
Secretariat report

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Agenda item 8

CA032

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Policy issues for consideration

1 Purpose of report

- 1.1. To provide details of policy issues for consideration by the Committee which have arisen from recent cases dealt with by the London TravelWatch Casework team.

2 Information

- 2.1. Details of cases to be considered at this meeting are attached at Annex A.

3 Recommendations

- 3.1. First Capital Connect complaint handling (Annex A, page 3)

Members are asked to whether and how they wish to pursue concerns about the company's complaint handling arrangements.

- 3.2. CIV tickets to St Pancras International (Annex A, page 4)

Members are asked to consider what action they wish to take on making CIV tickets valid on London Underground services to South London destinations.

4 Equalities and inclusion implications

- 4.1. No specific issues regarding equalities and inclusion arise from this report.

5 Legal powers and financial implications

- 5.1. 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 Transport for London 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.

5.2. No specific financial implications arise from this report.

Annex A

First Capital Connect Complaint Handling

We have received a number of complaints from passengers complaining about the recent very poor performance of First Capital Connect. Of particular concern is that in recent weeks, First Capital Connect (FCC) have issued the following response to emails:

Following the impact of extreme weather related disruption contact volumes have increased significantly. We are currently unable to respond to e-mails, with the exception of delay repay claims. We will be available by telephone to answer questions and queries. For more information including FAQs relating to recent disruption, please visit www.firstcapitalconnect.co.uk/moreinfo

One customer complained that he had already spent 20 minutes trying to get through their call centre and had been unable to do so, and had emailed them instead.

We were concerned that refusing to deal with correspondence would be in breach of First Capital Connect's franchise obligations. We therefore raised this matter with the Department for Transport who do not appear to be aware that the company was not dealing with such enquiries.

In response to our concerns, the Department for Transport informed us that the operator has now expanded the explanation on its website to address many of the general concerns expressed. They also informed us that while normally they would have about 400/500 complaints and delay repay claims on hand, at the time of writing (20th January) they had 16,000. The company had brought in an additional 24 temporary staff with the aim of responding to 3,500 complaints per day.

When we questioned the Department for Transport further as to whether they intended to undertake any action on this issue, they stated that they had no evidence when looking at the sustained and regular performance of FCC *in respect of their complaint handling standards, statistics and adherence to their agreed targets* to conclude that this lapse represented any systematic disregard for its obligations in this sphere of their operations.

Recommendation

While we are aware that FCC are facing particular challenges at the moment and that they are facing a backlog in complaints, we did not consider that it was appropriate for an operator to say they will not accept emails. We consider that this is a very different message to providing a number of relatively standard responses for the most common complaints or informing customers that there may be a delay in dealing with correspondence.

While a plan appears to be in place to deal with the backlog of complaints, members are asked to consider whether they consider that the actions of the company are appropriate and to consider whether further action is appropriate on this issue.

CIV Tickets to St Pancras International

CIV rail tickets refer to those tickets issued under the International Conditions of Sale and issued subject to a set of uniform rules shared by European railway operators. These tickets are available for those passengers who have purchased a Eurostar ticket and are valid for journeys from any destination to London St Pancras International. (Similar tickets are also available for journeys from say London to Amsterdam via Rail and Sea).

The acronym "CIV" is printed on the corner of tickets issued to show that they are covered under the terms of the contract – are valid for return travel within two months; provide compensation for lost baggage and a guarantee onward transport, in the event of cancelled or missed connections.

Mr K has brought it to our attention that there has been a recent change introduced by ATOC which has seen the withdrawal of the tube element from these tickets from some destinations. Mr K usually purchases a Coulsdon South to London St Pancras International and has found that he is no longer able to use the tube on this ticket. He is unhappy about this change because it means that he can no longer use the direct service from his station to London Victoria or London Bridge and take the tube from there and is instead reliant on the FCC service into St Pancras. This is a particular problem because there are big gaps in their Thameslink Timetable north from London Bridge at certain times of the day and long periods of engineering works. For example you cannot get a FCC service from London Bridge – St Pancras between 0715 and 0945.

Mr K says he has used the CIV tickets because they are cheaper than an ordinary ticket and more flexible and because they can be used on rail or tube by any permitted route.

ATOC say that this change was brought about by the TOCs, and that to implement the wish of Mr K would go against the principles of the Zonal Fares structure, namely they have rail only fares and "train tube" fares. However, ATOC have been unhelpful in addressing this matter and to my mind have not really given a clear and precise reason why they cannot change the routing restrictions on CIV tickets. ATOC have confirmed that they have consulted the relevant TOCs who did not wish to change the current arrangements. However, they stated that this would be subject to further review by their Zonal Fares Group.

Recommendation

We consider that through tickets represent an important part of rail ticketing in London, and CIV tickets enable passengers to effectively purchase through tickets from London stations (or other British destinations) to Europe. While the knowledge of such tickets is relatively poor, passengers who purchase separate tickets are at a considerable disadvantage particularly in the event of major delays en route.

We are concerned that such a change was made to the validity of these tickets without prior consultation with London TravelWatch. Members should consider whether they believe that it is reasonable for tickets from south London destinations such as Coulsdon South to be valid to only for use on First Capital Connect services or whether they should retain their former validity via London Underground services. Having looked into the issue, other stations in South West London and West London do retain this advantage. Members should consider what further action they wish to take on this matter with either ATOC or the relevant operators.