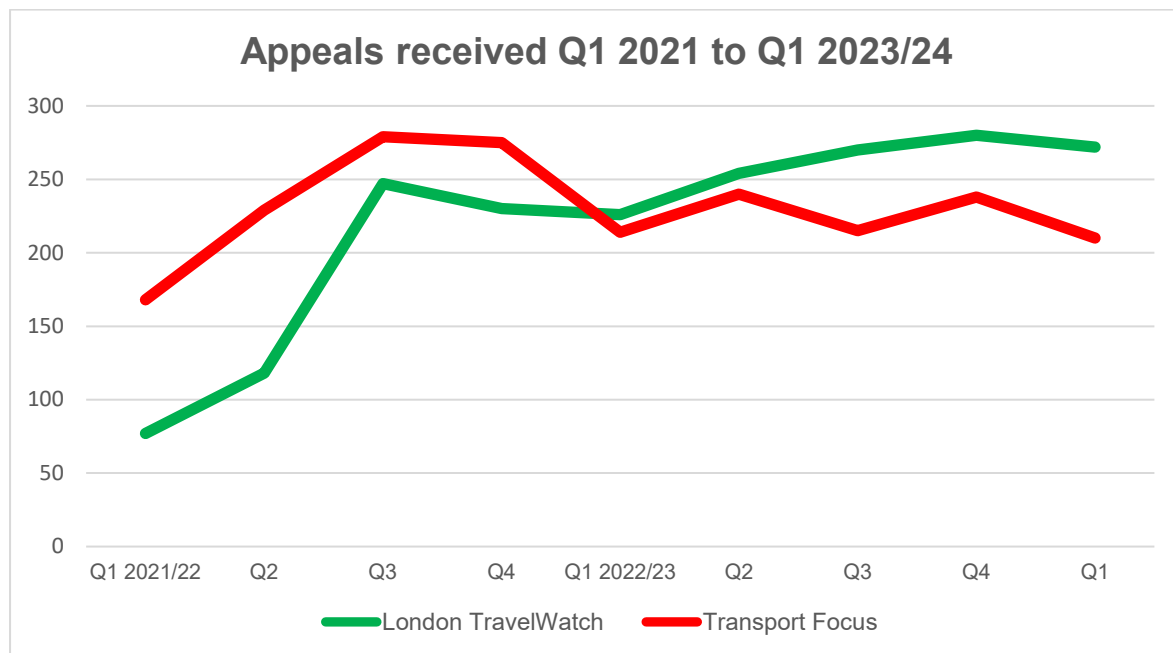
### Appeals Casework

482 appeals were received in total in Q1 compared with 518 in Q4. The figures for London TravelWatch were 272 vs 280 and for Transport Focus were 210 vs 238.

The graph below shows the comparison between appeals received in Q4 (January to March) with that of Q1 (April to July). January and June were the busiest months for London TravelWatch and January and March the busier months for Transport Focus.



The graph below shows appeals received since April 2021.



### Forecasting casework for 2023/4

With the ongoing industrial action, timetable changes, anticipated consultation for ticket office closures, increases to the penalty fare values and ULEZ expansion (London TravelWatch only) it is impossible accurately to forecast the number of contacts and appeals the casework team are likely to receive over the next 12 months. It is anticipated that we will see an uplift in contacts following the consultation of ticket office closures and when the ULEZ expands to the London boundary in August.

### Other casework

In partnership with Transport Focus, London TravelWatch will be market testing the outsourced contact centre provision this summer with a view to award before Christmas.

The review of casework over the previous 12 months is at an end. Transport Focus will be providing a library of information, standard text, and their position on some policy matters that the caseworkers will be able to access. This will enable the caseworkers to respond more quickly to Transport Focus passenger contact.

### Rail operators

A large proportion of cases received in Q1 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.

### **Eurostar**

Industrial action on the national network and the strikes in France has caused Eurostar service cancellations and delays meaning that contact from passengers remains high. London TravelWatch is currently liaising with Eurostar relating to improving the information they provide to passengers during disruption.

### **TfL**

TfL's response times to both passenger complaints and to some of London TravelWatch's appeals remain slower than expected although it has improved during March.

We have noticed a substantial increase in contacts from users of the TfL Santander Cycles. Most complaints appear to be about additional charges for cycles not adequately docked. These cases are difficult to appeal as there is no evidence to support the users' version of events although the Santander Cycle agents are willing to engage and recognise our appeal.

### **Ticket retailers (including Trainline)**

London TravelWatch and Transport Focus are the appeals bodies for all ticket retailers because these organisations do not currently fall within the remit of the Rail Ombudsman. Any uplift in passengers using ticket retailers to purchase tickets will increase the number of contacts to London TravelWatch and Transport Focus.

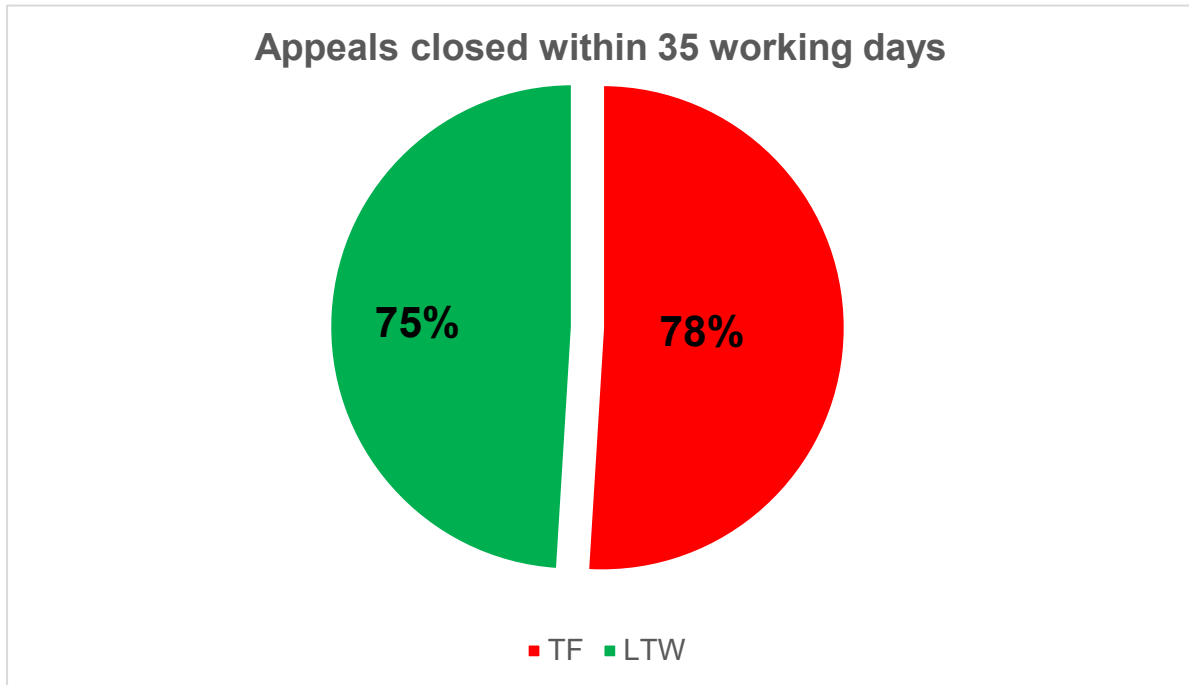
Trainline have identified that a proportion of appeals were made to Transport Focus and London TravelWatch because of complaint handling errors at their end. They are going to look at their processes with a view to reducing the number of people making appeals to Transport Focus and London TravelWatch.

London TravelWatch has raised with the Trainline the lack of information provided to passengers using e-tickets to travel wholly within the London area. This is because the Trainline only sell ticket via the railway network which means that passengers may not be aware of the (usually) lower Oyster/contactless fares.

### **Casework performance**

The aim for closure for appeal cases is 35 working days. This aim has not changed since prior to the start of the Rail Ombudsman. Cases are now more complicated

and require additional challenge, with repeated contacts to provide the passenger with additional value. In Q1, a higher percentage of cases were closed within 35 days than the previous two quarters.



**Rail operators/ticket retailers with highest number of closed appeals in Q1**

<b><i>Operators receiving the most complaints</i></b>	<b><i>No of complaints</i></b>	<b><i>Subject of complaint</i></b>	<b><i>Outcome</i></b>
Eurostar	75	Refund policy and complaints handling	22 successful, 34 neutral*
Trainline	27	Refunds and complaints handling	16 successful, 8 neutral
Northern	26	Penalty fares	28 successful, 10 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.

**TfL appeals by mode with the highest number of received appeals.**

<b><i>TfL by mode</i></b>	<b><i>No of complaints</i></b>	<b><i>Subject of complaint</i></b>	<b><i>Outcome</i></b>
TfL Santander cycles	36		43 Successful, 6 neutral

		Refunds, refund policy, lack of response, and complaints handling.	
TfL Underground	24		

### Closed appeals for Q1

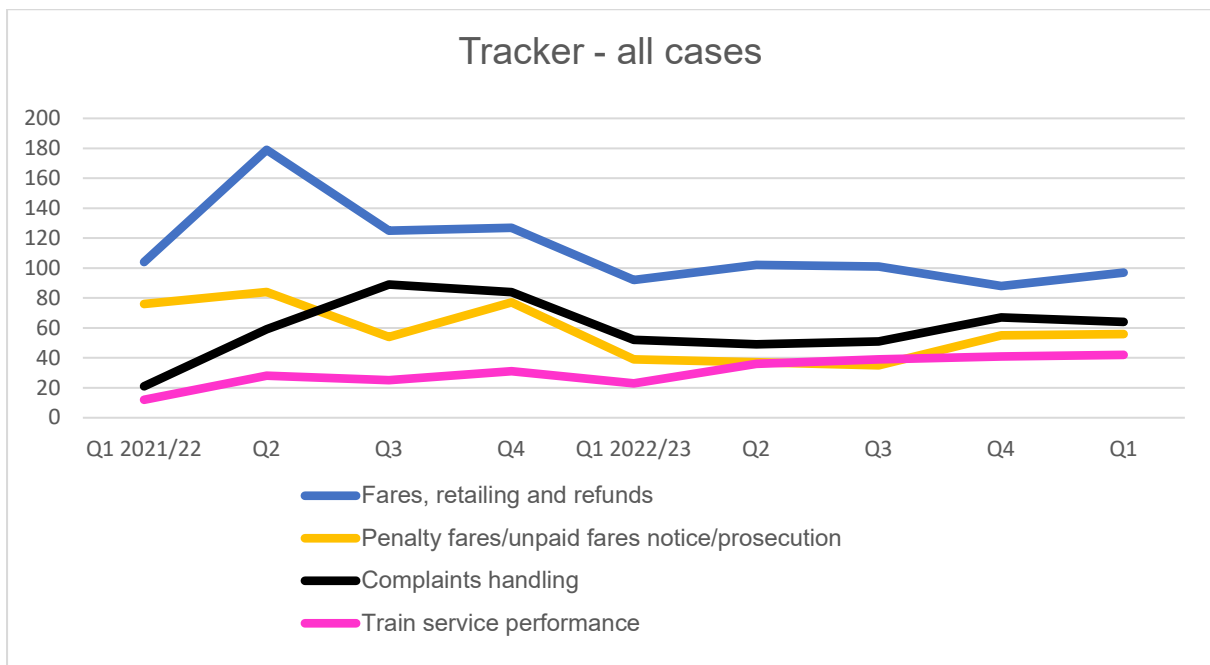
The casework team do not have the authority to insist that a transport provider or ticket retailer respond favourably to our appeals. All the successes are achieved using negotiation, persuasion, and the relationships the casework team cultivate with their industry contacts.

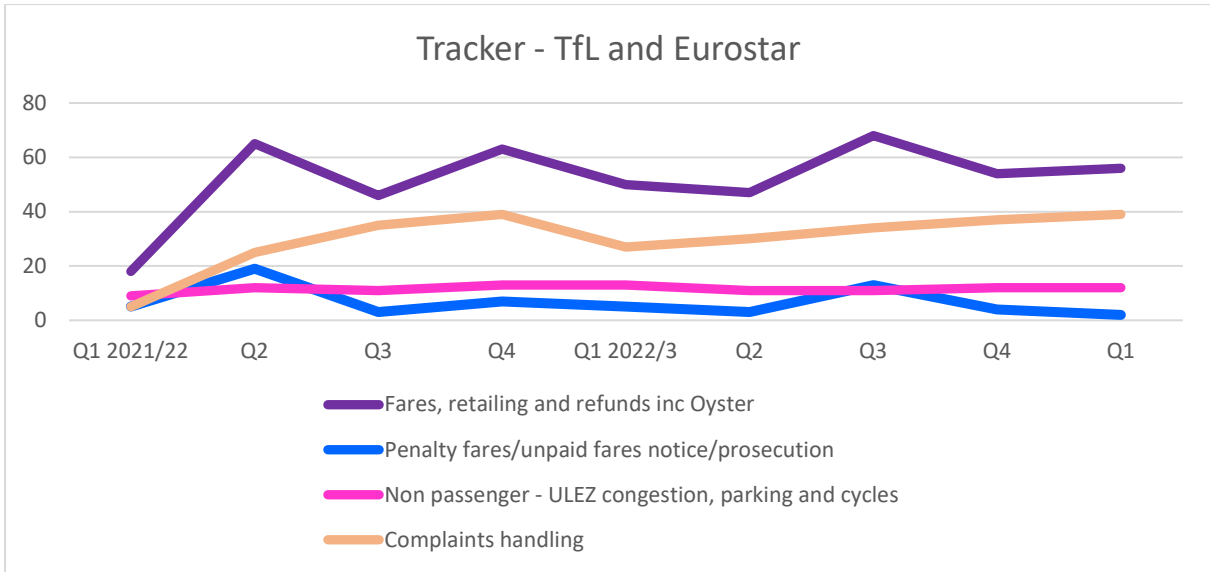
In this period, 238 appeals were closed for London TravelWatch and 166 appeals were closed for Transport Focus.

### Case types received

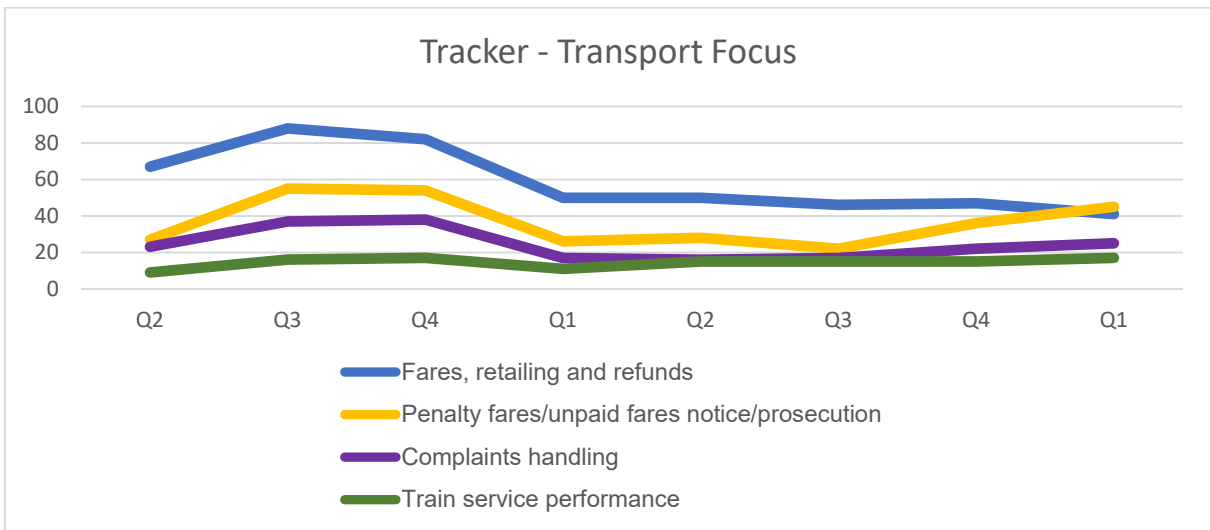
The four categories of appeal which London TravelWatch and Transport Focus usually receive relate to fares (including refunds), penalty fares, service performance and complaints handling. We track these categories to look for any trends.

Compared to Q4, appeals regarding fares, retailing and refund and penalty fares have increase slightly with contact about complaints handling and train performance levelling off.





The top four complaint categories received in the London TravelWatch-only geographical remit are slightly different, as we also take complaints from drivers who have incurred parking, congestion and ULEZ fines. We are receiving increasing contact about complaints handling from passengers who have contacted TfL but are not getting a response.

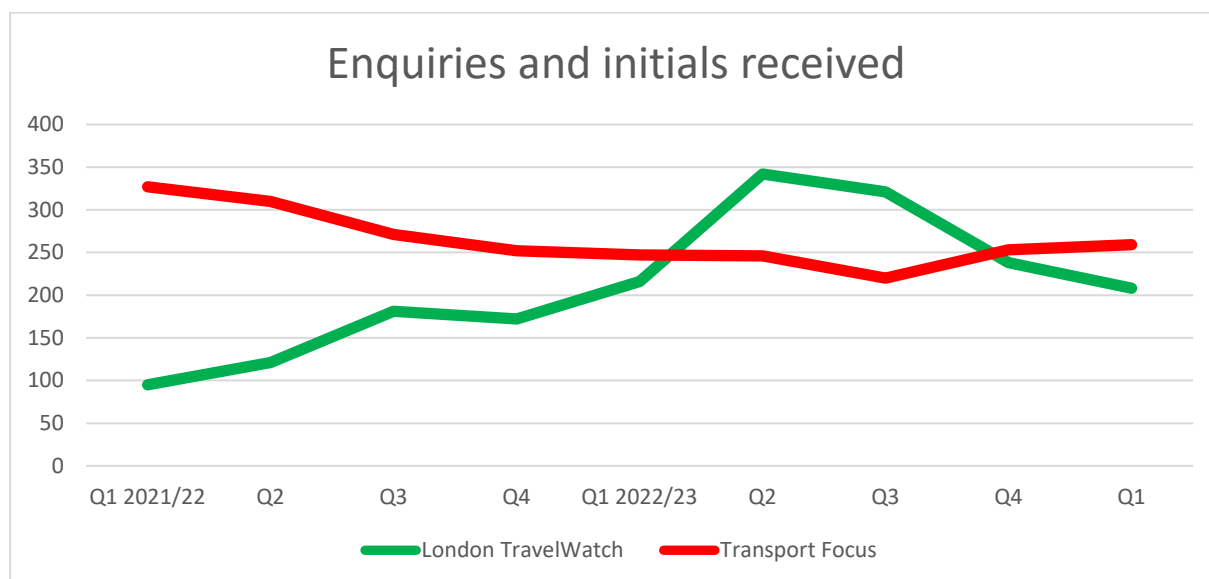


Over the past 12 months the number of Transport Focus appeals received regarding fares, retailing and refunds have fallen although the number of appeals regarding penalty fares has risen.

## Initial and enquiry contacts

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

The sharp increase in Q2 and Q3 last year were due to the increased contact we had from Eurostar passengers at this time.



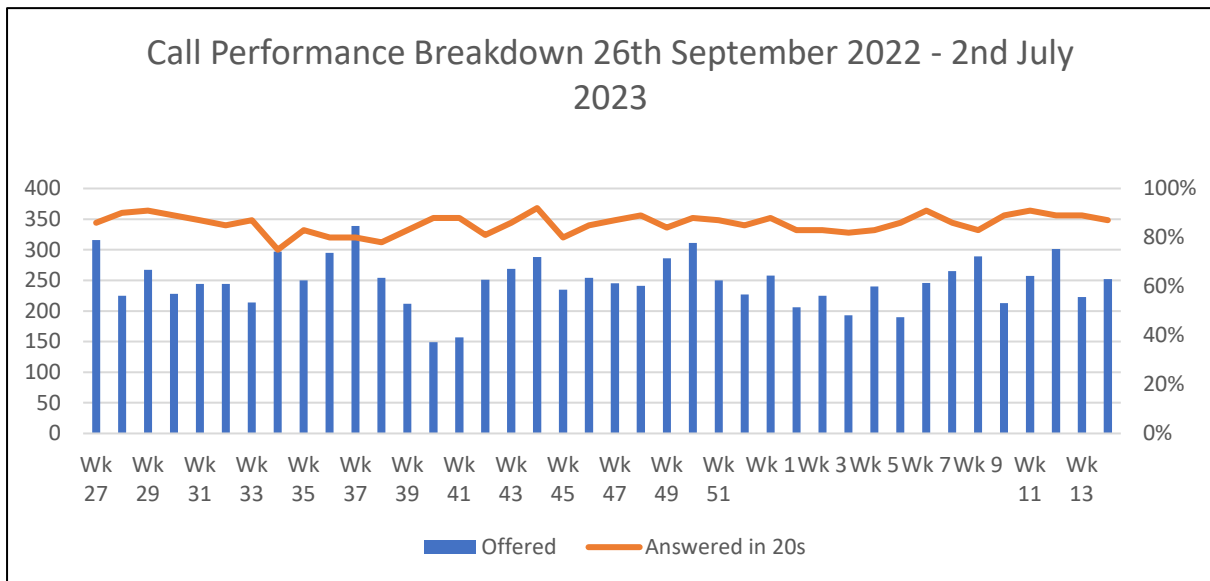
In Q1, our outsourced provider Ventrice received 208 contacts for London TravelWatch and 259 for Transport Focus.

The top three categories about which we received the most initial contact in Q1	
<b>London TravelWatch</b>	
Fares, retailing and refunds	56
Train service performance	26
Staff conduct and availability	11
<b>Transport Focus</b>	
Fares, retailing and refunds	80
Train Service performance	19
Penalty fares	13



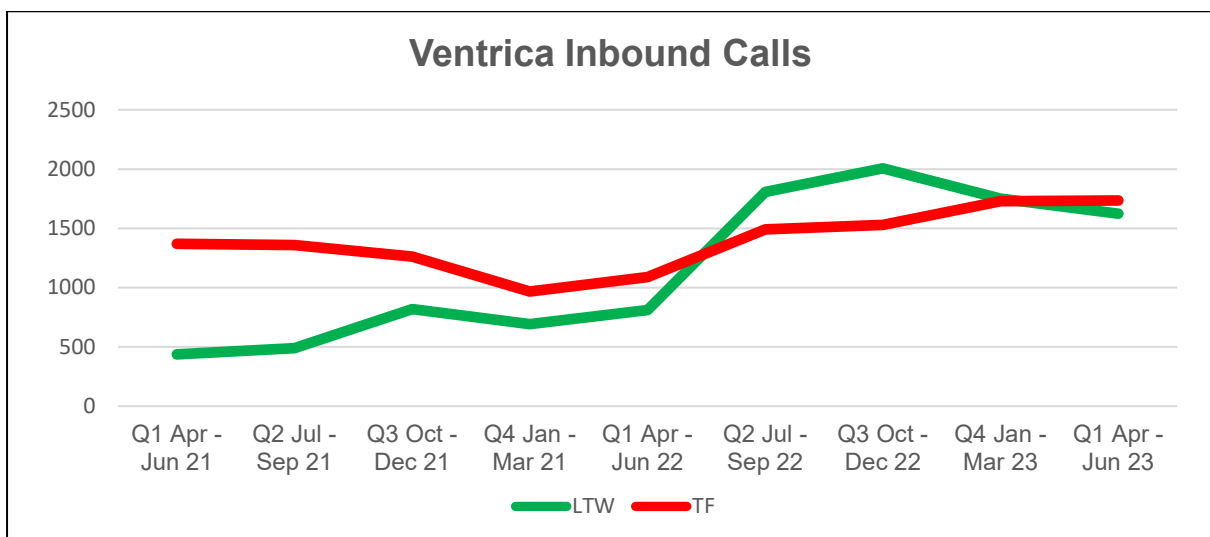
## Calls answered in 20 seconds by Ventrica

The aim of calls being answered within 20 seconds was met by Ventrica during Q1.



The graph below shows that the number of contacts received by Ventrica on behalf of London TravelWatch decreased during Q1.

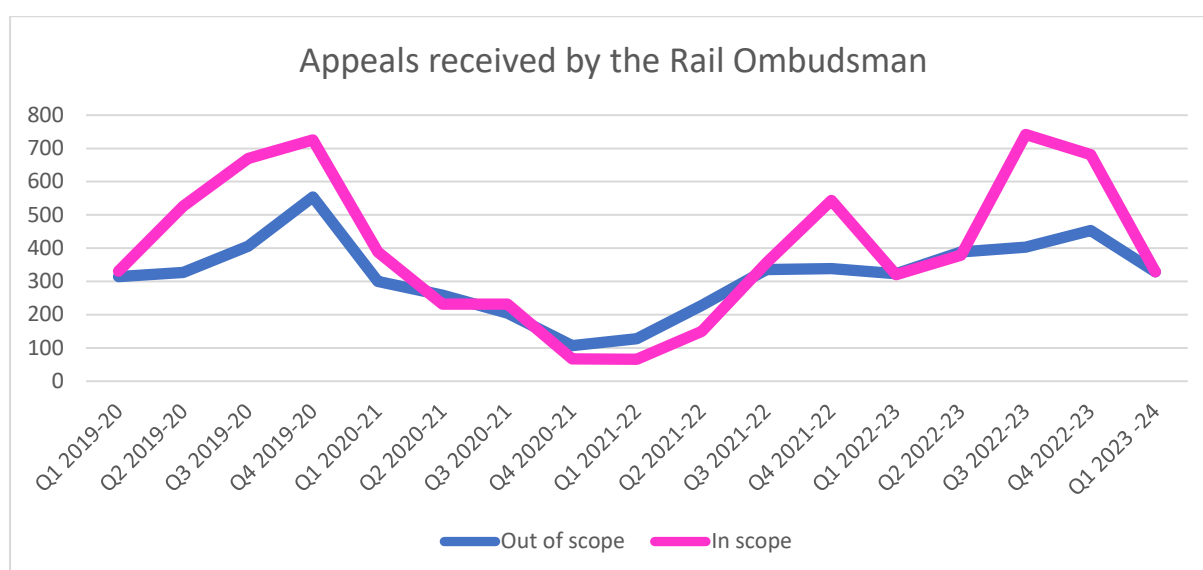
Contacts received by Ventrica on behalf of Transport Focus continue to slowly increase each quarter.



## Rail Ombudsman

Provision of the Rail Ombudsman service has been market tested this year by the ORR with the award made to the incumbent providers in May 2023. This is good news as London TravelWatch and Transport Focus have already a robust relationship with the Rail Ombudsman with both parties looking to take steps to improve this in the coming months.

In Q1 the Rail Ombudsman received 329 and closed 631 in scope appeals. This number is considerably lower than the number of cases received in Q4 (628).

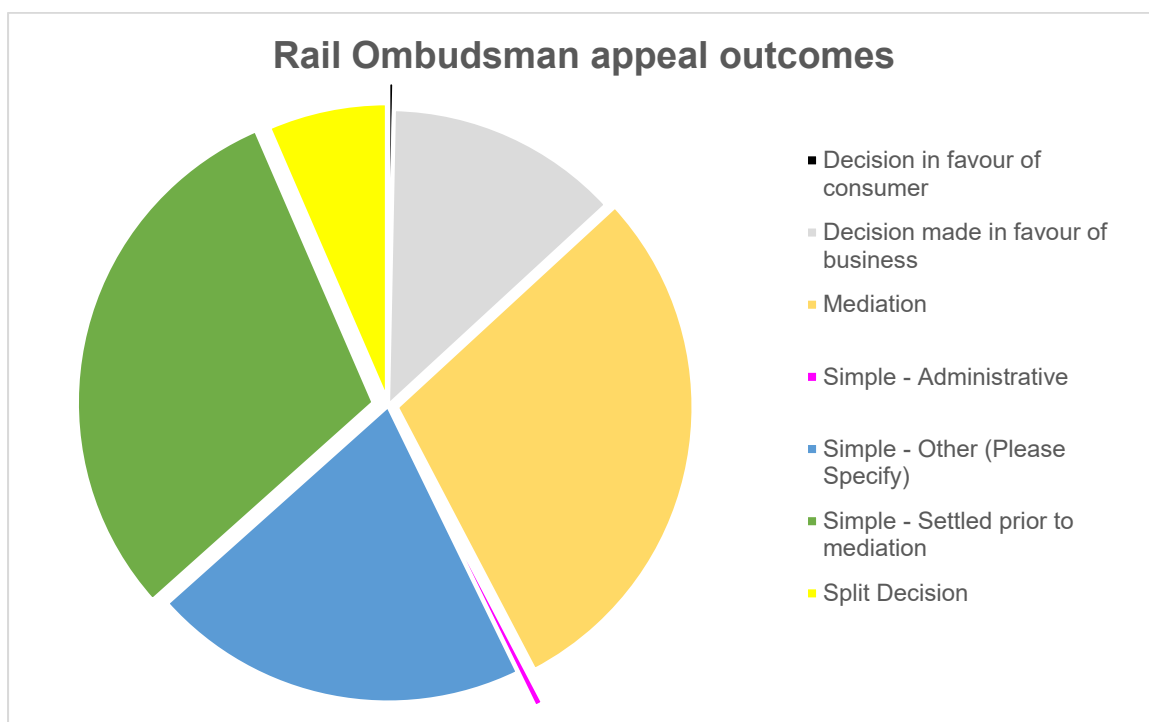


Most of the complaints received by the Rail Ombudsman were regarding how complaints were being handled and delay compensation. During this quarter, there were 357 cases that were considered out of scope of the Rail Ombudsman, 15 were considered in scope for London TravelWatch and 50 in scope for Transport Focus and these were transferred to us. The box below shows the subjects of most of the closed appeals:

Rail Operator	No of complaints	Subject of appeals	Outcome
Avanti West Coast	146	Complaints handling, delay compensation and performance	37 were settled prior to mediation, 51 went to mediation, 13 settled in favour of TOC and none in favour of passenger.
LNER	66		29 were settled prior to mediation, 15 went to mediation, 4 settled in favour

		Company policy, delay compensation and performance	of TOC and none in favour of passenger.
GWR	56	Complaints handling, delay compensation and performance	22 were settled prior to mediation, 18 went to mediation, 10 settled in favour of TOC and none in favour of passenger.

### Rail Ombudsman appeal outcomes

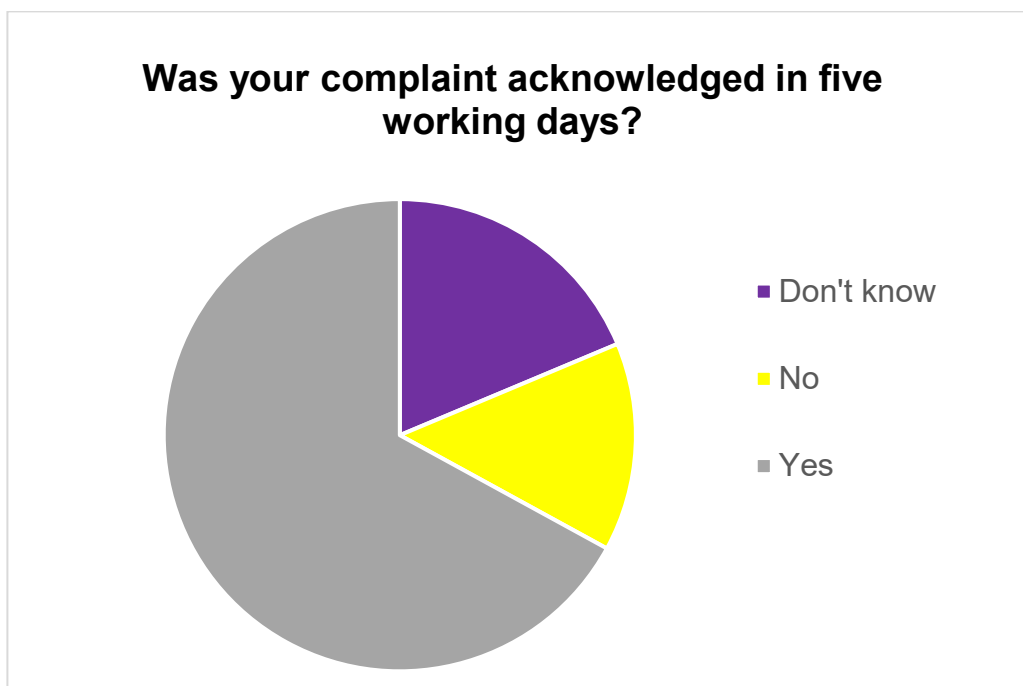
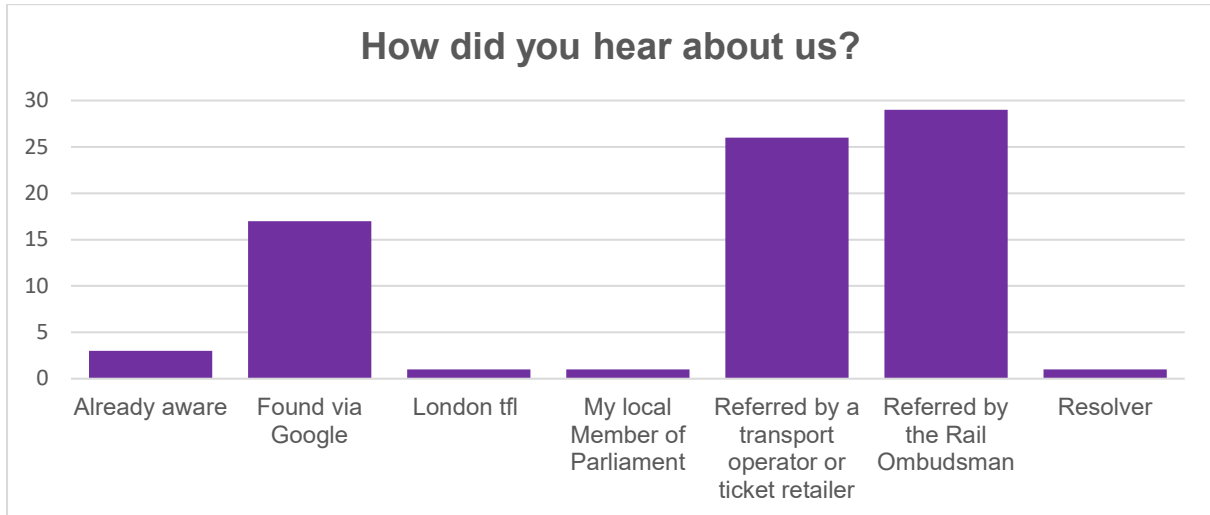


### Recommendations

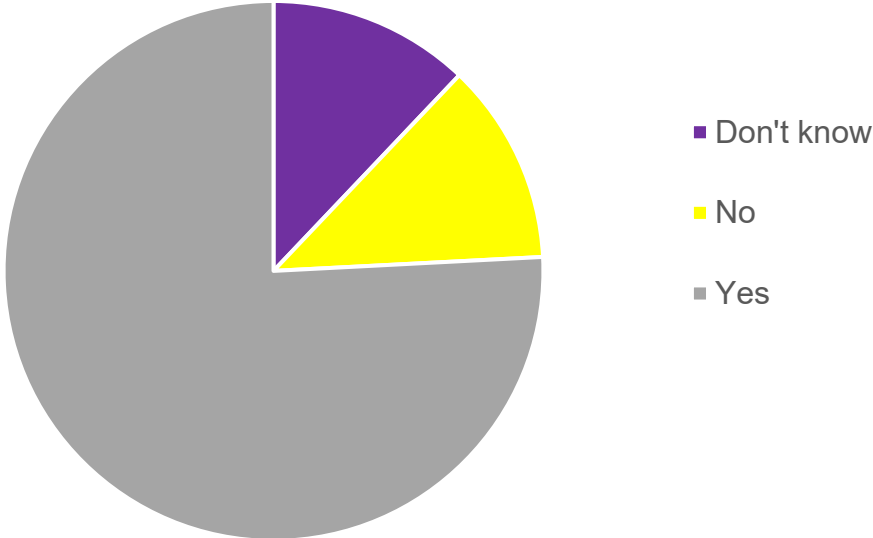
The Board/Committee are asked to note this report.

## Appendix one – Survey responses

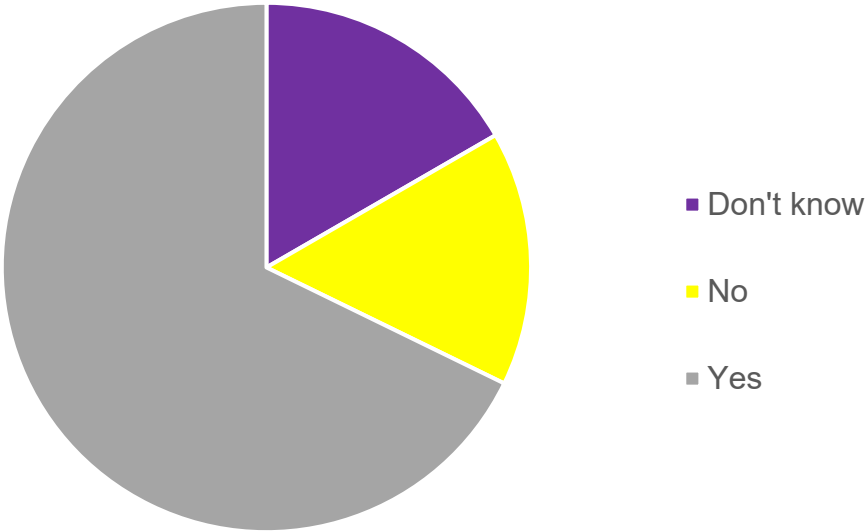
91 people responded to our satisfaction survey in Q1. Responses show that the KPI's are generally being met. However, the comments show that passengers continue to remain unsatisfied where we do not have the powers to provide the outcome they are looking for by changing policies or compelling the transport provider/ticket retailer to respond favourably to our appeal.



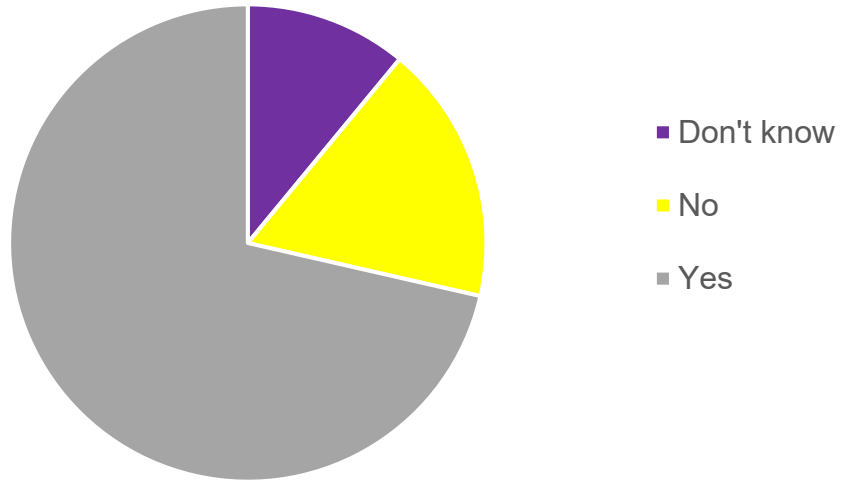
**Did you receive a what to expect document?**



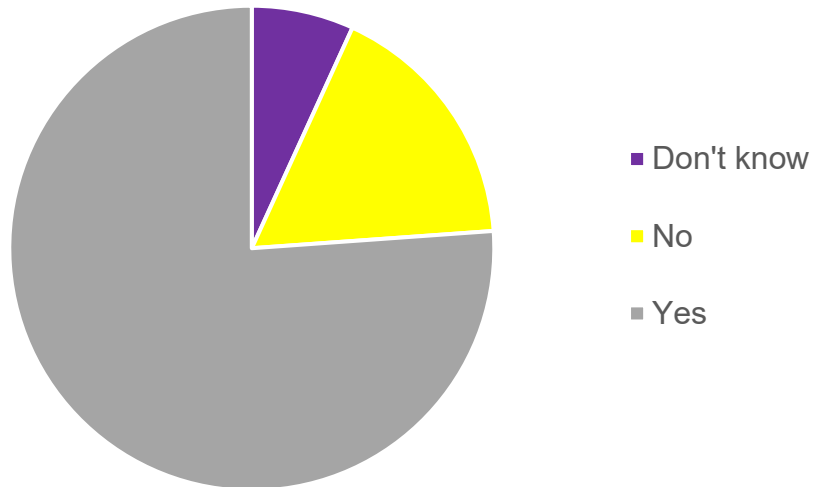
**Were the timescales of your appeal explained?**



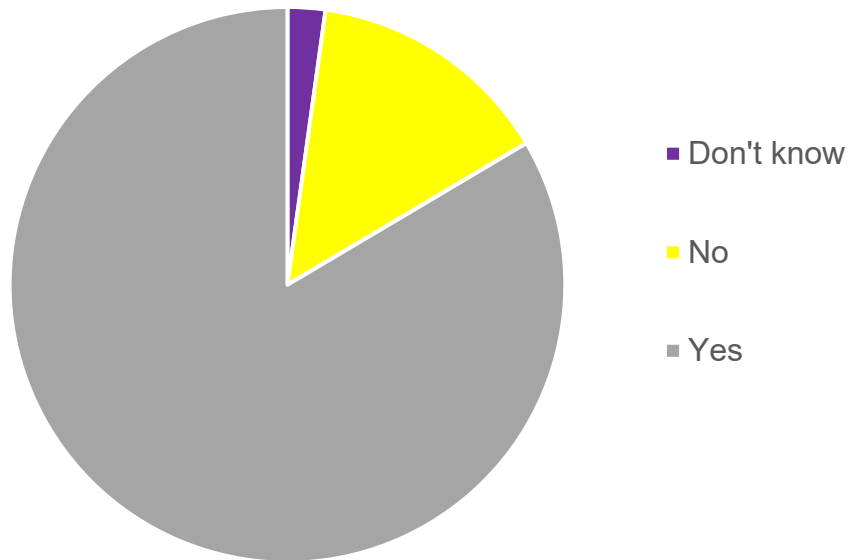
**Did we maintain contact with you?**



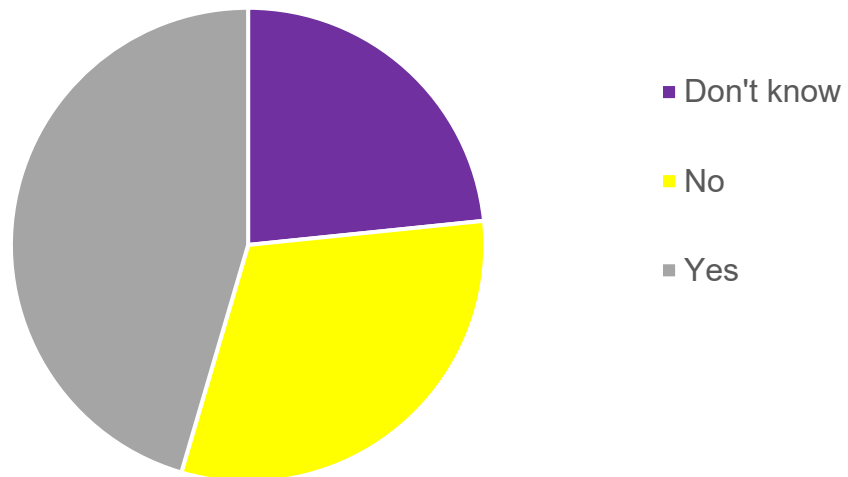
**Did we outline your complaint in our final response?**



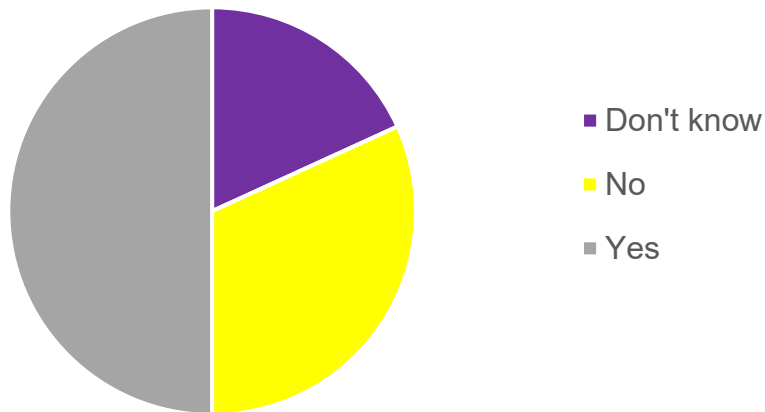
Did your caseworker provide you with information about the outcome to your appeal?



If we couldn't help you did your caseworker explain why?



**Did we meet our aim to close your case within 35 working days?**



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

Got result

TFL ignored my complaint but responded as soon as you referred my complaint to them.

Terrible service as no detail was followed from explanation. No form of contact other than email and unable to explain properly our concern. Case basically dismissed as quickly as possible with errors made when "investigating"!

The caseworker performed great. But the watchdog has no contribution into the accountability of TFL, so it's overall ineffective.

Service was brilliant - Thankyou

It seemed that your role was simply to act as a post box between TfL and me. I did not feel that there was any point in my contacting you. I just wasted my time (and yours),

Excellent

Brilliant service! Probably should be better advertised so more people can make use of you. Couldn't believe that when I phoned the call was answered quickly by a real person who was interested and took down all the details, then managed to get the rail company to drop the unjustified charge.

My problem was that the Train Operator had followed the National Conditions of Carriage (but not provided any explanation of what they said) and the Ombudsman had no alternative but to find for the Train Operator. However, in that respect, the National Conditions of Carriage are manifestly unfair to passenger. And, in any case, if the Train Operator had explained what they said, I would not have bothered going to the Ombudsman. I therefore felt the Train Operator had not behaved properly - and asked for an apology. I also hoped that it might be possible to correct the manifest unfairness of the Conditions of Carriage. Neither of those objectives was achieved - and in relation to the failure to explain the National Conditions of Carriage, there was absolutely no doubt - it was completely clear from the correspondence, I can only conclude that you have no wish to make Train Operators treat complainants properly, It is clear, therefore, that there is no point in taking complaints of that kind to you: you are a waste of space.



Good service, poor outcome sadly
I thought it was an excellent service provided. Margaret my case worker was absolutely fantastic- professional, empathetic and efficient. Thank you
Absolutely excellent service - very fast and addressed the issue and got me the refund from Santander Cycles that I clearly deserved, but which they had refused to give me
I was very pleased with the support I received
Satisfied although the complaint should never have arisen so annoyed that we have to raise it to start with!
Excellent. Absolutely beautiful staff member
Excellent and thank you. It was speedy, it linked well with the company I was complaining about, and my case was understood. The resolution was exactly what I was asking for. The company had ignored my issues for many months. But your intervention achieved a swift result.
Great service, many thanks
Slow and not very impressive. Took a long to resolve a simple complaint. Didn't secure any additional compensation despite the long time scale.
They responded all right, but not with the results and I have no idea whether the bus driver was dealt with appropriately. So altogether unsatisfactory.
Happy
It was a good service, but a shame that Transport Focus don't have more powers
Excellent
I was at a loss in how to proceed in a long running claim, you unblocked the log jam
Excellent overwhelming
We were not really help. Obviously you were on the trains side as the appeal was not really listened to. Train ticket brought in good faith for work, yet due to the strike continued to loose money due to them striking and then the train company cut the refund? Waste of money and my time trying to get this sorted, plus it took weeks of telephone calls trying to find someone to help. Each rail station said it was np them to refund the ticket. Although it was the train station who said buy this type of ticket from a particular train station. Right hand does not know what left is doing, hence customers loosing out. Company let her work from home to avoid loosing so much money.
It was quite lengthy, but worth it and you were very helpful.
My case worker Sean Goss did an absolute fantastic job dealing with Trainline and I honestly believe if it wasn't for his intervention then I wouldn't have received any money back. He was polite, friendly, professional and couldn't be more helpful, thanks again for everything
It was a great service and I would definitely recommend to other people in the future. Everything got explained to me along the way and in the end I got the outcome I wanted. If it wasn't for this service I never would have got a refund that I deserved back and so I am very grateful for what you were able to do for me.
My complaint dt 16/Jan was promptly responded and I swiftly provided further information sought on 16/Jan itself. However, a caseworker wasn't assigned until 2/Mar when I followed up on complaint after 35 days elapsed. I was requested to provide same information that I provided on 16/Jan. Notwithstanding, once the caseworker was assigned the process was smooth.
Waste of time for all of us. Rep didn't seem to understand we had a one way ticket to Paris so we were stranded in London and had to stay in a hotel for an extra day b/c Eurostar went on strike.
I was impressed with professionalism of the caseworker assigned to my case, very well done!

Very good staff helpful unfortunately the railway had no intention of addressing the complaint as they failed to see the part of complaint but the representative did all they could to help I was unable to obtain information to support the complaint
It was always unlikely we would have success. Excellent communication
Very pleased, this was not an appeal for a disputed charge, I am disabled and as such my car and my wife's car are exempt from ULEZ my wife's car happens to be brand new, despite that some clown at London Transport insisted it was not ULEZ exempt and was not accepting anything I said. Your people got this sorted out within a week, thanks!
Great, my expectations were not high because both Eurostar and Belgian Railways had told me to speak to each other. Your agent was very helpful, and achieved a fantastic result for me. So great service. I was not concerned about the number of days it took, as I had updates throughout from Sean and a good result. I knew it was a complex case.
Excellent and she resolved my problem but didn't response me about outcome I don't know if it's you or something different
It was useful. It helped me understand a bit about why Avanti appeared to be massaging their performance data.
Sean was really helpful and understanding. I am pleased with the outcome.
Your team was both responsive and efficient. Many thanks for having solved our problem!
Still waiting for help
A poor service.
Unsatisfactory
excellent.
The matter was eventually resolved with Eurostar
I think I should have received contact e-mails/numbers & other ways of continuing with my case.
The customer service was excellent. The issue was with TFL who opted to ignore you for two months (as they had largely ignored me). I contacted you on January 10th. TFL eventually responded on March 9th thanks to the persistence of the case-worker.
I still don't know what the outcome is. Apparently it's gone to director level. Nothing has changed as far as ticket increase is concerned. Still extortionate.
It is not possible to answer questions 8 and 9 because of the complications of the case and the further delay by the Senior Railcard Team in sending me a refund for the unused railcard after they had agreed to make the refund. I applied for the refund on 23 July 2022 and it generated 48 e-mails, initially and mostly with the SRT over a period of almost seven months, to complete the process. I would hope that the Chief Executive of the new Great British Railways will look into the workings of the Senior Railcard Team with a view to improving its performance. As well as the matter of the handling of the refund request there was the matter of how the Team addressed bereaved relatives in their correspondence (including addressing correspondence to the deceased railcard holder). The involvement or and assistance from Transport Focus in achieving a satisfactory outcome was most helpful and is gratefully acknowledged.
The transport watchdog was fantastic. Practical and humane whilst transport for London were reading a script and challenging to communicate with
Service was good but I wasn't given any other support when it came to trying to get a outcome from the complaint even though I've got a refund from what I was owed from TFL
Although your explanation was clear, I am still very upset that National Railcard have not altered my railcard account so it shows my name rather than my daughter's. I have lost faith in the ability of National Rail to put right a simple thing like this.

Eurostar advertises that we can contact the watchdog and if se do so the Eurostar tells the watchdog we can only complain via Eurostar. And we did not obtain satisfaction from Eurostar.
Very poor
Frankly appalling
You listen what train company said I bought ticket and pay 142 fine
You didn't really take on board my point that once a week parliamentary services are a complete waste of resources. You should be pushing the DfT to review and improve the whole closure process to give genuine protection of services where it is actually needed and make token services unnecessary.
My initial reference to TF contained full details of the issues, so I was disappointed to be asked to repeat them all again when someone responded. 4 weeks later, having heard nothing more, I wrote asking about progress and was merely told TF was waiting to hear from the train company. More than 2 more months passed before TF contacted me again, merely repeating what the train co had already said, and saying TF couldn't help as it has no powers of compulsion. Overall, therefore, I thought that TF communications were poor and that TF had little ability to achieve real change.
It was good that you looked into the complaint. Thank you very much. However, I did not feel that you worked hard enough to get me a satisfactory outcome.
very abstract service, non conclusive
Excellent service
Very professional and good outcome obtained
I feel it didn't have a lot of bite on the company despite wrong-doing jointly established
Bit of a waste of time. If you're not able to ensure transport companies don't advertise their products ethically or back up what they advertise, what's the point?
The service was good but the rail operator then did not compensate me and TF had to contact them again. The same company is still behaving in a way which I consider the be inconsistent with treating customers fairly especially those with disabilities.
Whilst the complaint handler was really just a go between and was nice, the outcome was totally unsatisfactory. Tge rail staff made defamatory and libellous allegations against me and I did not get an apology. They made up lies of a conversation that never took place and made me look to be a problem customer alleging that I swore at them. I feel disgusted that the rail staff member has got away lying and deceived everyone.
I found your staf are no experience people NOT good enough like what ever TFL tells your staf YES sir sorry I desterbet you like leaking back sides TFL costume care people. Being a member of the public coming to you for help??? Just time wasting unfortunately to say that Kind regards Edward
It was great to have contact with someone who seeming had directly access to the technical team at TfL and was therefore able to resolve the issue(s). That said, it took 4 months! I had to chase to get a progress update a few times (after over 2 weeks of silence) but otherwise pleased with the outcome.
Unfortunately you are "powerless" and train operators appear to be a "law unto themselves" when it comes to timetabling and considering passenger needs.
Excellent
You need to have more power over the train operators, you agreed with my complaint, but could not get the train operator to change their timetable back.
Amazing service, super outcome and communications were superb every step of the way.

To clarify my response to q9: Transport Focus did everything they could to get an earlier resolution but the TOC involved was very slow in responding and needed several reminders. But in the end, I got a full refund of all fares paid, which was more than I expected (I thought it would be a partial refund). And I finally got a proper explanation of the way the excess fare had been calculated.

Very satisfied

excellent

The caseworker was very helpful but I think its a pointless service as you don't have any power so what's the point?

My case worker, Mags Croucher was very helpful in chasing up my query, keeping me informed (even just to let me know that she was still awaiting a response and was pursuing Avanti for one) and ultimately managed to get the matter resolved

Pointless. Not sure why they told me to contact you when you've said you can't review the appeal

Pointless service. Didn't provide any meaningful argument to my case.

It wasted my time

Fine issue resolved

This was my reply to Sean Goss, my casework officer:  
'Dear Sean,

I want to thank you for your exceptional service, both initially in replying promptly to my correspondence, and for succeeding in obtaining a refund of the train tickets which I had not succeeded in doing. I appreciate the complexity of dealing with a Swiss train company.

A refund of the train tickets was what I was hoping for so I am very grateful. I paid by credit card so I will check my next statement when I receive it.

Iâ€™m very glad the Rail Ombudsman gave me the contact details of Transport Focus!

Thank you again for your help.  
Best wishes...'

Satisfied!