
Casework report

Agenda item LTW751

Author: Susan James, Head of Casework

Drafted: 17.07.24

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 of 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 (within the) scope for (of) the Rail Ombudsman.
Tickets Retailers	Sell rail tickets. but do not provide any form of transport.
Foundever	The current outsourced contact centre manages the telephone calls and first contacts. This provision is currently being market tested.

April to June 2024

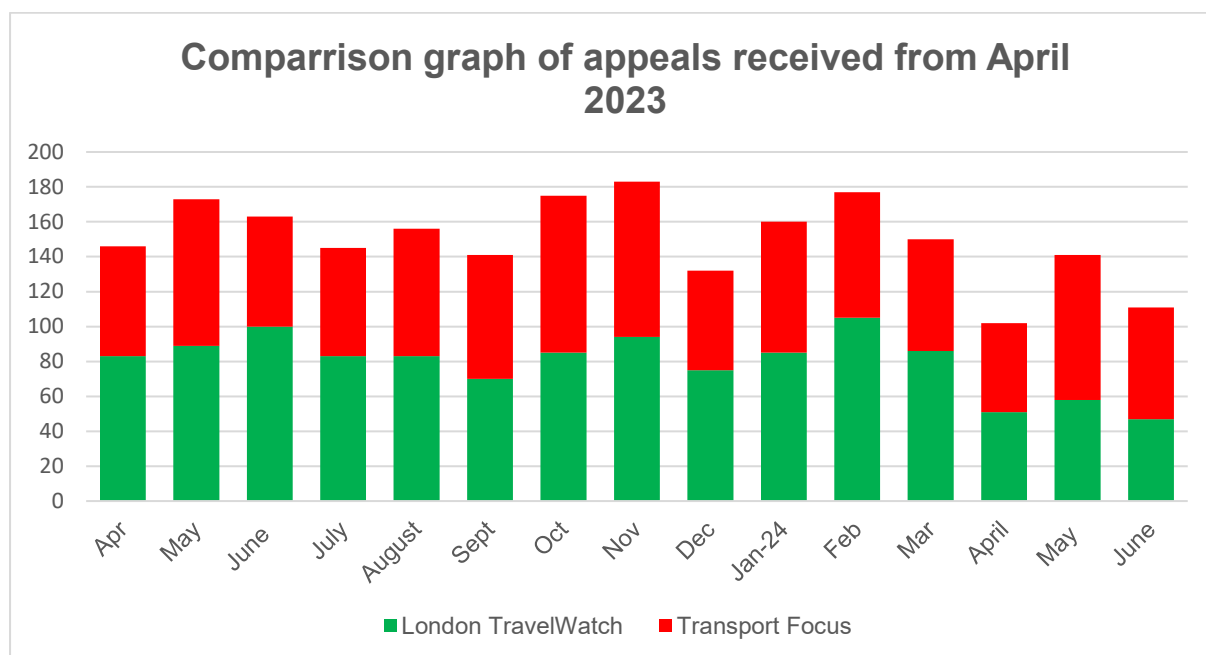
Overview

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

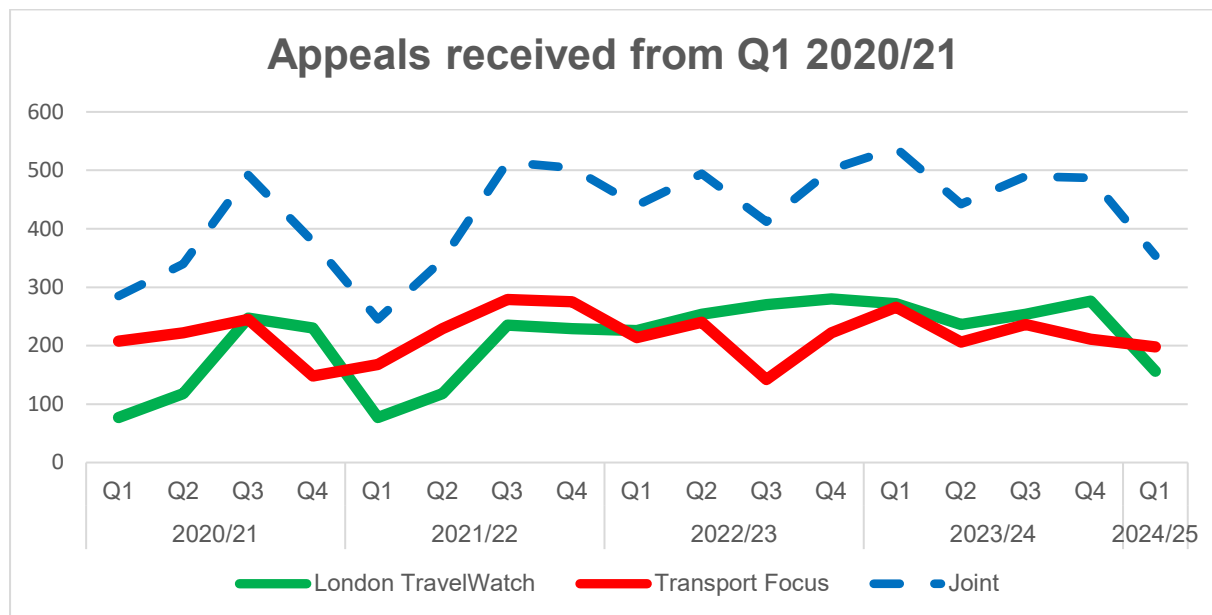
Appeals Casework

354 appeals were received in total in Q1, compared with 487 in Q4. The figures for London TravelWatch were 156 vs 254 and for Transport Focus were 198 vs 236.

The graph below shows the comparison between appeals received from April 2023 to June 2024. In the previous 12 months, February were the busiest month for London TravelWatch, and October for Transport Focus.



The graph below shows appeals received since April 2020. Passenger contact is reduced in this quarter, and this is reflected across the industry including with the Rail Ombudsman.



Forecasting casework for 2024/25

With the ongoing industrial action, timetable changes, fares increasing and network disruptions, it is difficult to accurately forecast the number of contacts and appeals the casework team is likely to receive over the next six months. The number of appeals for London TravelWatch is rising, and this is expected to continue following recent disruptions on the rail network.

Other casework

Fayza left to for maternity leave at the end of June and Natasha Reed started with us on a temporary contract on 2 July. Natasha worked on the London TravelWatch/Transport Focus contract with our previous outsourced provider, Ventrice. She, therefore, has a thorough understanding of the industry and of our CRM.

Rail operators

Penalty fares (PFN) remain the most complained about topic for rail passengers. We have noted passengers who have tickets still being charged PFN's based on a technicality rather than the fare not being paid. We have provided information relating to these case types to Transport Focus who will include this as part of their current penalty fare research and challenge the industry.

Some parts of the rail industry use the Single Justice Procedure (SJP) to fast track the prosecution of passengers who were found to be intentionally evading the fare. However, the 2016 legislation, which set up the SJP courts, did not permit the industry to use the Regulation of Railways Act 1889 in the special fast-track court process. There is a hearing on 19 July to determine whether or not these criminal cases would be void and could potentially impact thousands of passengers cases who have been dealt with via the SJP process.

Eurostar

Appeals regarding Eurostar remain consistent but there is no general theme. During the pandemic there was more ticket flexibility which allowed passengers to amend their plans at the last minute. Although there is more ticket flexibility than prior to Covid, there is less than during the pandemic.

TfL

Users of Dial a Ride (DaR) have raised appeals relating to issues they have with the service. We have asked TfL for information relating to when DaR will send and pay for taxi's as an alternative means of transport. We also asked TfL to remove outdated information of the DaR provision as it was no longer offered. DaR passengers can book transport via an app which also allows them to quickly take advantage of slots that have suddenly become available due to cancellations or retiming's. London TravelWatch welcomes this innovative approach but has asked TfL to find a way to ensure that those who are digitally excluded, have similar access to available journey slots.

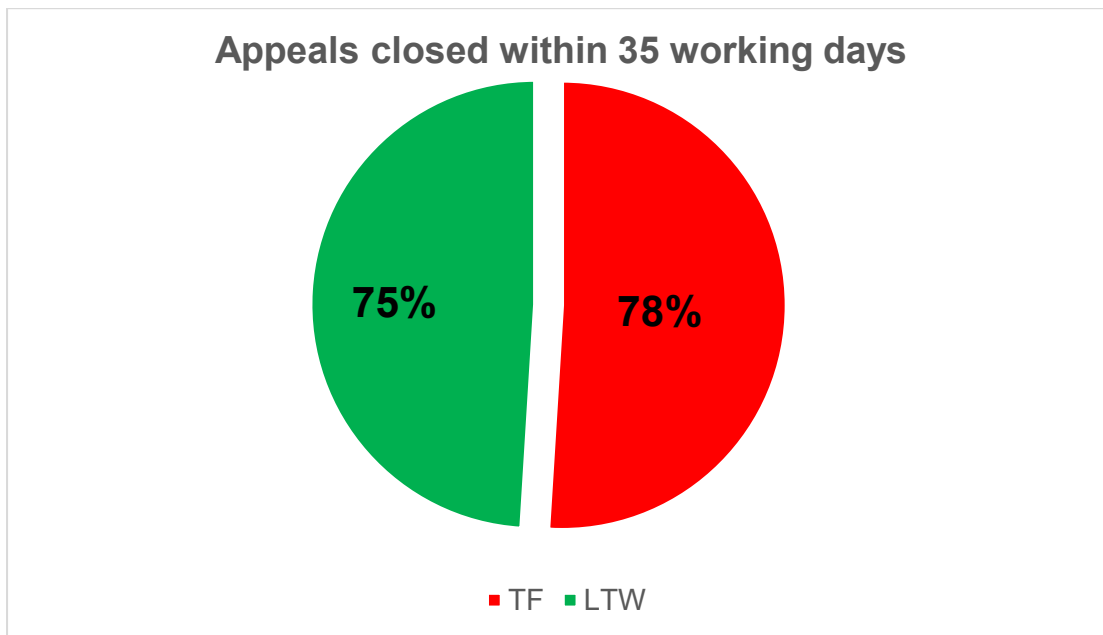
Ticket retailers (including Trainline)

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 made to London TravelWatch and Transport Focus.

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 frequently require additional challenges, with repeated contacts to provide the passenger with additional value. We keep the passenger informed of our progress throughout, although upwards of 25% of cases can take more than 45 working days to close. Some transport operators have advised us that they have reduced staffing levels which delays their responding to us. It is also worth noting that while most transport providers respond in a reasonable timeframe, they do have 20 working days to respond to our appeals.

Some appeals are open for longer where passengers don't accept the outcome and continue to challenge us demanding their preferred outcome. To improve our management of this from the beginning of June, we were much stronger in our information about our limitations at the outset, are more empathetic and better manage expectations. Early passenger feedback indicates that this change of approach achieved higher satisfaction rate, and we are starting to see cases closing at an earlier stage.



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

Operators receiving the most complaints	No of complaints	Subject of complaint	Outcome
Northern	38	Penalty fares and refund policy	13 successful, 18 information provided*
TPE	21	Penalty fares, retailing and refunds	5 successful, 12 information provided
Trainline	20	Fares, retailing and refunds	8 Successful, 11 information provided

* An example of information provided is where the Caseworker has been able to answer passenger questions or provide more information so that the passenger was in a better position from having contacted us.

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

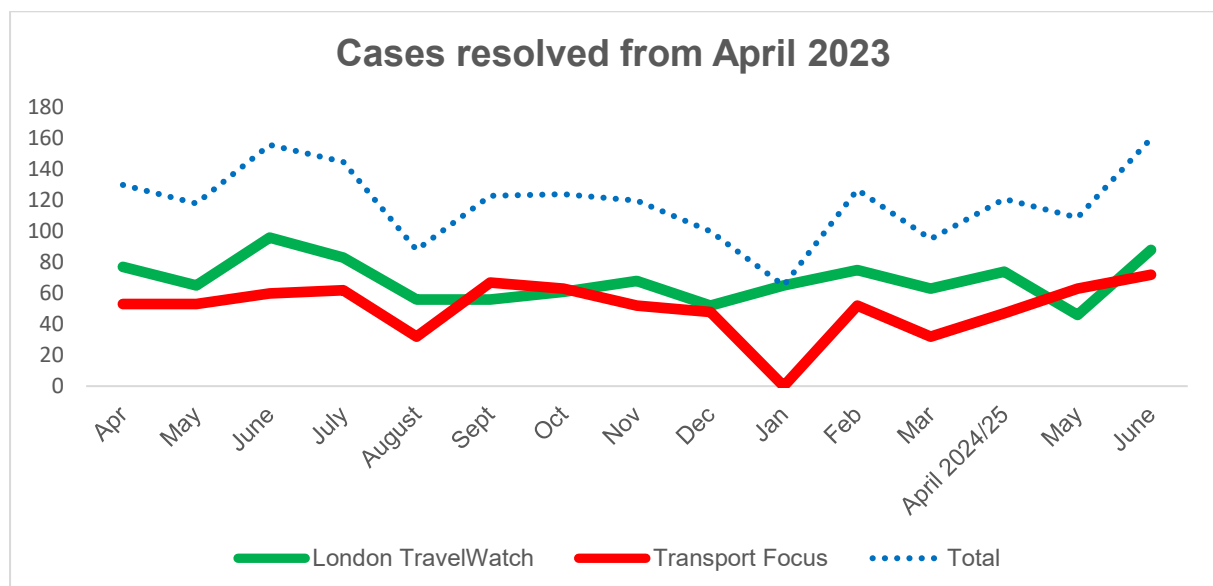
<i>TfL by mode</i>	<i>No of complaints</i>	<i>Subject of complaint</i>	<i>Outcome</i>
TfL Buses*	40	Refunds, refund policy, staff conduct/availability and complaints handling.	25 Successful, 43 information provided
Eurostar	36		

*The type of appeals received about TfL Buses are from passengers who are unhappy that a bus didn't stop or that a driver was rude. It is almost impossible to determine why a driver didn't stop which is most unsatisfactory for the passenger. The outcomes passengers want to see for staff conduct is to know that the driver has been disciplined but TfL are unable to share this information with us. Another common appeal is a claim for injury on board a Bus, but this type of appeal is outside of the remit of London TravelWatch.

Closed appeals for Q1

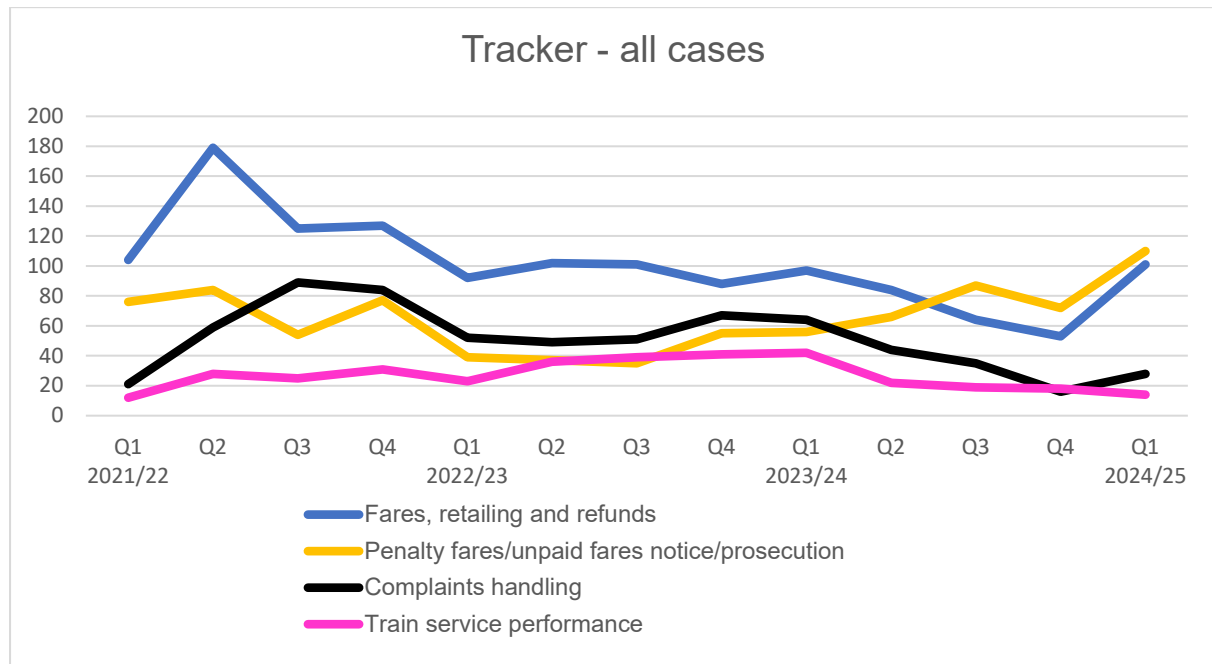
The casework team do not have the authority to insist that a transport provider or ticket retailer respond favourably to our appeals. All the successes are achieved through negotiation, persuasion, and the relationships the casework team cultivates with their industry contacts.

In this period, 208 appeals were closed for London TravelWatch and 182 appeals were closed for Transport Focus.

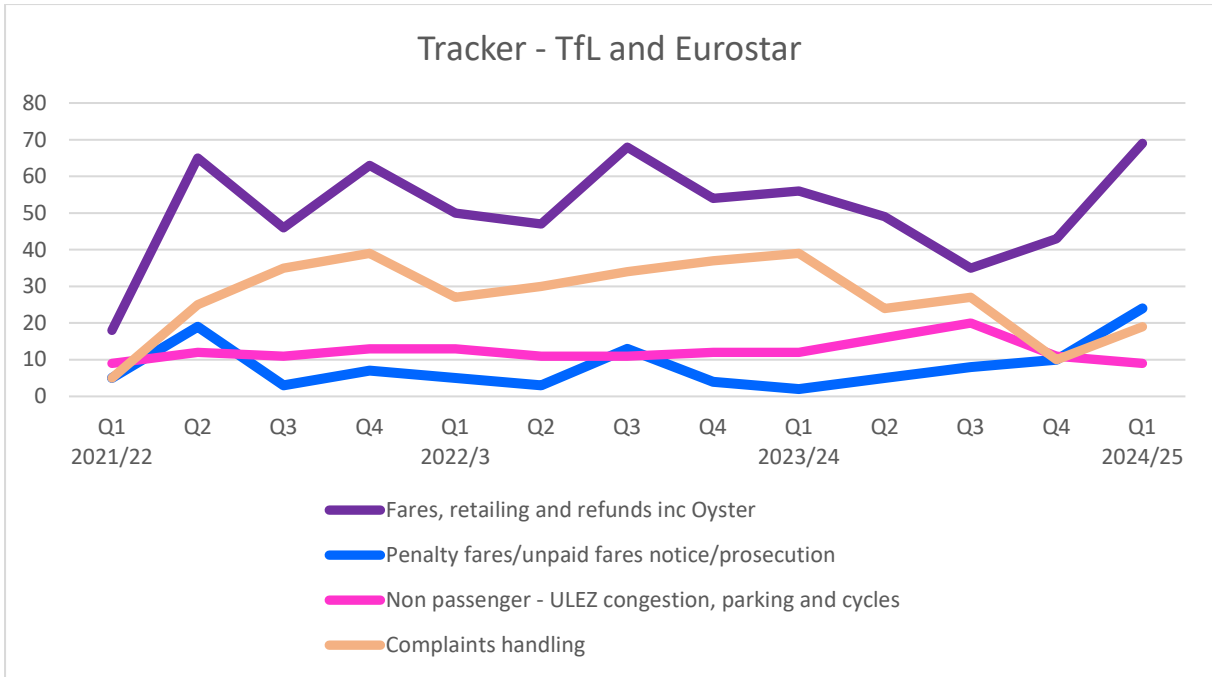


Case types received.

The four categories of appeals that London TravelWatch and Transport Focus usually receive relate to fares (including refunds), penalty fares, service performance, and complaint handling. We track these categories to look for any trends. Appeals about train service performance have surprisingly decreased considering the amount of disruption and industrial action on the network.

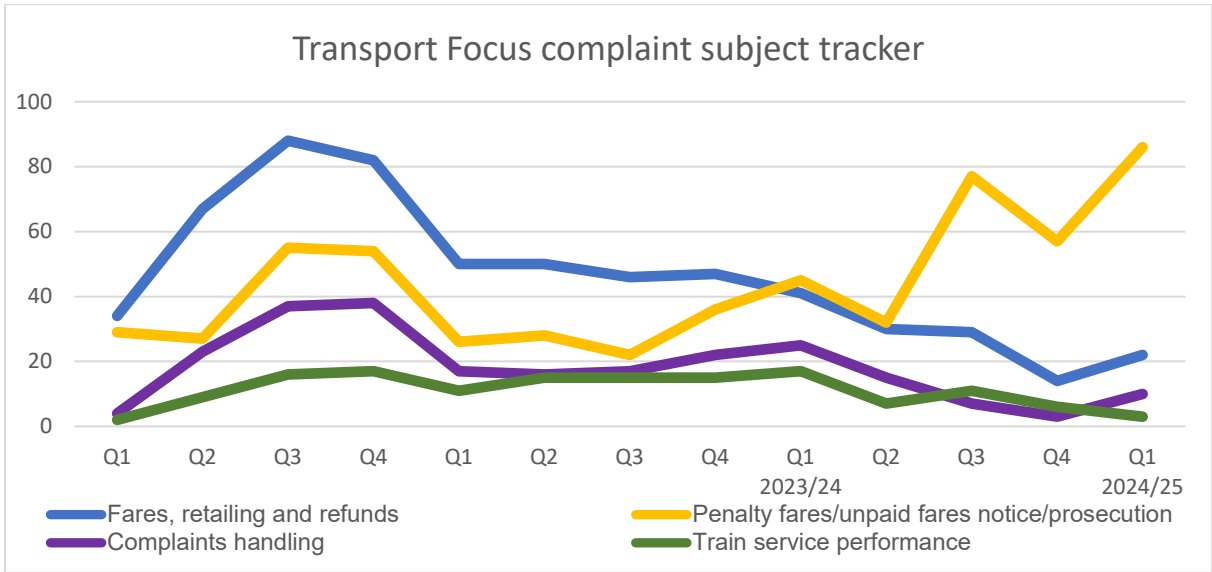


The rail industry is increasing the revenue protection on their services, so it is unsurprising that we are seeing more contact from passengers who have incurred penalty fares or other revenue protection action. Neither London TravelWatch or Transport Focus are official penalty fare appeal bodies and we do not have the authority to overturn penalty fares. Where appropriate, the Casework team try to help passengers by approaching the issuing rail operator asking for a passenger's individual circumstances to be considered and we are successful in having some penalty fares overturned or costs reduced in over 30% of cases.



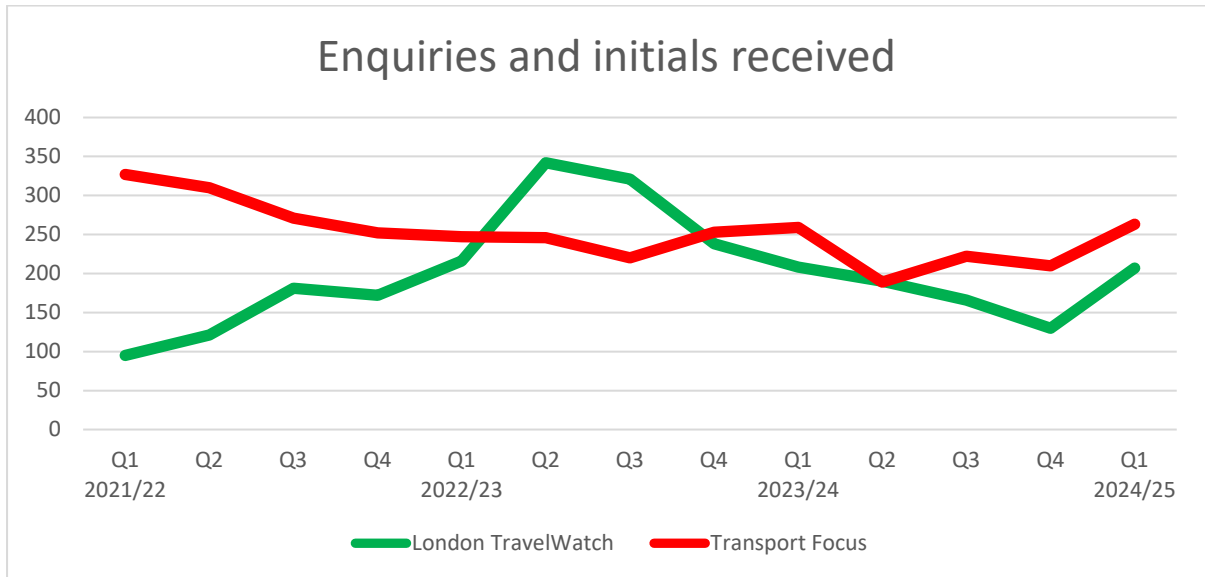
The top four complaint categories received in the London TravelWatch-only geographical remit are slightly different, as we also take complaints from drivers who have incurred parking, congestion, and ULEZ fines. Appeals from drivers continue to decrease although managing this case type can take up a lot of resources.

TfL have advised us that passenger numbers are increasing and fares, including Oyster, will always be a key passenger concern. With Project Oval and more outer London stations added to the contactless payment network (but the actual ability to use contactless payment still outstanding), passengers have unfairly been signposted to TfL as the instigator of the change. TfL is the holder of contactless payment journey history but are not responsible for the increased journey costs.



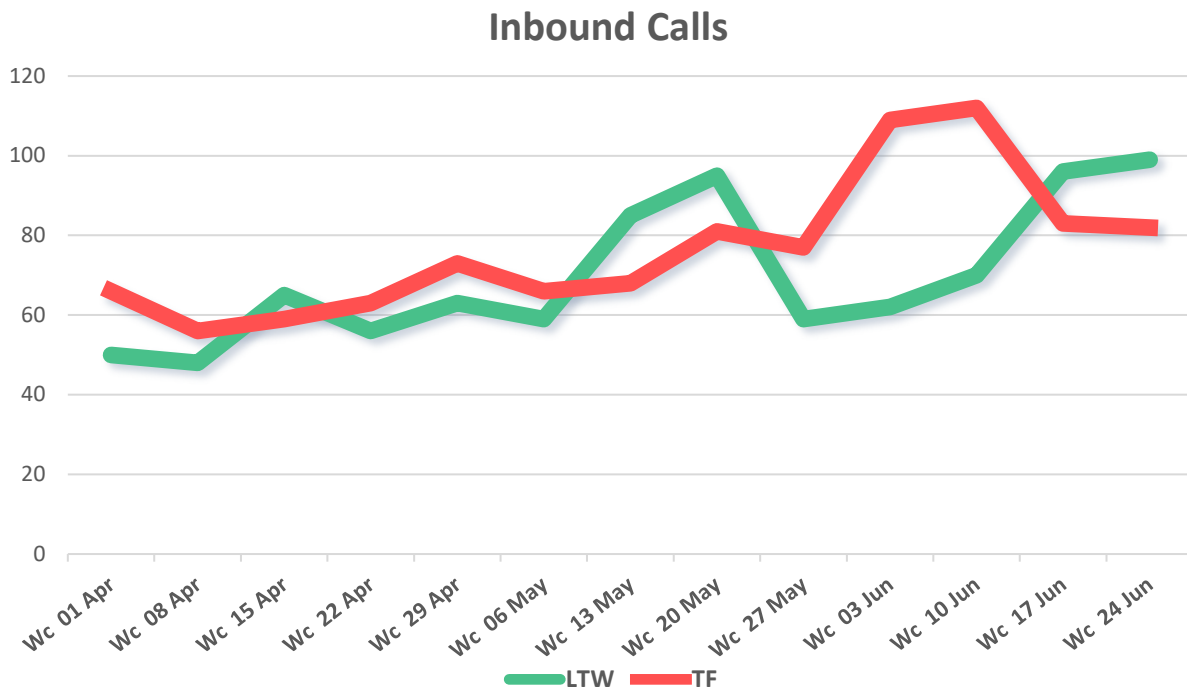
Initial and enquiry contacts

March was the final month the pervious outsourced provider. From April 2024, the provider, Foundever now manage all the initial contacts and enquiries on behalf of London TravelWatch and Transport Focus. The casework team provides the outsourced provider with advice and support on managing complicated or unusual contacts.

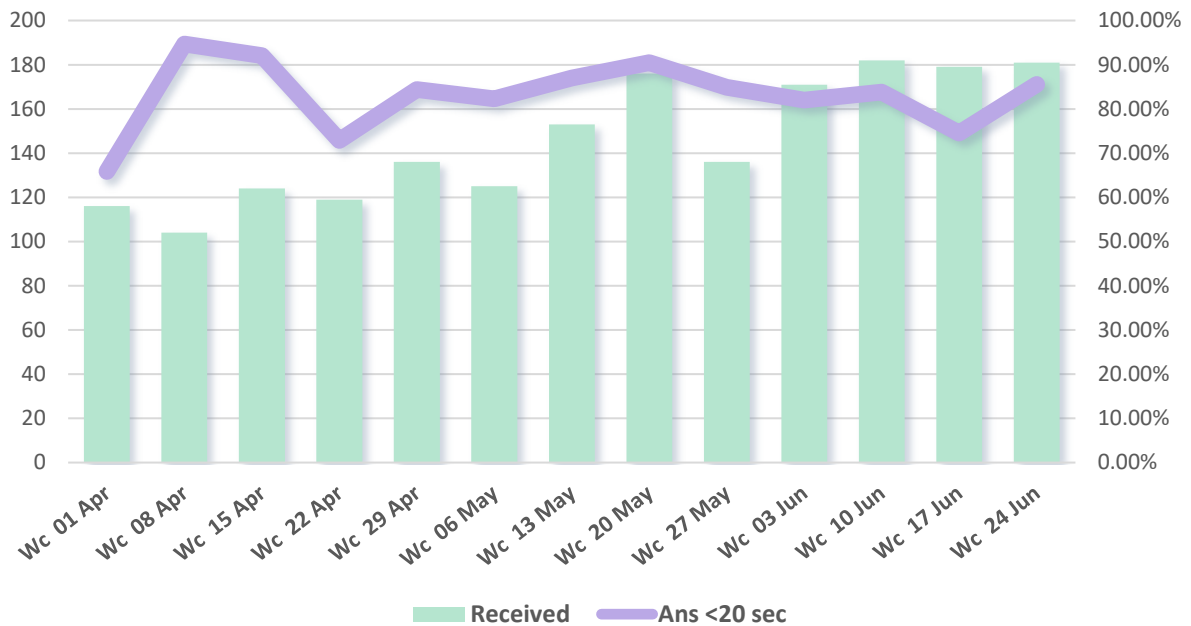


Outsourced provider - Foundever

Call answering is part of the SLA between the Watchdogs and the outsourced provider. We will be monitoring the new provider, Foundever on their performance relating to call handling, but initially our primary focus is on the quality of the call handling rather than the speed of calls being answered as this should prevent complaints being received about the information provision at the time of the initial contact. The majority of calls are about penalty fares or initial contact.



Call Performance Breakdown 2024 Q2



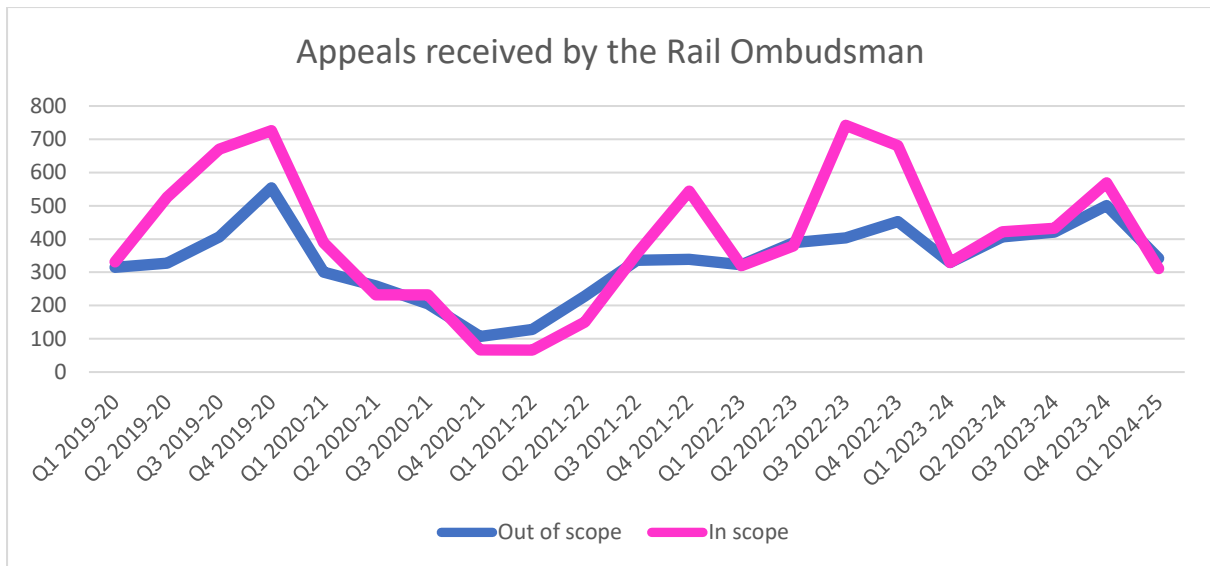
The last few weeks of June, Foundever reported that they did not meet the target of answering 85% of calls within 90 seconds. However, they have advised Transport Focus and London TravelWatch of an improvement plan and committing more staff to answering inbound calls during the day.

Rail Ombudsman

The Rail Ombudsman has seen a reduction in appeals in Q1.

A new independent Board has been established, with John Peerless as the Independent Non-Executive Chairman. He is also the Principal Trading Standards Officer at Brighton and Hove City Council. There is further consumer representation on the Board but not from a passenger background. There is a newly established Passenger Advisory Panel that will feed into the Board and the Head of Casework is the Vice Chair of this panel.

In Q1, the Rail Ombudsman received 311 in scope cases. This is an approximate decrease of 58% when compared with case numbers received in Q4.



59% of appeals received by the Rail Ombudsman were regarding delay compensation. During this quarter, there were 342 cases that were considered out of scope of the Rail Ombudsman, 27 were considered in scope for London TravelWatch, and 39 were in scope for Transport Focus, and these were transferred to us.

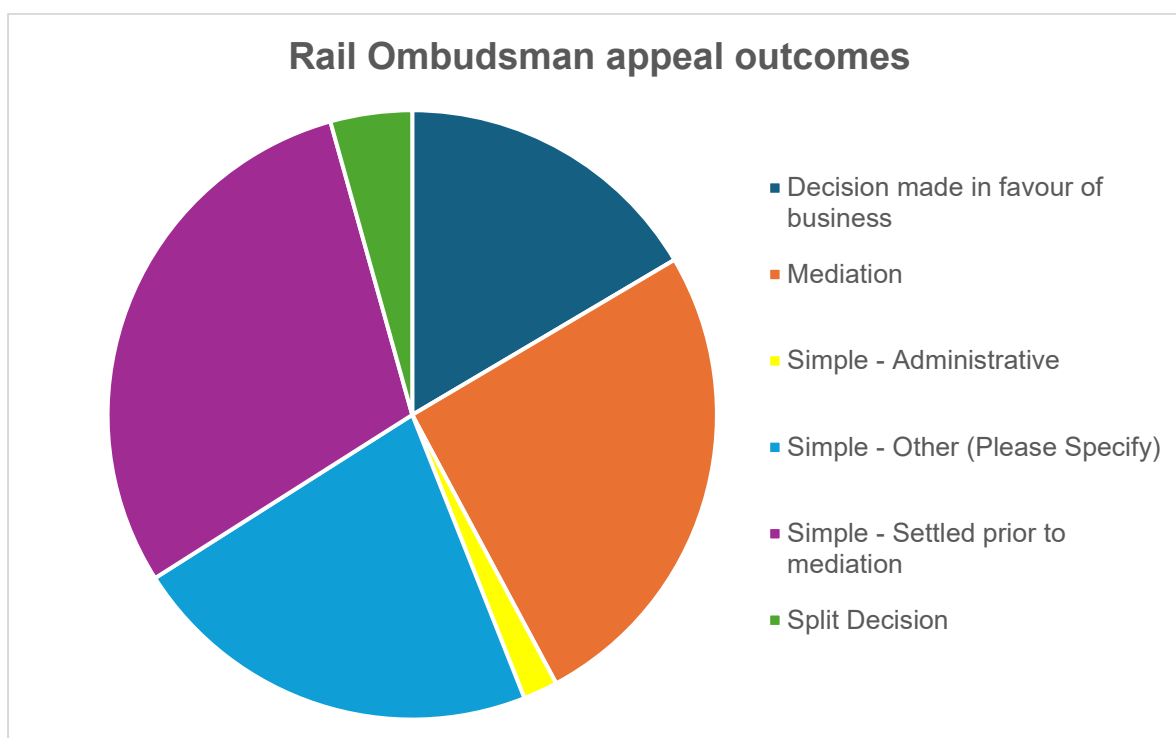
Since taking on the contract management of the Rail Ombudsman, the ORR were keen for all parties – Watchdogs, Ombudsman and industry to be more engaged to share good practice, recommendations/insight and to focus on the root cause of passenger issues.

The London TravelWatch Head of Casework is the Vice Chair of the Advisory Panel that considers the passenger experiences and also part of the collaboration team that considers recommendations made by the Rail Ombudsman for insight of complaints they have received. Together with the Rail Ombudsman and an industry representative, the decision this year was to focus on passenger assist as part of root cause analysis with a view to driving industry improvements. Early research indicates that where there is a process to manage passenger assist, the translation of the provision is left to the TOC's to manage meaning that there isn't a single process to provide passenger assist. TOC's report an increase in requests for passenger assist but also that insufficient staffing and resource levels mean that there are assist failures.

This box provides information of the top three TOCs about whom the Rail Ombudsman received appeals. The most common appeal was about delay compensation.

Rail Operator	No of complaints	Subject of appeals	Outcome
Avanti West Coast	85	Fares and retailing. Delay compensation	45 were settled prior to mediation, 14 went to mediation, 19 was in favour of operator and none in favour of passenger.
GWR	82	Delay compensation, performance and complaints handling	51 were settled prior to mediation, 20 went to mediation, 6 in favour of operator and none in favour of passenger.
LNER	68	Delay compensation and complaints handling	53 were settled prior to mediation, 22 went to mediation, one was in favour of operator and none in favour of passenger.

Rail Ombudsman appeal outcomes



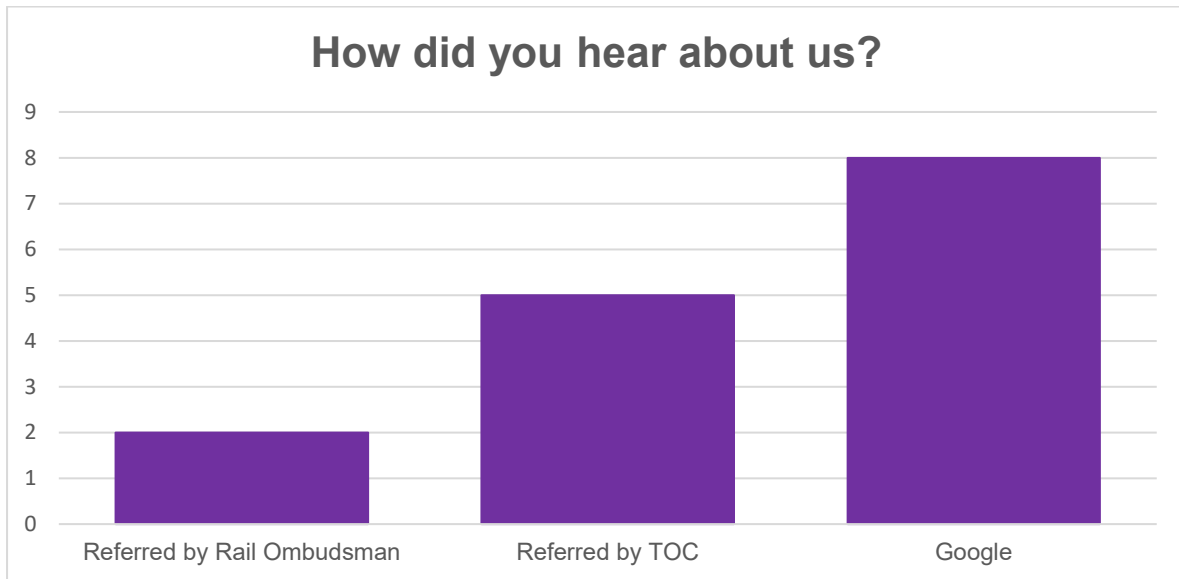
One Rail Ombudsman cases was made in found in favour of the passenger which is too small a number to be depicted on this chart.

Recommendations

The Board/Committee are asked to note this report.

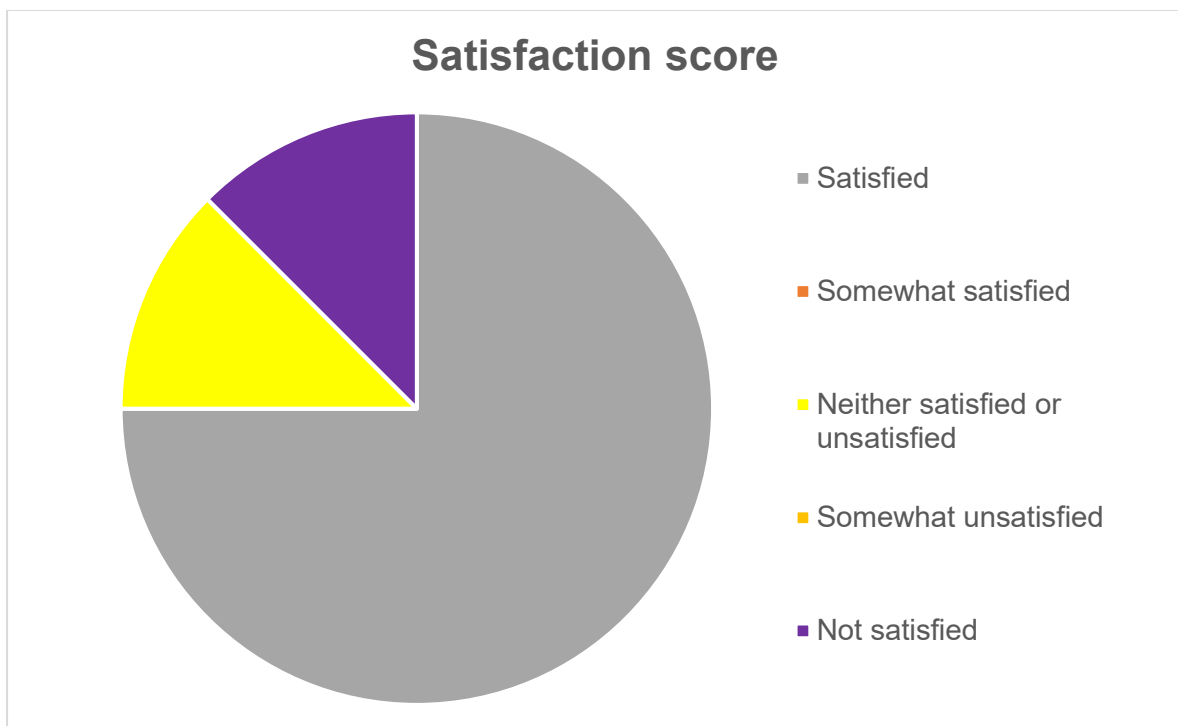
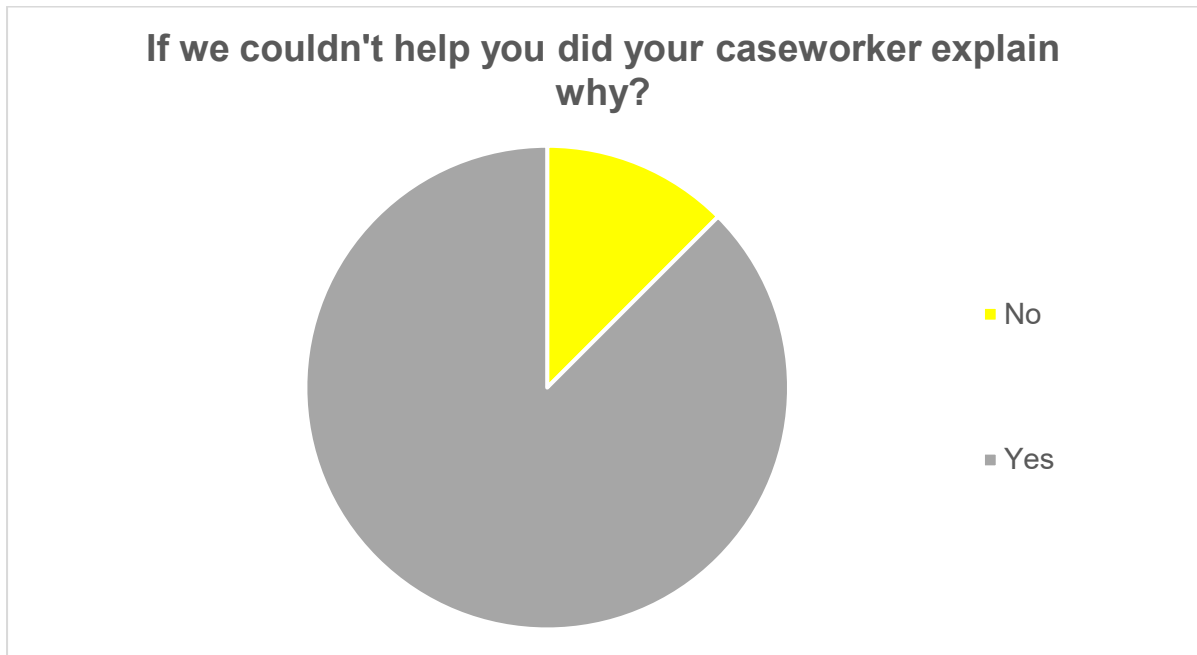
Appendix one – Survey responses

We paused the surveys to allow Foundever to get up to speed and to amend the satisfaction survey to try to obtain feedback that was relevant and that would provide insight into our case handling. We started to send the survey again in June and only 19 people responded so far. Although a very small sample, comments show that by strengthening our information of our limitations at the outset, some passengers understood our position and scored us highly despite us not getting the outcome they were looking for.



100% of respondents agreed that their caseworker explained the timescales of your complaint and advised of our limitations?

100% of respondents agreed that they received a summary of their complaint from their caseworker in our final response.



We asked passengers to advise us why they were not satisfied with our service. Three said that it was because we could not provide them with the outcome that they were looking for. Interestingly, one of these respondents still provided high scores throughout the survey.

Passenger comments

Please use the space below to leave any additional comments
The case worker was excellent. It is thanks to her that my issue was resolved to my satisfaction as TFL were terrible at dealing with my complaint. I cannot thank her enough. I am so glad this service exists
Ms Margaret, supported me until the end of the issue been resolved with great outcome, well communicated and well presented the matter to transport London department. She always replied to me promptly and updated me with everything. Thanks to her and her precious time. We got the refund and good will gesture which I am going to treat my son who had the experience with Tfl, so that he can move on and remembers only the good time. We thank you Travel watch for being a company of such supports and Thank you so much Ms Margaret for all advice and concerns.
I was very pleased with the outcome and should like to thank your service very much for your prompt attention and success . Thank you.
Sean Goss was very helpful - whilst the outcome was disappointing this wasnt for the want of trying by Mr Goss. He was professional, efficient and dealt with the situation with understanding and empathy...an asset to the organisation. Please pass on our thanks to Mr Goss.
It felt like a waste of time contacting you. You dont have any additional sway.
While I appreciated your help following the rejection of my appeals I'm still confused, frustrated and quite angry at what has happened. I still don't have an explanation of why i have been `picked out` for a fine when I have seen, and continue to see, people on trains weekly being give discession for the mistake I made. No one seems to have taken seriously what I have said about why my error waranted a Â£50 fine. I don't beieve it did, and remain deeply dissatisfied
I am very surprised you have not got as much powers to over ride decisions made by TFL like an ombusman.

It took me 6 months to get nowhere with TFL, so was very happy to have someone who could deal with my complaint, understand the issue and resolve

Our case worker- Mags Croucher worked tremendously hard on our behalf! She did the best she could and we got satisfactory recompense from Avanti train services. Mags sent us emails during the Complaint process telling us how she was getting on with communicating with the relevant parties ie- Avanti west coast train services and the Manager of Waverley train station in Edinburgh. She detailed carefully the conversations and emails she received from these parties.
Our best wishes to Mags - she is a most reliable and helpful employee.

I'm extremely unsatisfied with the outcome I have received. After 18 months of ordering a faulty product, and delays / inconvenience's put upon myself week in week out, I am told I must wait another 12-18 months before the issue may be fixed. No compensation for any inconveniences and I must continue to order the same faulty product, as I have no other way to work???

Was told I'd get a response in 35 days, but it came much sooner with a full and human explanation. Thank you.

I cannot fault the efforts of my caseworker, she was so so helpful and articulate in every email. If I ever hear of anyone else who has been wrongfully accused or mistreated by TFL I will 100% be recommending travel watchâ€™s service.

Organisation seems a waste of money set up only to make customers feel something is being done on their behalf when in fact there is no teeth at all

I am very happy with the outcome and the caseworker was very Efficient and thorough.

I want to express my gratitude for Mags Croucherâ€™s outstanding assistance with my recent Heathrow Express complaint. She was incredibly helpful, ensuring my issue was resolved quickly and effectively. Her commitment to both my case and improving the experience for future travelers was evident.

Mags not only secured my refund but also obtained complimentary tickets as a goodwill gesture. Her attention to the refund claim period discrepancy was particularly commendable, highlighting the need for clearer information on the Heathrow Express website.

Magsâ€™ exceptional service is a great asset to your organization, and I am very thankful for her support.