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## Minutes

Agenda item : 3  
Drafted : 29.11.09

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**Minutes of the Consumer Affairs Committee meeting held on 25 November 2009  
at 6 Middle Street, London EC1**

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### Present

#### Members

David Barry, Terry Bennett, Daniel Francis, Sophia Lambert, Teena Lashmore,  
Sharon Grant (London TravelWatch Chair), Lorna Reith (London TravelWatch Deputy Chair)

#### Secretariat

Carmel Cannon	Senior Committee Administrator
Janet Cooke	Chief Executive
Bryan Davey	Director, Public Liaison
Christine Evans	Casework Manager
Jo de Bank	Communications Officer

#### Guests

Matt Winfield Stakeholder manager, Transport for London (TfL)  
There were no other members of the public present.

### Minutes

#### **1 Chair's introduction, pre-meeting announcements and apologies for absence**

Fire exit strategies were outlined, and apologies were received from Terry Bennett (for lateness) and Sarah Pond.

## 2 Declarations of interest

There were no additional declarations of members' interests. The full list may be viewed on the London TravelWatch website at <http://www.londontravelwatch.org.uk/document/3861/get>.

## 3 Minutes

The minutes of the Casework Committee meeting held on 23 September 2009 were approved and signed for the record.

## 4 Matters arising (CA021)

On writing to TOCs regarding third party online sales via websites (Ref C/22.4.09 & C/23.9.09/), the Director, Public Liaison reported that the provision of information and website ticket sale issues were being investigated by the Office of Rail Regulators (ORR). London TravelWatch would request that this issue be included in the investigation.

**Action : Director, Public Liaison**

Regarding a policy issue where a passenger had been left stranded at a station late at night when trains were cancelled and no replacement bus service was provided (C/23.9.09/7), the Casework Manager reported on the operator's offer to compensate the passenger. Members advised that the operator's response was insufficient and that the Casework Manager should respond to the effect that the Board views its offer as derisory.

**Action : Casework Manager**

On writing to operators regarding their response to complaints deadlines (C/8.7.09/7(i)), the Chair and Deputy Chair of this Committee, in discussion with the Director, Public Liaison had agreed that this would be better handled within the new database. Members asked that the matters arising report status column for this item be updated with 'pending review of latest casework data'.

A member asked whether new London Overground franchises would include a stipulation on response times. The Director, Public Liaison advised that he would verify whether new franchises are explicit on responses times.

**Action : Director, Public Liaison**

On short form train service leading to overcrowding, to support escalation of the matter to pursue local press coverage. Chief Executive undertook to update the Deputy Chair of the Committee outside of the meeting. ( C/8.7.09 6/(ii))

**Action : Chief Executive**

Regarding the distribution of website statistics to board members, Mr Leibling commented that he had recently compared the Passenger Focus website statistics with those of London TravelWatch. It transpired that the London TravelWatch website received twice as many unique visitors per month.

## 5 Actions taken (CA022)

Members noted the report of recent work undertaken by the secretariat on matters pertinent to the Committee.

Ms Reith commented that the Oyster visit had been incredibly useful, and thanked the secretariat for organising it. The Chief Executive had since been invited to address group of Harvard students to discuss Oyster from the passenger perspective.

Members were unanimous also in underlining the success of the recent London TravelWatch event in Croydon. Analysis of feedback questionnaires was yet to occur and would be made available to members in due course.

## **6 Performance report (CA023)**

The Director, Public Liaison, introduced the report, highlighting that it included data from both old and new databases to cover the bridging period while the new database was bedding in. The report indicated that 60% of quick calls were referrals to operators and 20% were enquiries about lost property etc and about 20% were information and consumer advice requests.

Members asked for clarification of the difference between initials and 'quick calls' : the Director explained that initials referred to cases primarily received by e-mail and by letter where the papers were passed to the operators as an initial complaint, and 'quick calls' referred to telephone calls needing general signposting or information. The Director agreed to make this clearer in future reports.

Future editions of the report would also include statistics about the speed at which calls were answered, and overall, longer term reporting would be speeded up once six months' worth of data had been logged on the new system. After some discussion about process and possibilities, it was agreed to present a report on each of the following for the next meeting :

- Migration of data to new database
- Monthly report
- Quarter 3 2009/10 performance (provisional figures)

**Action : Director, Public Liaison**

The Chair of the Board reminded the meeting how important casework performance and its reporting are to the whole organisation. She expressed that hope that the information vacuum between the two databases would be as short as possible, and on behalf of the Board needed to be informed of any likely issues with the new database as soon as they arise, the better to manage risk.

A member asked whether there was a seasonal pattern to the casework team work load. The Director, Public Liaison confirmed that January was usually a busy month due to annual fares increases. In January 2010 the key issue was likely to be the roll-out of Oyster pay-as-you-go across the rail network, as fares rises were lower than usual. The hope was that the database migration would be completed by 31 December 2009, before this busy period. Members were mindful that staffing resources would need careful management during this period and were reassured by the Chief Executive that mitigation for this was in place.

In closing, members commented that the 'Case of the week' email had recently not been forthcoming. The Chief Executive apologised for this and assured that these would be reinstated.

**Action : Chief Executive**

## **7 Policy issues for consideration (CA024)**

One policy issue was raised for members' consideration, regarding pre-booked ticket holders not being allowed on to full trains because they did not have a seat reservation.

All agreed that the operator (in this case Virgin) was in the wrong if tickets were being sold without caveats regarding seat reservation. Members recommended a letter to Virgin to this effect, copied to Passenger Focus. The meeting agreed that where such cases fell into a grey area they should be forwarded to Passenger Focus.

As this case straddled the boundaries of London, there was some discussion whether it should be passed on to Passenger Focus entirely, and the sharing of work with Passenger Focus in general. The Board was mindful of its job to deploy London TravelWatch's resources properly and effectively. The Chief Executive offered to provide a paper to the January meeting laying out the statutory remit and the cases which have been shared between the two organisations. The Director, Public Liaison added that the general rule of thumb was that any journey which started and finished in London or incident that took place within London was the responsibility of London TravelWatch, but that any matter that arose on a journey commencing outside the area came under the aegis of Passenger Focus.

**Action : Chief Executive / Director, Public Liaison**

## **8 Casework review update**

The Chief Executive gave a verbal update on this and would present a final report to the January meeting.

**Action : Chief Executive**

The key points to note were as follows :

- Policies and procedures have been reviewed and will be documented in a different way in future. The documenting procedures have been turned around as part of the software procurement and installation.
- Reports to the Committee : the same data set would be presented, but in a different format, with a bias towards monitoring the qualitative side of work, benchmarking against comparable organisations (e.g. Westminster Council quality standard) and looking at additional training for caseworkers.
- The Casework Manager would retire at the end of March 2010, and it was planned to give this qualitative management work to the new Casework Manager upon their arrival. This would require some succession planning, including recruitment and knowledge transfer.
- The implementation of the new database software had been time-consuming, and continued to take up a good deal of the team's working day.

When asked which areas of work needed prioritising first, the Casework Manager advised that the hope over the years had been to be more proactive with the cases - to visit sites, verify cases etc – but that usually the team is too busy with administration. Once the new system was fully understood, it was hoped that this more proactive approach would be possible. Mr Leibling commented that Passenger Focus caseworkers regularly travel to meet operators and have found it to be a very efficient method of resolving complaints and appeals. However the Chief executive cautioned that Passenger Focus was a much bigger organisation with mode-specific caseworkers, which was not possible at London TravelWatch. Wherever possible the Chief Executive takes cases up at the highest level in visits to operators. The Director, Public Liaison added that Caseworkers were careful to manage appellants' expectations.

Members were then shown some of the new system's reporting possibilities. Members were

concerned that there did not appear to be an automatic mechanism for alerting caseworkers to deadlines, nor for managers to assess these. The Director assured them that Caseworkers' task lists were updated daily and presented in chronological order, and were linked to Outlook. Managers' reports were being developed but meanwhile caseworkers were being encouraged to monitor their own casework.

The Chair of the Board noted that there were some concerns about how staff were adjusting to the new system. The Director, Public Liaison, said that some of the issues would be resolved, but there were still some technical glitches. The Deputy Chair of the Committee asked that an update on this matter be included in the report on the database for the next meeting, along with a glossary outlining the definitions of database categories and their processes.

**Action : Director, Public Liaison**

## **9 European Union Passenger Rights Regulation (CA025)**

After previous discussion at the Committee, London TravelWatch's formal response to the Department for Transport (DfT) consultation was included in report CA025. It included a letter from the DfT indicating that, as the time between the close of consultation and the deadline for implementation was so short, a temporary statutory instrument would be introduced to cover the intervening period. The key issues still to be resolved were consumer rights versus costs and benefits, and whether the UK should have a similar set of rights as its European partners. The Director, Public Liaison, noted that there was an area of 'poor drafting' around the transferability of tickets, which it was hoped the DfT would resolve post-consultation.

The Chair of the Board informed the meeting that at a recent meeting with the DfT, London TravelWatch had raised its concerns about the UK appearing to opt out of this for a period of five years particularly after so much time being spent campaigning and agreeing this set of rights. The reasons that were given for this included concerns about the cost of implementation of the regulation, but London TravelWatch made the point that this was unacceptable. DfT emphasised that it was not the intention to delay implementation for five years, but conceded that it might be construed that way. The full five years may not be fully required, even with a change of parliament. DfT requested that London TravelWatch submit a list of anomalies in the report, particularly practical examples which might be used as evidence in negotiations with the Association of Train Operating Companies (ATOC).

The Director, Public Liaison, added that while London TravelWatch did not know the costs involved, it had responded in time to the consultation. However, it was understood that many train operating companies had not. This raised the question of whether DfT was organising its consultations properly. The Chair of the Board agreed and said that we should consider continuing our campaign on this so it doesn't get kicked into the long grass, and should request comments from all concerned parties. Once again the question of whether this work would have fallen more naturally under Passenger Focus' remit. The Chief Executive noted that in cases of this kind, London TravelWatch liaises closely with Passenger Focus and often two responses are submitted to strengthen cases; and in this case, we had the greater expertise.

## **10 0845 – prefixed numbers as travel help and complaint lines (CA026)**

The Chief Executive introduced this updated information report from the Communications Officer on general use of 0845 numbers as help lines by transport operators and consumer bodies. Members thanked the Communications Team for the report.

Having considered it, members felt strongly that more work should be done on this topic, and that the Board should develop a policy on it. There was some discussion on this, including whether the Board should highlight the underlying principle of revenue sharing was the issue, or accept charges for information and complaints phone lines at all. Whatever the answer it was agreed that consistency in approach was required. Members asked for more information and the Chair of London TravelWatch, David Barry and Sophia Lambert undertook to approach Ofcom and Consumer Focus respectively to discover what further research was available on the topic, bearing in mind that a fixed landline number may not benefit all customers of operators who cover large geographical areas.

**Action : Chair, David Barry and Sophia Lambert**

The Chief Executive suggested that this then be taken forward to be included in the work plan for 2010/11, led by the Director, Public Liaison. One member was particularly concerned that London TravelWatch should not support charges of any kind for lines – particularly not complaint lines.

## **11 Planned audits**

The Director, Public Liaison, updated the Committee on progress with the target of four audits of transport operators' complaints handling to be undertaken by the Casework Team within the present financial year.

The audit on South West Trains had been completed with Passenger Focus; London TravelWatch had written its portion, but the final draft was yet to come back. An audit had also been completed on Eurostar; Passenger Focus had led on this but the final transcript was delayed due to staff sickness. The third, on London Buses, would take the form of an audit of the approximately 12 internal audits they have completed in recent months. These cover all London Buses' operators and as such cover a bigger sample than London TravelWatch would have had the capacity to undertake. London TravelWatch will analyse these audits to find whether the right questions were being asked. Finally, London Overground had agreed in principle to an audit, with a date to be set. An update on progress on these audits would be presented at the meeting of the committee in January although it would not be practical to report on the London Overground review prior to the March 2010 meeting.

Members discussed the timeline for these and expressed concern that there may not be enough capacity to meet this target, which was essential in reporting to the Greater London Authority. They also asked how many complaints London Buses receives in total; the Chief Executive undertook to ask the question. The report on this would come back to the next meeting of the Committee.

**Action : Chief Executive**

## **12 Any other business**

There was no other business.

## **13 Resolution to move into confidential session**

The meeting resolved, under section 15(b) of schedule 18 of the Greater London Authority Act 1999, that by reason of the confidential nature of the next following item/s, that it was desirable in the public interest that the public should be excluded from the meeting.

In confidential session, members discussed the confidential minutes of the last meeting, proposals to produce some guides on how to complain and passenger rights, and reviewed the meeting.