
Minutes

Agenda item 3
Drafted 23.9.09

**Minutes of the Consumer Affairs Committee meeting held on 23 September 2009
at 6 Middle Street, London EC1**

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Present

Members

David Leibling

David Barry

Sharon Grant

Chair of the Board

Lorna Reith

Member, ex officio of this committee

Sarah Pond

Chair of the Committee

Daniel Francis

Terry Bennett

Guests

Matt Winfield Manager, Stakeholder Relations, Transport for London (TfL)

Secretariat

Carmel Cannon

Senior Committee Administrator

Janet Cooke

Chief Executive;

Bryan Davey,

Director, Public Liaison

Jo deBank

Communications Officer

Julia Pearson

Communications Assistant

Minutes

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

The Chair welcomed everyone in attendance. Apologies were received from Sophia Lambert and Teena Lashmore.

2 Declarations of interest

There were no further declarations of interest pertinent to this agenda.

3 Minutes

The minutes of the meeting held on 8 July 2009 were approved and signed for the record.

4 Matters arising (CA014)

The Chair congratulated the Casework team on its achievement of 97% rate of response within 5 days and thanked the Director, Public Liaison in particular for his hard work.

Regarding TfL's online response system, it was agreed to pursue this at Board level, and that the Chair would write to TfL explaining ongoing problems and inviting them to speak at the next Board meeting.

Action : Chair of the Board

Re: minute 8 of 22.4.09 annex A

This matter would be looked at with the Chief Executive and the Director, Research and Development. It was possible that it would form part of the research work on first class ticketing that was already underway.

Action : Chief Executive Director, Research and Development

(8.7.09 min 4, iii, regarding researching which train operating companies used third party online ticket vendors, was reported as complete.

Members asked that dates of TfL board meetings be noted on the work plan.

Action : Committee Services

5 Actions taken (CA015)

Members noted the report.

6 Performance report (CA016)

The report was well received and members congratulated the team on their hard work during a difficult period. It was agreed that initial complaints ('initials') should be included on future editions of this report, listed by mode; recording initials was important as they generate time-consuming work for the team and provide a barometer of the nature of complaints received.

Action : Director, Public Liaison

Members also requested that a comparison of London TravelWatch complaints data with that of Passenger Focus be added to the Committee work plan for mid-2010.

Action : Committee Services

7 Policy issues for consideration (CA017)

The issue of TOCs' handling of complaints about rail replacement journeys was brought for consideration and members were asked to consider whether the current refund policies of London Underground and train operators were appropriate, and whether London TravelWatch should be arguing for a less rigid interpretation of the rules. The rules in question were a blend of those laid out in the National Conditions of Carriage (http://www.nationalrail.co.uk/times_fares/nrcc/ and whatever local arrangements TOCs chose to make. The Director, Public Liaison, advised that London TravelWatch receives a reasonable amount of complaints on this.

Members discussed three levels for consideration in this case, namely, the principle of bus substitution; buses being able to provide the right amount of capacity, and staff on the ground being able to use their discretion. Complaints history suggests that a lack of discretion by staff had previously led to bad decision-making or passengers being misinformed.

The question of law was raised by the Chair of the Board, who feared that the (voluntary) delay/repay compensation scheme was the only recourse available to passengers in such cases. The Director, Research and Development, advised the only law to which these matters referred was as listed in the National Conditions of Carriage), and does not cover anything other than the sale of a ticket for travel.

After some discussion, it was agreed that the policies of First Capital Connect would be clarified for members, and a view taken on whether these were an example of good practice, compared with what operators actually do.

Action : Director, Public Liaison

It was agreed that the TOC should be asked to cover at least the taxi fare in this case, as the complainant had been left standing late at night, awaiting a rail replacement bus that had been cancelled without him being advised of the fact. It was also agreed that compensation for the passenger in this case should be pursued due to the long wait at night, being unnecessarily held waiting for a cancelled bus.

Action : Casework Manager

The Communications Officer suggested that as the issue of rail replacement buses was one of increasing public annoyance, this could be an opportune moment at which to do some publicity work around it.

Action : Communications Officer

8 Casework review update (CA018)

The Chief Executive spoke to the report, highlighting that procurement and installation of new software was the key Casework activity since the last meeting, aside from the handling of cases. This new database was part of an entire change process for the organisation which was labour-intensive but would impact across all areas of work. The system was the same as that used by Passenger Focus, and London TravelWatch was working to the same categories

for filing cases, allowing for closer comparison of London and national complaints data. Eventually, clients would be able to track their complaints online, but the security implications that this posed were still to be resolved.

The system would be subject to the same back-up functions as at present; there would be an initial period of reporting from both databases, when all data from previous complaints would be available. The licence for the current database expires in February 2010 which is the final cut-off date for the use of the old database.

this progress was welcomed by the committee, as was the further potential that the system could offer which would give the organisation increased value from the system over and above its original aspirations. The committee requested that a selection of sample reports from the database be made available for the next meeting. It was also agreed to add a database evaluation item to the agenda for the March 2010 meeting.

Action : Committee services

9 0845 –prefixed numbers as travel help and complaint lines (CA019)

The Communications Officer spoke to this scoping document which aimed to establish patterns of use of 0845 numbers within the industry. It found that most companies do use 0845 numbers, with the result that most calls were answered very quickly, even if there were subsequent menu options rather than a live operator.

0845 numbers are charged by the minute rather than the second, so every partial minute was charged rounded up to the next. Mr Barry outlined the history of 0845 numbers, highlighting that they were launched before the widespread use of mobile phones and were charged at local rate which at the time was seen as a concession. With the increase in mobile usage, these previously cheaper numbers now offered a revenue share to operators as they are not included in free minutes on mobile contracts. They are included in BT landline free calls, but usually only at certain times of the day, depending on the tariff. It has therefore become a form of premium rate charging and members agreed that people should not be penalised for finding information.

Citizens Advice Bureau has reported that those who usually use mobiles for these calls are in the lowest socio-economic bracket. One member suggested that this might be why there are fewer complaints in general from this group.

Mr Leibling mentioned the general TfL landline number (020 7222 1234) which is a London number – so the business continuity argument given previously as the main reason for using 0845 numbers did not stand up. He also requested more detail on the costs of 0845 numbers, indicating the cost of each call indicated in the report, suggesting that Ofcom could advise. The reports would be revised and resent to members.

Action : Communications Team

Matt Winfield of TfL confirmed that Ofcom was looking at changing TfL's 0845 number, and agreed that the point about 0845 v 0207 numbers needed clarifying. He continued that, from the customer service perspective, TfL wanted its number to have a voice recognition function. If the switch to an 0207 number was made, more agents would be required to answer the phones, which of course drives up costs. He also confirmed that, separate to this meeting, TfL's Director of Customer services had offered to discuss this with the London TravelWatch Chair and Chief Executive, and it was agreed that this offer should be accepted.

Action : Chief Executive

10 Any other business

There was no other business.

11 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, it was desirable in the public interest that the public should be excluded from the meeting.

In Confidential session the Committee approved the confidential minutes of the meeting held on 8 July 2009, and the proposed response to the DfT consultation on train passenger rights. They also considered the first draft of a proposed London TravelWatch information leaflet.

12 Glossary

Delay/repay compensation

Delay repay schemes are set out in franchise operators passengers' charters. The principle of all of the delay repay schemes is that if a passenger's journey is delayed beyond a certain period, compensation is due. The standard terms for single and return tickets are:

- 50% of the cost of your single ticket or 50% of the cost of either portion of your return ticket for delays of between 30 and 59 minutes; or
- 100% of the cost of your single ticket or 100% of the cost of either portion of your return ticket for delays of 60 minutes or more.
- If your journey is delayed by more than two hours and you have a return ticket, you will be entitled to receive 100% of the cost of the return ticket.

For season tickets the compensation will follow the same basic formula but be based on the notional cost for that specific journey. These changes are now standard for all new franchise agreements let by the DfT. The delay/repay compensation schemes are a requirement of franchise agreements.

TOC train operating company