



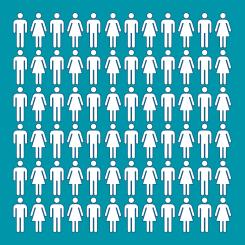
LISTEN · ACT · RESOLVE · IMPROVE

YEAR AT A GLANCE	
CHAIR'S REPORT	6
OMBUDSMAN'S REPORT	8
OUR MEMBERS	10
HOW WE HANDLE COMPLAINTS	12
STAFF PROFILE	14
COMPLAINTS, CONCILIATIONS AND INVESTIGATIONS	16
CASE STUDY: JIN'S STORY	
HOW WE PERFORMED	20
CASE STUDY: PHILIPPA'S STORY	22
SYSTEMIC COMPLAINTS	
SYSTEMIC CASE STUDY	
CASE STUDY: AMANI'S STORY	
STRATEGIC PLAN SUMMARY 2022-2025	30
CASE STUDY: ASH'S STORY	
FOCUS ON ACCESSIBILITY	34
FOCUS ON FAIRNESS	
CASE STUDY: PAULOS' STORY	
OUR BOARD	40
APPROACHES WITH ISSUES BY MEMBER	42
SUMMARY FINANCIAL REPORT	44

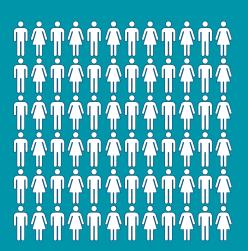
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YEAR AT A GLANCE



1975 APPROACHES TO THE PTO















COMMON ISSUES



797 STAFF

















CHAIR'S REPORT

I am pleased to introduce the PTO's 2022 Annual Report. As I write this, I am moved to reflect on the steady stream of people returning in greater numbers to our public transport system. Whatever a person's motivation to seek out public transport – it is encouraging to see that the system continues to provide a means of connecting people with family, community, services, employment, education or events.

While patronage remained lower than in previous years, people have continued to provide important feedback to members about the system. Flowing on from this activity, the PTO received a similar number of approaches by consumers as last year.

In the 2021-22 financial year, the PTO operated within budget and achieved an operating surplus of \$128,582, finding cost savings through efficiencies and aligning resources to the reduced number of approaches to the scheme. It also returned \$112,502 of surplus achieved in the previous year by discounting member fees, recognising that there are ongoing financial implications for members due to COVID 19.

The Board has conducted a series of planning sessions and developed a Strategic Plan for 2022–2025 (see details on page 30). This was an important exercise that allowed the Board, the Ombudsman, and staff to refocus on the PTO's vision, value proposition and strategic priorities. It was great to see the commitment to accessibility, fairness and working collaboratively with members and stakeholders to improve the system. In addition to the planning team, I would also like to thank the Department of Transport for its input and support of the process.

There was progress on the development of a Memorandum of Understanding with the Department of Transport, which provides for a role for the Ombudsman to handle complaints about the fairness of transport infringement notices in some circumstances. The Board was pleased to see continued developments in the government rollout of the Travel Pass Program (see update on page 37) to help young people stay connected with education and services while reducing barriers and the risk of being reported and fined while trying to attend school or appointments.

During the year, Industry Director Marika
Harvey completed her term on the Board.
I thank Marika for her constructive approach
and her contribution to the PTO Scheme. Her
term on the Board, beginning in December
2018, coincided with major reform and change
in the transport sector, not least due to the
pandemic, and I commend her steadfast
commitment to the PTO during this period.

I would like to congratulate Consumer Director Glenyys Romanes on her reappointment by the Minister for Transport for a further three-year term.

Finally, I wish to thank Ombudsman Simon McKenzie for his commitment, leadership and support of the Board during demanding times. Thank you also goes to the highly skilled, dedicated and committed staff of the PTO for once again providing quality dispute resolution services to consumers and members.

Kay Rude

Kay Rundle Chair



OMBUDSMAN'S REPORT

I am pleased to present the PTO's 2022 Annual Report, my third as Ombudsman. In many ways, similar themes appear throughout this report compared to the previous year. Passenger trips on the network remained low, people were unable to leave home, and when restrictions lifted commuters returned gradually.

It has been great to see my colleagues, members and stakeholders more regularly in recent months. At the time that I am writing this there are more of us circulating and meeting face to face. Patronage on the network climbed toward the end of the 2021-2022 financial year. As Melbourne and the regions continue to grow, the need for safe, accessible, reliable and efficient public transport options remains.

During the year, there were 1,975 approaches to my office, 4 per cent less than last year. We dealt with a range of enquiries, while referring 1,185 complaints to PTO Scheme members for attention. Where consumers had already raised their complaint with a member, we commenced 204 conciliations and 34 more formal investigations. On average, conciliations took 34 days to finalise, mostly by agreement. Investigations took an average of 85 days.

Total annual Victorian patronage (metropolitan and regional) increased by 24 per cent in the 2021-2022 financial year but was 55 per cent lower than patronage in the 2019 calendar year. The gradual increase flowed through to complaints, with 1,185 complaints referred and 238 complaints managed as conciliation or investigation cases (up 10 per cent overall on the previous year).

Within this combined total of 1,423 complaints lodged, the most common issues recorded related to staff (797 complaints, up from 707 in 2020-2021); land and infrastructure (398, up from 358), service delivery (371, up from 337) and ticketing (285, down from 287).

Pleasingly, myki complaints fell to 232 (down from 249). This went against the trend of increased patronage, indicating less pressure on refund and reimbursement systems compared to last year when COVID suddenly changed people's travel and work patterns. COVID concerns also fell (119, down from 150). Interestingly, Authorised Officer complaints rose (56 complaints, up from 36) and complaints about accessibility also rose (82, up from 35). My office continues to monitor these increasing trends and where necessary will raise any concerns or improvement opportunities highlighted within our data.

The PTO is able to raise broader, potentially systemic issues that may be recurring, or affect groups of consumers. This year, among other things, we looked into the issue of fares charged incorrectly on the New Year's Day public holiday. Read more about our approach to systemic issues on page 24.

The PTO also welcomed new member Kinetic this year. Kinetic was chosen by the Victorian government to take control of the Metropolitan Bus Franchise from 31 January 2022.

The PTO has 14 members, listed on pages 10-11. Complaint and issues data for members appears on pages 42-43.

During the year, I worked closely with the Department of Transport to introduce a Memorandum of Understanding between the PTO and the Department on transport infringement notices. Now underway, the agreement provides that the PTO may case manage, review and, if necessary, make recommendations about the fairness of enforcement action on transport infringement notices where the consumer may be able to demonstrate special or exceptional circumstances relevant to their non-compliance. My thanks go to the Minister for Public Transport the Honourable Ben Carroll MP and Secretary of the Department of Transport Paul Younis and staff for their support of this initiative.

It is an initiative that aims to ensure that measures to promote safe travel and fare compliance are complemented with appropriate mechanisms for review and reconsideration, particularly where consumers face circumstances that place them in a vulnerable situation. Read more on page 37.

I was thrilled to work with the PTO's Board of Directors to deliver a Strategic Plan for 2022-2025 after several years of disruption caused by the immediate challenges of COVID.

I would like to thank the Board for its support in maintaining the day-to-day independence of the Ombudsman while supporting the organisation in its review and articulation of its goals for the intermediate term. Read more about the PTO's Strategic Plan on page 30.

I would like to welcome our new Deputy Ombudsman, Ann Jorgensen. Ann joined the PTO during a period of rapid and significant change brought about by the pandemic.



Ann brings to the PTO extensive experience in the community legal sector and supports our Conciliators and Case Officers in their important work. Read more about Ann on page 14.

This report illustrates the important work of the office by presenting data and consumer stories. At the centre of the stories are consumers, members and our dedicated staff. I would like to thank the consumers who approached us to use our service, our members for continuing to support the PTO, and our highly skilled staff for maintaining a high level of service to the community in challenging times.

MI.

Simon McKenzie Public Transport Ombudsman

OUR MEMBERS

































HOW WE HANDLE COMPLAINTS

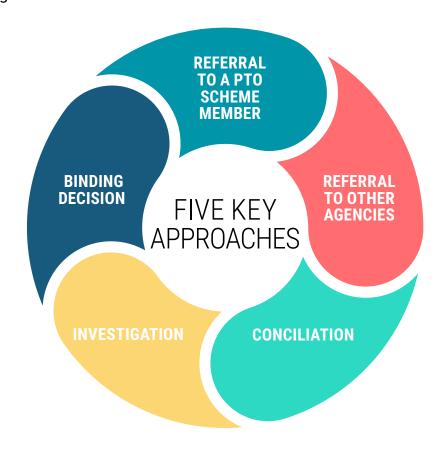
We handle complaints from consumers in a fair, free and fast way. Our process is independent, informal, and focused on helping the parties work towards an agreement.

We work with the parties towards a resolution of the complaint and take the circumstances into consideration. We consider the law, good industry practice, codes and standards. If a complaint doesn't resolve through agreement, we can decide what is fair and reasonable and make a binding determination if necessary.

In 2021-2022 we moved to a new, simpler set of complaint-handling procedures. Instead of investigating every case, we now put more focus on informal conciliation when we begin handling an unresolved matter.

We may still investigate more formally if the parties can't agree or the issues that need to be addressed are more complex.

Our process allows us to be flexible, to apply the most suitable approach based on a consumer's circumstances, and to consider any steps already taken to try to resolve the matter. We can change our approach if a matter remains unresolved, or new information comes to light.



TAILORING OUR APPROACH

REFERRAL TO A PTO SCHEME MEMBER

Members are given the opportunity to resolve a complaint before we conciliate or investigate.

We take details, issue a reference number and provide the consumer with a pathway back to us if the complaint isn't resolved by raising it with the member.

REFERRAL TO OTHER AGENCIES

When a complaint is about something the PTO scheme does not handle, or is about an agency that isn't a member, we try our best to help by putting the consumer in touch with another agency that can sort out their complaint.

CONCILIATION

An informal, mainly phone-based process where we independently work with each of the parties to discuss options and broker an agreement about how a complaint should be resolved.

INVESTIGATION

If a complaint can't be resolved quickly through conciliation, we may decide to investigate.

Investigation is a more formal process we use when the parties can't agree on an outcome, or the issues are many and complex. We investigate because we may need to make recommendations or a binding decision to finalise a dispute. We ask the parties questions and gather information about what happened and how the matter was handled. We discuss options for resolving the complaint and make assessments of the merits of the complaint to inform our decision-making.

BINDING DECISION

If the parties don't agree on an outcome after an investigation, the Ombudsman can make a binding decision to resolve the complaint. The Ombudsman can also decide to finalise a complaint, for example by deciding that further investigation is not warranted after review.

STAFF PROFILE ANN JORGENSEN DEPUTY OMBUDSMAN

A passion for people and a sharp legal mind are just two assets Ann Jorgensen draws upon in her work as Deputy Ombudsman. Her love of rail travel and the patience she learned in parenthood don't hurt either.

WHAT CAREER PATH LED YOU TO THE OMBUDSMAN'S OFFICE?

I moved from Sydney to Melbourne in my mid-20s and in doing so left behind a job in a large corporate law firm. Since then, I have worked in a number of different community legal centres including five years as the Principal Solicitor at the Mental Health Legal Centre.

I have also held policy roles at the Law Institute of Victoria and the Victorian Law Reform Commission. I have a Master of Laws from the University of Melbourne and am also a graduate of the Australian Institute of Company Directors.

WHAT EXPERIENCE DO YOU BRING TO THE JOB AND WHAT FIRES YOU UP ABOUT IT?

I really enjoy working with people to solve problems but also looking at how to use people's individual experiences to think about how systems work and how they can work better.

I joined the PTO in December 2021. I was drawn to the role at the PTO because I know how important public transport is for communities and individuals.

Reliable, accessible public transport helps people connect with their communities, get to school and work and access the services they need to fully participate in society. From my time as a community lawyer, I know there is a need for people to be able to have low-cost, impartial avenues to resolve disputes. I also saw that the process of being heard and treated fairly is really important to people's experience of making a complaint.

I love the diversity of my role. I get to be involved in all aspects of the PTO's work in resolving complaints as well as the organisational side of things. We have a wonderful team and I really enjoy my role in supporting them to do great work.

TELL US ABOUT YOUR HOBBIES. WHAT INSPIRES YOU?

I love travelling. When I finished university, I spent a year travelling through Asia and Europe. I travelled by train, ferry and bus from Hong Kong to Berlin – the highlight of which was travelling from Beijing to Moscow on the Trans-Mongolian Railway. I loved the experience of travelling for days on the train with short stops and some longer stays in various towns along the way.

Most of my spare time these days is spent on the sidelines of various basketball, soccer and footy matches watching my kids play. My newest hobby is walking our very energetic rescue puppy, Will, and taking him to puppy remedial school.

When I am not occupied by the children or the puppy, I love to read. My absolute favourite thing to do is to go to a movie by myself in the middle of the day, eat a vanilla choc top and escape into another world for a couple of hours.



COMPLAINTS, CONCILIATIONS AND INVESTIGATIONS

COMPLAINTS

Total annual Victorian patronage (metropolitan and regional) increased by 6 per cent in the 2021-22 financial year but was 55 per cent lower than patronage in the 2019 calendar year¹. This gradual increase flowed through to complaints, with 1,185 complaints referred to members (up 13 per cent from last year).

Complaints can contain more than one issue, and we use issues categories and subcategories to track the themes people are complaining about. Some complaints, for example, may contain a complaint about a ticketing issue and a complaint about how a staff member dealt with that issue when the consumer raised it. Both 'ticketing' and 'staff' would be issue types within this complaint

Over a quarter of the complaints referred to members contained issues about land and infrastructure (323, up from 291 last year). This included 50 complaints about engagement with the community, and 33 complaints about noise linked to major construction projects. We referred 70 complaints about maintenance of tracks and rail corridors, and 49 complaints about the design or works on stations and stops.

Around half (49 per cent) of complaints referred to members (583) contained a staff issue, including 179 complaints about driver conduct, 82 about unsafe driving and 56 about the way customerfacing staff handled a complaint.

Complaints containing issues about service delivery increased 15 per cent from last year (up to 325 from 282). The main areas of complaint were information about services, and the reliability/punctuality of services.

Complaints containing issues about Authorised Officers increased 58 per cent (54 up from 34). Accessibility complaints increased from 35 to 82. Myki complaints fell to 232 (down from 249), and ticketing complaints overall decreased slightly to 285 (down from 287). This went against the trend of increasing patronage.

REFERRALS TO OTHER AGENCIES

We referred 106 complaints about fines to the Department of Transport, an increase from 78 last year (38 per cent increase).

CONCILIATION

In 204 cases, we used our conciliation process. A Conciliator was assigned to the case to work with the consumer and member to summarise the issues and clarify what would resolve the matter from the consumer's point of view.

We shuttled between the parties, explored alternatives and encouraged the generation of options to achieve agreement and resolution.

The top issues present within these cases were:

- Staff (182)
- Myki (59)
- Land and infrastructure (56)
- Service delivery (44)
- Trams, trains and buses (27).

The PTO finalised 186 conciliations during the year, with an average closure time of 34 days.

^{1.} Patronage figures supplied by Department of Transport.

INVESTIGATIONS

In 34 instances we commenced investigations, due to the presence of a range of factors specific to each case, including:

- Complex issues and behaviours
- Detailed responses already provided to the consumer by the member
- Inability to reach agreement during a conciliation.

The investigations were about a range of issues including:

- · Authorised Officers
- Train noise after level crossing works completed
- Bus driver failing to pick up a consumer
- Construction noise due to tram track maintenance
- Flooding to property from train line upgrade works
- Buses blocking consumer's driveway
- Excessive wait for wheelchair taxis during train disruption
- Relocation of consumer during level crossing removal works
- Lights at rural station being kept on throughout the night.

The top issues within the investigation cases were:

- Staff (32)
- Land and infrastructure (19)
- Trams, trains and buses (5)
- Accessibility (4).

We finalised 67 investigations during the year, and closure took an average of 85 days. We finalised 76 per cent of our investigations within 90 days, compared to a target for the year of 90 per cent.

CONCILIATIONS AND INVESTIGATIONS BY PTO SCHEME MEMBER 2021-2022

MEMBER	CONCILIATIONS	INVESTIGATIONS
PTV/DOT	74	1
Metro Trains	37	8
V/Line	39	2
Yarra Trams	9	5
Level Crossing Removal Project	12	7
Ventura	11	2
BusVic	9	3
CDC Melbourne	6	-
Skybus	2	1
Transdev	3	-
Kinetic	1	1
Rail Projects Victoria	1	2
Transit Systems	-	2

CASE STUDY: JIN'S STORY

ASSISTANCE ANIMALS ON BUSES

Jin contacted us about an ongoing issue where bus drivers refused to allow him to board with his assistance animal even though he had an Assistance Animal Pass. The Pass is issued by Public Transport Victoria and allows him to travel with an animal that helps him manage his disability when using public transport.

Jin had complained to the bus operator, Cranbourne Transit, which advised that it would talk to its drivers. He didn't notice an improvement, so he sought assistance from the PTO.

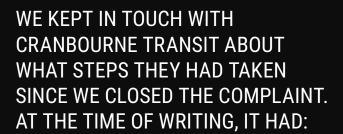
Cranbourne Transit welcomed the opportunity to resolve the complaint through the PTO. We held a conciliation conference which allowed Jin an opportunity to discuss his experience and make suggestions for resolving the issue.

The complaint resolved with Cranbourne Transit agreeing to:

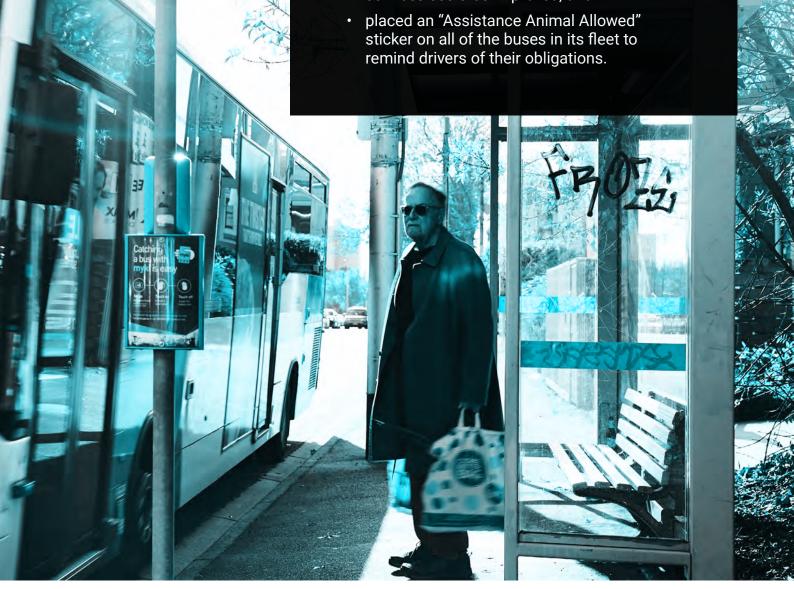
- reach out to disability advocacy organisations to promote its commitment to welcoming passengers who have accessibility needs;
- · attend a community-based event; and
- commission a decal for its bus fleet to be designed by someone with lived experience of disability to assist its drivers in identifying passengers who may hold the pass.

The PTO closed the complaint but Jin and Cranbourne Transit plan to keep working together on accessibility issues.





- attended a local disability expo as a stallholder to provide information and answer questions about its services;
- visited a social enterprise near the depot in Cranbourne that provides employment to people with disabilities to hear people's stories and experiences firsthand, and get feedback and ideas about how its services could be improved; and



HOW WE PERFORMED

The PTO's annual Service Satisfaction Survey asks respondents to rank their satisfaction with key aspects of our service. It covers interactions with our staff, our processes, and our approach to informationsharing. It also seeks insights on how we can improve and what we're doing well.

We invited the 200 individuals who had their complaint conciliated or investigated by the PTO during the 2021-2022 financial year to respond anonymously to this year's survey. We also incorporated optional demographic questions, to build insights for future outreach and awareness activities. The survey was conducted via email/online and received a 30 per cent response rate.

Because we offer an impartial, independent complaints review service, it's understandable that not everyone will be satisfied – especially if they don't get the outcome they were hoping for. Overall, 60 per cent of respondents said they were either 'very satisfied' (40 per cent) or 'satisfied' (20 per cent) with their interactions with the PTO. Seven out of 10 respondents said they'd recommend our service to a friend.

Optional demographic questions included questions related to PTO service accessibility. A total of 12 respondents identified as persons living with a disability. Of these, three quarters said the PTO's service met their accessibility needs. The remaining quarter said their needs were partly met but there was room for improvement.

KEY FINDINGS FROM THE SURVEY



71% of respondents would recommend the PTO to a friend if they had a public transport complaint



69% agreed that the Conciliator was able to quickly identify and understand the key issues in the complaint



60% were satisfied or very satisfied with their interactions with the PTO



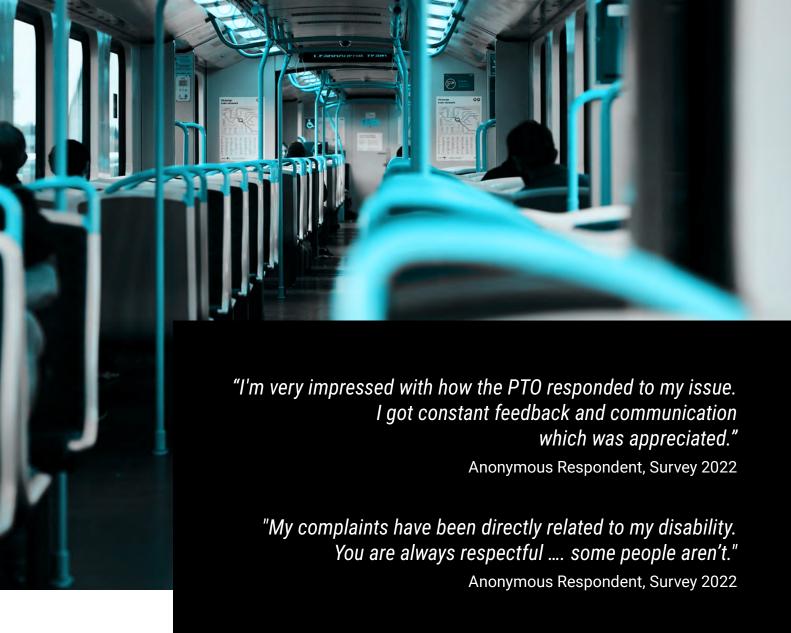
33% said their complaint could have been handled more efficiently and in a more reasonable timeframe



83% agreed that PTO staff were approachable and courteous



72% felt the Conciliator took their personal circumstances into account in the complaint-handling process



OUR KPIs

Our key performance indicators around fast, informal service recognise the benchmarks of efficiency and effectiveness.

We aim to finalise approaches according to the following breakdown:

KEY PERFORMANCE INDICATORS	TARGET	RESULT
Non-investigated cases closed within 3 days	95%	89%
Conciliated cases closed within 40 days	80%	77%
Investigated complaints closed within 90 days	90%	76%

CASE STUDY: PHILIPPA'S STORY

COMPENSATION FOR LOST PROPERTY THROWN OUT DURING LOCKDOWN

Philippa accidentally left her prescription glasses on a bus. She made a lost property report to the bus operator (Ventura) which replied that the glasses had been handed in and could be collected from the depot. By this time, however, metropolitan Melbourne had been put under new COVID-19 lockdown measures which stopped her from travelling to the depot.

She told the operator she would collect the glasses after the restrictions were lifted. She also asked if she could pay for the glasses to be posted to her, but the operator maintained that lost property had to be collected in person.

Around two months after her last email with the operator, Philippa reached out to arrange a time to visit the depot to collect the glasses. When she arrived, the staff there were unaware of her lost property claim. They couldn't locate the glasses and suggested they might have been thrown out.

Philippa approached the PTO for advice about her missing glasses. We told her that she needed to let the bus company know about her complaint first. Philippa did this but after three weeks she hadn't heard from the operator, so she contacted the PTO again.

The PTO commenced a conciliation of Philippa's complaint. We also asked Philippa to provide us with supporting information for the out-of-pocket cost of her glasses.

At first, the operator told the PTO it did not accept responsibility for any costs associated with Philippa's glasses. It explained that its policy was to hold lost property for three months and in this case, the glasses were held for four months before being disposed of.

We looked over Philippa's emails with the operator's customer service team and noted some concerns with the way the lost property procedures were being applied. We found that Philippa wasn't given any notice about when the glasses would be removed from lost property, and there wasn't any information to suggest that the operator had considered Philippa's claim to the glasses or broader circumstances due to COVID-19.

Once Philippa provided information in support of the cost of the glasses, we called the bus company and spoke about what we had found when reviewing its emails. The operator agreed that it would be reasonable to compensate Philippa for her out-of-pocket cost.

We spoke to Philippa about the outcome. Philippa agreed her individual complaint had reached a great outcome and thanked us for the work done.

During our discussions with Philippa and Ventura, we also decided to monitor lost property complaints about other members under our systemic issues framework.

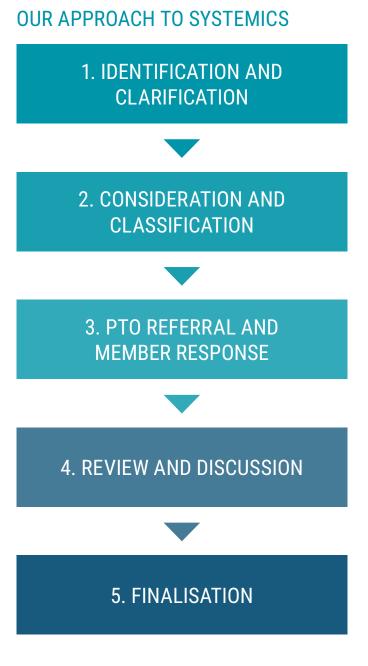


SYSTEMIC COMPLAINTS

Identifying, addressing and monitoring systemic complaints – those complaints that form part of a broader pattern affecting a larger cohort of travellers – is a core component of our work. We work with members to address systemic complaints, which in turn delivers broader improvements to the transport system.

To identify systemic issues we monitor information that arises during the PTO's day-to-day activities including:

- Information from consumers approaching the PTO with complaints or requests for assistance
- Information from stakeholders received via PTO engagement and outreach activities
- Observations by PTO staff when travelling on public transport
- Media reports or other relevant information in the public domain.



The Victorian public transport system continued to be impacted by COVID-19 in 2021-2022. The number of people travelling has been lower, with patronage of the system well below pre-COVID levels. The reduced number of approaches to the PTO in 2021-2022 has meant less cases, and therefore less data, to shed light on potential system-wide issues and/or issues impacting broader groups of people.

We heard from various stakeholders that people experiencing circumstances that made them vulnerable, or who faced barriers to access such as living with a disability, were less likely to travel on public transport until their confidence in the system — and around travelling with other passengers — improved.

With COVID-19 more prevalent in the community, some of our members faced significant staffing availability issues and were focused on ensuring that services could run safely and key functions were covered. We took a light touch approach to issues that were reasonably attributable to these COVID challenges, for example complaints about service cancellations, driver shortages or the inability of inexperienced staff to handle consumer queries or minor complaints.

Our staff met regularly with staff from our passenger-carrying members and shared information about our respective challenges. We had monthly meetings with the Department of Transport and PTV and regular meetings with other members, to discuss observations of issues that occurred on the system.

As a result of these COVID-related factors, the PTO scaled back slightly and took a more informal approach to identifying and raising potential systemic issues in 2021-2022. Issues that were formally referred to operators during 2021-2022 were:

- New Year's Day public holiday myki overcharge (PTV)
- Consumers unable to reach bus company (Ventura) by phone
- PTV app lacking information about services where new high-capacity trains were in service (PTV)
- Procedures for handling and disposal of lost property by bus company (CDC)
- Accessible transport options when regular services aren't available (several members, ongoing).



SYSTEMIC CASE STUDY

MYKI OVERCHARGE ON NEW YEAR'S DAY PUBLIC HOLIDAY

In 2022, the New Year's Day public holiday was observed on Monday 3 January 2022. On this day, a myki system error saw 28,787 people charged a higher standard weekday fare instead of a discounted public holiday rate. On average, passengers paid \$1.99 more than they should have.

A SINGLE COMPLAINT

We identified the issue and its systemic nature through a single complaint made to our office. A consumer was affected by the issue and approached us for help after they experienced a delay receiving a refund. The consumer advised us of the challenges they experienced when trying to get a refund of the overcharges their family incurred, before PTV agreed to process their refund. We recognised that where the myki system fails to charge the correct fares, more people would be affected than just the consumer and their family.

OUR SYSTEMIC INVESTIGATION

We raised the issue with PTV who had already identified the overcharge and reimbursed impacted myki cards. After initial discussions, we decided to investigate to ensure we understood the cause of the charging issue as well as the steps taken by PTV to rectify the problem and alert impacted passengers.

PTV advised that the issue was caused by a failure of their contractor to enter the public holiday into the myki system back-end.

We observed that while PTV was made aware of the issue when the consumer contacted the call centre on 6 January 2022, no action was taken until nine days later. We discussed with PTV whether systems or processes should be reviewed to ensure we identified broader system issues. It was its view that it may not be realistic to expect the contact centre to identify the need for escalation based on a single contact in all cases. While high complaint volumes are one indicator of a broader issue, this was an example of something that should have attracted internal escalation on its own merits.

We formed the view that this was a cautionary example — only one contact to the call centre arose from almost 30,000 overcharges. Low complaint numbers may indicate the complexity of the ticketing system and a lack of expert knowledge within the customer base about fares and the way they are charged. We queried how PTV was arranging refunds and providing advice to customers about the issue. PTV explained that it was able to refund the additional fare charge back to the myki used on the day, and that it notified registered myki cardholders by email. PTV felt this was sufficient, as unregistered card holders have made a choice not to be contacted. In our view, there are other reasons why a person might not register their myki, including lack of awareness that registration is an option, or system issues such as the cap on the number of myki cards that can be registered to a single myki account.

PTV should have a policy requiring it to make reasonable efforts to alert the public that a refund of an overcharged fare may be owing, particularly as some of the refunds processed following the New Year's Day charging issue were sent to blocked cards and may not have been collected. All consumers should have the opportunity to receive information about this kind of issue.

Beyond the need to communicate with affected passengers, we're of the view that this type of issue warrants transparent communication to the public. While it appears that PTV was prepared to respond to any media queries, it did not proactively communicate the issue through its website or social media channels. There is a risk that public confidence in the system may be eroded in the longer term if information about issues like this are not proactively and transparently communicated to the public.

OUR RECOMMENDATIONS

We concluded our investigation, advised PTV of our findings, and made recommendations about:

- the prevention and identification of this type of issue; and
- remediation and communication with impacted consumers.

RESPONSE

PTV accepted our recommendations. It also was able to provide an update on the implementation of new checking procedures that were applied in September 2022, to coincide with the public holiday announced for the National Day of Mourning for Queen Elizabeth II. Testing was carried out and no similar overcharging issues were detected.

CASE STUDY: AMANI'S STORY



CONSUMER UNHAPPY WITH CONDUCTOR AND CALL CENTRE STAFF

Amani's handbag was stolen at a train station when she was helping a fellow passenger board the train and left it unattended on her seat for a few moments. Amani complained that the conductor she approached on the train listened to what she said but did not offer any practical assistance to help apprehend the person who stole her bag.

Amani wanted to know what responsibility the conductor had in this situation. She was also upset about the way she had been spoken to when she complained to the PTV call centre about the issue.

We decided to handle the complaint by conciliation. V/Line acknowledged the distress that the consumer felt when her handbag was stolen. V/Line explained that in these circumstances, it expects conductors to provide some level of assistance but within certain limits. For example, the conductor cannot leave the train to assist while a service is in operation, and the conductor is not required to intervene in a situation that could constitute an unacceptable risk to themselves or other passengers.

V/Line obtained the relevant call recording from the call centre and reviewed it.
V/Line acknowledged that the staff member sounded argumentative and some comments could be construed as sarcastic. V/Line apologised for this and raised the incident with the call centre management team who advised that the staff member would be formally interviewed and have further training provided.

We talked through V/Line's response with Amani, including a discussion about the role of conductors. Amani was satisfied with the response.

V/LINE OR PUBLIC TRANSPORT VICTORIA COMPLAINT?

It may not be immediately clear which member the complaint or enquiry is about. A consumer may interact with several members in some way when completing a journey, providing feedback, or seeking redress.

Because of this, sometimes a complaint raises multiple issues about a public transport operator and a customer service representative at the contact centre managed by PTV.

We assess whether to lodge separate complaints about the operator and PTV on a case-by-case basis. We consider how closely the issues raised by the consumer are linked, and the resolution expected by the consumer. The PTO routinely treats contact centre services as an extension of the service provided by the operator where it was the delivery of an operator's services that originally prompted the complaint.

The operator then works with us to resolve the complaint as a whole. We expect the operator to then deal with any issues of process or miscommunication through its business arrangements separately.

In general, if a consumer wants to complain only about the contact centre's handling of a query or complaint, we will direct this to PTV.

STRATEGIC PLAN SUMMARY 2022-2025

During the latter part of the year — and following a period of significant upheaval — the Ombudsman, our Board and staff developed a plan setting our strategic direction for the next three years. We reaffirmed the importance of a strong, independent PTO to the fairness and efficiency of public transport in Victoria.

Public transport is important for ensuring healthy and prosperous communities. It underpins social and economic participation and facilitates connection to community, care, education, employment, services and networks. By its nature, public transport is an essential service. The PTO plays an important role in making sure that fairness prevails, and passengers and the public in general can have confidence that the people, agencies and operators that share responsibility for the delivery of public transport and related infrastructure act in a fair and transparent manner.

The PTO also has a role in identifying opportunities for improvement and can provide insight and recommendations on delivering valuable, fit-for-purpose products and services for the benefit of the community.

Our Strategic Plan defines the PTO's vision and purpose. It also describes the main strategic priorities over the coming years. It provides insight into some key initiatives, while we also deliver the core complaint handling and dispute resolution functions of the Scheme.

VISION:

Confidence in public transport.

PURPOSE:

A trusted independent body that handles complaints, investigates and resolves disputes and improves the public transport experience.

VALUE PROPOSITION:

The Public Transport Ombudsman is a fair, free and fast service to sort out public transport complaints and help make the system better for everyone.



OUR STRATEGIC PRIORITIES

INCREASED AWARENESS

- We will improve awareness about the PTO across Victoria
- We will deepen and clarify our understanding of public transport issues, especially those affecting groups not currently aware of our services or who face barriers to using public transport
- We will leverage partnerships and share our experience, skills, data, consumer stories and research to influence change and build confidence in public transport.

ACCESS AND INCLUSION

- We will continuously improve our own accessibility and inclusion
- We will identify and investigate barriers to equity and access experienced by public transport users and partners
- Our work is informed by people and partners with lived experience.

BEST PRACTICE DISPUTE RESOLUTION

- We are innovative, efficient and we review our scheme and services regularly to deliver best practice and high-quality alternative dispute resolution
- We deliver value to consumers, our members and stakeholders through engagement and collaboration
- Strong governance, systems and processes underpin our work.

PEOPLE WITH PURPOSE

- Our people are values-driven, capable and resilient and we support them to make a difference with the right training, resources and support
- We focus on employee engagement, empowerment and wellbeing to ensure our people thrive
- We take action on the environment, climate, equality, reconciliation and inclusion.

INITIATIVES FOR 2022–2023 INCLUDE:

- · Community awareness raising visits to regional and metropolitan communities
- Renew Accessibility and Inclusion Plan and Stakeholder Engagement Strategy
- Develop and implement People and Culture Strategy
- · Charter, Constitution and jurisdiction review
- Implementation of Memorandum of Understanding on Fines with Department of Transport
- IT upgrade and migration of business intelligence platform
- Review Funding Model

CASE STUDY: ASH'S STORY

TRAM DEPOT WASTE TRUCK CAUSING NOISE POLLUTION

Ash has lived next door to a tram depot for 15 years without issues but recently a waste management truck started making a lot of noise very early in the morning while picking up waste at the depot.

Ash contacted Yarra Trams who said that the issue had been raised with the waste management company. Ash contacted the PTO when the noise continued as before, disrupting his sleep.

The PTO began a conciliation. Yarra Trams provided the PTO with information that showed their attempts so far to address the issue with the waste management company. During the conciliation, Yarra Trams negotiated with the company to change the size of the bins at the depot. This meant a different truck could collect the waste after 7am.

Ash was happy with this resolution and we closed the case. However, Ash later reported to Yarra Trams and us that he was woken again by the rubbish collection and was concerned that Yarra Trams wasn't following through on the conciliation agreement. Yarra Trams followed up and gained assurances from the waste company that the modified work instructions would be recommunicated to drivers and monitored. Yarra Trams apologised and asked Ash to contact it if the issue happened again. Ash was happy with this and we finalised the matter.





FOCUS ON ACCESSIBILITY

In Victoria, more than one million people have physical or non-physical disabilities that may pose accessibility barriers. Additionally, people who rely on public transport may face barriers for a variety of reasons – a person's cultural background, homelessness or financial hardship could raise barriers, for example.

When it comes to accessibility, we are guided by the Benchmarks for Industry-based Customer Dispute Resolution.

The accessibility benchmark obliges our office to make itself "readily available to customers by promoting knowledge of its services, being easy to use and having no cost barriers". A key plank of this obligation is the development of our Accessibility and Inclusion Action Plan.

We take a broad view of public transport accessibility, which we define as being about every Victorian's ability to use the public transport system as unhindered and independently as possible. Accessibility encompasses how people access and use vehicles and infrastructure, public transport information, and customer service and self-service processes.

Accessibility is built into our complainthandling process and record keeping. When consumer complaints raise questions about how members are managing accessibility, we log these issues and flag them with members.

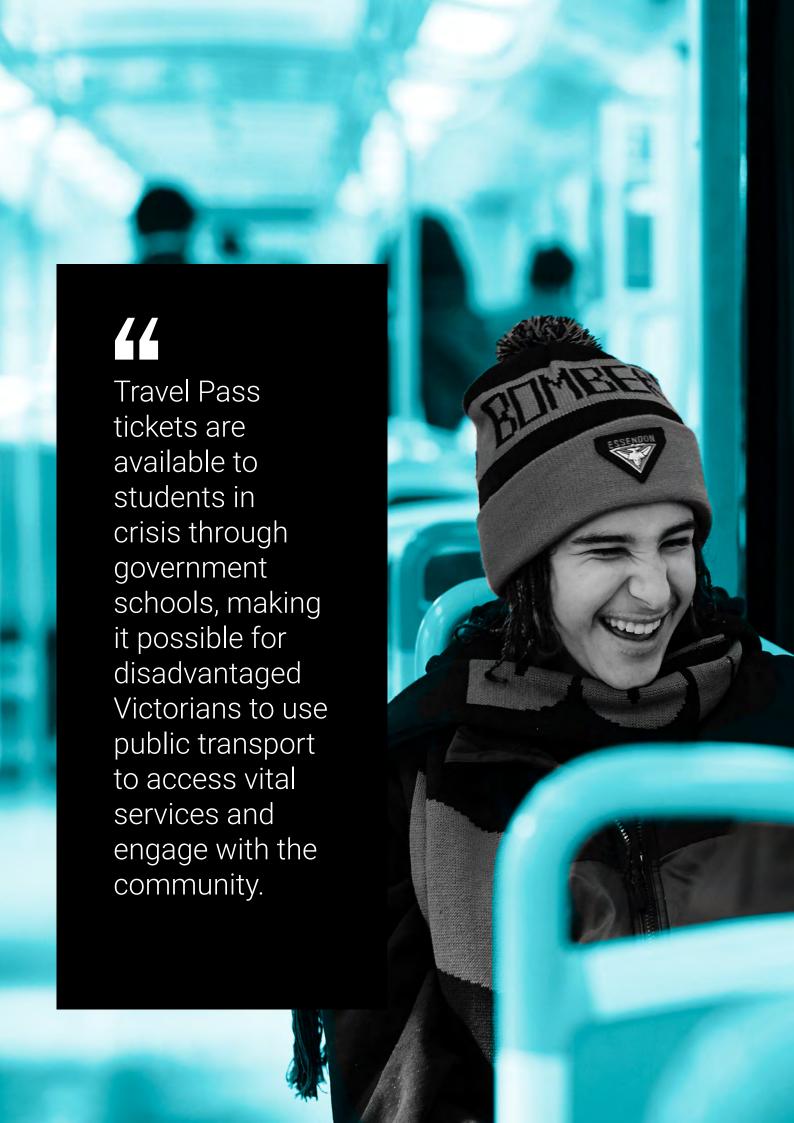
We recorded accessibility issues in 6 per cent of our complaints (82 of 1,423). We flagged 163 issues within the 82 complaints.



The PTO conciliated and investigated 15 accessibility-related matters throughout the year including:

- Consumer concerned about using level crossing with mobility aid
- Using Travel Passes on Skybus services (see page 38)
- Access to school bus service for student with an acquired brain injury
- Wheelchair accessible carriage unavailable on regional train
- Wait times for DDA compliant accessible taxis during train disruptions
- Consumer's application for an Assistance Animal Pass rejected





FOCUS ON FAIRNESS

FINES AND SPECIAL CIRCUMSTANCES

This year, the Ombudsman worked closely with the Department of Transport to develop a Memorandum of Understanding on transport infringement notices.

Each year, a significant number of consumers were approaching the PTO seeking review of a fine, which was not within our jurisdiction – we would have to refer the consumer on to the internal review process at Department of Transport or to independent legal advisers.

In 2019, an independent review of the PTO Scheme by Queen Margaret University recommended that we be given the ability to take on complaints about travel infringement notices in certain circumstances.

The newly signed agreement allows us to handle complaints and review situations where people have been reported or fined, and there are special or exceptional circumstances – for example, where a person was experiencing homelessness or family violence or had a mental health issue or intellectual disability or a serious drug or alcohol addiction at the time they received the infringement.

We can now, in communication with the Transport Regulatory operations division of Department of Transport, independently ensure that a person is able to lodge an appeal. If they are dissatisfied with the outcome, we will work with them to explore whether they can demonstrate special or exceptional circumstances.

We can also make a submission to Department of Transport if the Ombudsman forms the view that proceeding with enforcement or refusing to withdraw a fine is unfair.

FROM PILOT TO POLICY

We welcome the introduction of free 30-day Travel Passes for primary and secondary school students who are experiencing a crisis, having helped to establish this initiative as a pilot program in partnership with WEstjustice in 2019.

The initial pilot – called the Travel
Assistance Program – was developed to
support students in the City of Wyndham
who faced challenges getting to school
because of housing instability. The program
subsequently expanded to more schools with
the help of a Victorian government grant.

This year, the Victorian Government announced in its budget that it would allocate \$900,000 over three years to provide free 30-day travel passes to Victorian students experiencing a crisis, such as family violence or sudden financial hardship. This initiative will help ensure students can continue to attend school, receive an education, participate in school activities, and access support services.

The passes are now available to Victorian Government schools at no cost, with rollout to continue in non-government schools in 2023.

Our focus on accessibility and fairness continues with our newly commissioned Strategic Plan, see page 30.

CASE STUDY: PAULOS' STORY

SKYBUS REVIEWS FREE TRAVEL PASS POLICY

Paulos has an Access Travel Pass that he uses to travel on SkyBus services. Paulos told us that before COVID-19, he had no issues as SkyBus staff would provide a complimentary ticket after he showed his pass.

Paulos stopped travelling during COVID-19, but when he resumed travelling after restrictions were lifted, he found that some staff refused to accept the pass. He spoke with several SkyBus staff and was given conflicting reasons. One staff member said there had been a policy change.

Paulos told us that the SkyBus website said that only some types of free travel pass were accepted, such as the Vision Impaired Travel Pass. Paulos felt that this might be unlawful discrimination.

Paulos said that SkyBus explained that it had never officially accepted the Access Travel Pass on its services but did not answer the consumer's question about why his pass was not accepted but others were.

Paulos contacted our office for assistance, telling us he wanted clarity around using his Access Travel Pass on SkyBus services and to ensure fair access to everyone who used travel passes.

Our investigation posed questions about equity and fairness – why were some PTV-issued passes accepted but not others?

We also wanted to understand why Paulos' experience had changed, and whether he was given conflicting information about the use of the pass.

In response, SkyBus advised us that upon review of its policies, it had decided to accept the Access Travel Pass on its services as well as other free travel passes offered by PTV starting within a matter of days.

SkyBus acknowledged that its policy to accept some travel passes could be interpreted by some as discriminatory, but this was not the intent. SkyBus worked with the Department of Transport to update its policy. SkyBus updated its website and advised staff about the changes to the policy. SkyBus also apologised to the consumer for his experience.

SkyBus noted that the Access Travel Pass is intended to support people who are using the myki system on public transport services, while SkyBus has its own ticketing system. However, SkyBus recognised the opportunity to revise its policy to the benefit of all pass holders, including Paulos.

Paulos was very happy with the response and agreed to tell us if he encountered any issues when using the Pass on SkyBus services. The complaint was resolved and we closed the case.



OUR BOARD



KAY RUNDLE

Chair

Kay is an experienced Board Chair and CEO with an extensive background as former CEO of local government and has held several directorships and Chair appointments. As an executive coach, she works with CEOs in government, hospitals and schools. Kay has qualifications in social work, information and technology and holds an MBA.



LLEWELLYN PRAIN

Consumer Director since January 2016

Llewellyn is an experienced company director and a Fellow of the AICD. She has a background in law and public policy. Llewellyn has a vision impairment and is passionate about improving disability inclusion and accessibility in Victoria.



MARK DAVIES

Consumer Director since July 2016

Mark is a Chartered Accountant and former CEO of local government. With extensive experience in the private sector and local government, Mark now provides consultancy services to state and local governments.



GLENYYS ROMANES

Consumer Director since January 2018

Glenyys is an AICD graduate, with a background across all tiers of government including the Victorian Parliament, Commonwealth Ombudsman, Mayor and Councillor. Glenyys is an active member of many NGO committees and community groups, including the Victorian Transport Action Group, and is currently Deputy Chair of the Ministerial Advisory Panel responsible for the implementation of Plan Melbourne.

The PTO is governed by a Board of consumer and industry representatives with an independent Chair. The responsibilities of the Board include oversight of the PTO Scheme and maintenance of the day-to-day independence of the Ombudsman.



JONATHAN MCKEOWN

Industry Director (V/Line) since February 2020

Jonathan is an AICD graduate and currently the Executive General Manager for Network Development and Integration at V/Line. Jonathan holds an MBA and has more than 25 years' experience working with state and local government and private industry.



ADELE MCCARTHY

Industry Director (Yarra Trams) since February 2021

Adele is currently the Chief Development Officer at Yarra Trams. Adele has a background in infrastructure planning, transport and project development, including leading the Planning and Precincts Division of the Suburban Rail Loop and Project Director of the Metro Tunnel Project.



PETE GLEESON

Industry Director (Metro Trains) since January 2022

Pete is an AICD graduate and a Fellow of the Institute of Engineers Australia and is currently the Executive Director Projects at Metro Trains Melbourne. Pete has over 20 years' experience in managing and planning large scale rail projects in complex brownfield rail environments with safety underpinning all aspects of delivery.



BERNARD STUTE

Company Secretary

Bernard has been the Company Secretary since the establishment of the Ombudsman's office. He has extensive experience in public transport having worked for more than 19 years in senior roles in the public sector. Bernard is also a qualified lawyer having worked in private practice with large law firms.

APPROACHES WITH ISSUES BY MEMBER

BUSVIC	2021/22
Conciliation	9
Investigation	3
Member - Complaint	34
Member - Enquiry	3
Total	49
Top Issues	
Staff	68
Service delivery	36
Buses	17

	KINETIC*	2021/22
	Conciliation	1
	Investigation	1
i	Member - Complaint	25
	Member - Enquiry	4
	Total	31
	Top Issues	
	Staff	31
	Service delivery	26
	Buses	11

	METRO TRAINS MELBOURNE	2021/22
	Conciliation	37
	Investigation	8
	Member - Complaint	301
	Member - Enquiry	109
	Total	455
	Top Issues	
17	Land and infrastructure	281
	Service delivery	258
	Staff	231

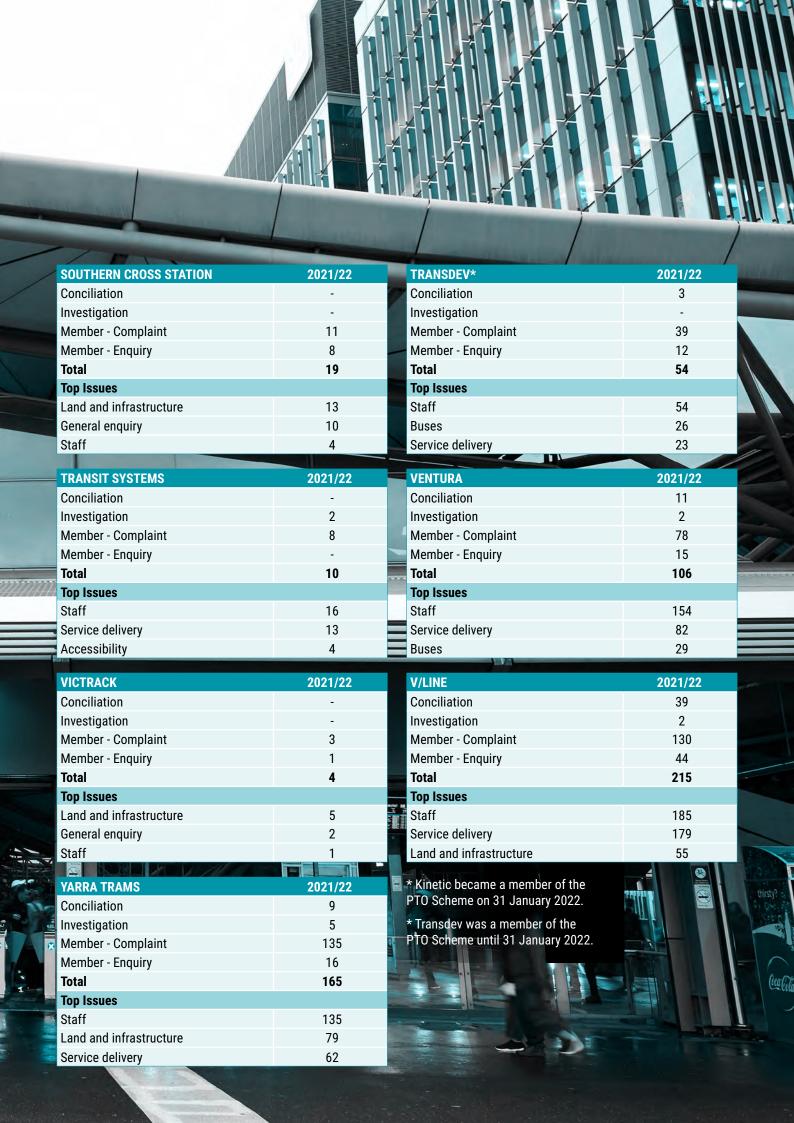
2021/22 1
1
2
8
1
12
25
7
4

2021/22
6
-
13
1
20
28
20
4

LEVEL CROSSING REMOVAL PROJECT	2021/22
Conciliation	12
Investigation	7
Member - Complaint	57
Member - Enquiry	1
Total	77
Top Issues	
Land and infrastructure	162
Staff	69
Service delivery	9

PUBLIC TRANSPORT VICTORIA (DOT)	2021/22		
Conciliation	74		
Investigation	1		
Member - Complaint	326		
Member - Enquiry	89		
Total	490		
Top Issues			
Myki ticketing	450		
Staff	280		
COVID-19	156		
	WALL COMMENTS OF THE PARTY OF T		

SKYBUS	2021/22
Conciliation	2
Investigation	1
Member - Complaint	17
Member - Enquiry	8
Total	28
Top Issues	
Non-myki ticketing	29
Staff	12
Service delivery	11



SUMMARY FINANCIAL REPORT

The following is a concise version of the Financial Report for the Public Transport Ombudsman Ltd. for the year ending 30 June 2022. The financial statements and specific disclosures contained in this concise financial report have been derived from the full financial report and the concise financial report cannot be expected to provide as full an understanding of the financial performance, financial position and financing and investing activities of the entity as the financial report.

DISCUSSION AND ANALYSIS OF THE COMPREHENSIVE INCOME STATEMENT

REVENUE FROM ORDINARY ACTIVITIES

Revenue for the period ending 30 June 2022 was \$1,977,349.

This was derived from the following sources:

Annual Levies from Members: \$1,967,382; and

Claims Weighted Levies of: \$9,967

OPERATING EXPENSES

Operating Expenses for the period ending 30 June 2022 were \$1,848,767. The majority of operating expenses were employee benefits (\$1,349,728), telephone and IT expenses (\$117,955), Occupancy expenses (\$168,112) and consultancy expenses (\$59,430).

INCOME TAX

The Australian Taxation Office ("ATO") issued a private tax ruling declaring that the company is deemed exempt from income tax for the financial years ending 30 June 2019 to 30 June 2022.

DISCUSSION AND ANALYSIS OF THE STATEMENT OF FINANCIAL POSITION

TOTAL ASSETS

Total assets increased by \$520,414 during the period due primarily to an increase in total current assets of \$345,584 and an increase in non-current assets of \$174,830.

TOTAL LIABILITIES

Total Liabilities increased by \$391,832 during the period. This is due to an increase in total current liabilities of \$149,273 and an increase in total non-current liabilities of \$242,559.

DISCUSSION AND ANALYSIS OF THE STATEMENT OF CASH FLOWS

CASH FLOWS FROM OPERATING ACTIVITIES

Cash at the end of the financial year as shown in the statements of cash flows is \$904,696. This was derived from:

- Cash inflow from operating activities (\$168,614) (which is an outflow)
- Cash outflow from investing activities (\$10,873)
- Cash outflow from financing activities (\$124,858); and
- Cash and cash equivalents at the beginning of financial year \$1,209,041.

Audited Financial Statements and Directors' Report for the Public Transport Ombudsman Limited have been lodged with ASIC in accordance with the Corporations Act requirements.

INCOME STATEMENT

For the year ended 30 June 2022	2022	2021
•	\$	\$
Revenue	1,977,349	1,947,092
Expenses		
Employee benefits expense	1,349,728	1,281,296
Depreciation and amortisation expense	33,786	142,837
Occupancy costs	168,112	40,652
Telephone and IT expenses	117,955	117,936
Consultancy expenses	59,430	31,101
Other expenses from ordinary activities	119,756	108,266
Surplus before income tax expense	128,582	225,004
Income tax expense	-	
Total Comprehensive Income for the year	128,582	225,004

BALANCE SHEET		
As at 30 June 2022	2022 \$	2021
Current Assets	\$	\$
Cash and cash equivalents	904,696	1,209,041
Trade and other receivables	1,269,834	620,999
Other Assets	1,143	49
Total Current Assets	2,175,673	1,830,089
Non-Current Assets	2,1,0,0,0	1,000,000
Property, plant and equipment	334,967	144,990
Intangible Assets	26,420	41,567
Total Non-Current Assets	361,387	186,557
Total Assets	2,537,060	2,016,646
Current Liabilities		
Trade and other payables	172,217	183,751
Provisions	-	28,158
ROU Asset Liability	102,949	118,891
Employee benefit liability	139,950	144,852
Other liabilities	914,789	704,980
Total Current Liabilities	1,329,905	1,180,632
Non-Current Liabilities		
Provisions	28,158	-
ROU Asset Liability	215,409	1,661
Employee benefit liability	16,223	15,570
Total Non-Current Liabilities	259,790	17,231
Total Liabilities	1,589,695	1,197,863
NET ASSETS	947,365	818,783
Equity		
Retained surplus	947,365	818,783
Total equity	947,365	818,783
STATEMENT OF CASH FLOW		
	0000	0001
For the year ended 30 June 2022	2022	2021
CACH ELOWO EDOM ODEDATINO ACTIVITIES	\$	\$
CASH FLOWS FROM OPERATING ACTIVITIES	1 507 06 4	1 717 071
Receipts from Members	1,527,264	1,717,371
Payments to suppliers and employees	(1,705,845)	(1,506,669)
Other Income	-	88,598
Interest received	9,967	5,223
Net cash inflow from operating activities	(168,614)	304,523
CASH FLOWS FROM INVESTING ACTIVITIES	(10.072)	(20.241)
Payments for office equipment	(10,873)	(28,341)
Payments for intangible assets Net cash outflow from investing activities	(10,873)	(11,895)
CASH FLOWS FROM FINANCING ACTIVITIES	(10,873)	(40,236)
	(122,203)	(121,332)
Lease liability Interest	(2,655)	(121,332) (5,603)
Net cash outflow from financing activities	(2,033) (1 24,858)	(3,003) (126,935)
Net increase in cash and cash equivalents	(304,345)	137,352
Cash and cash equivalents at the beginning of financial year	1,209,041	1,071,689
Cash and cash equivalents at the beginning of financial year	904,696	1,071,089 1,209,041
cash and cash equivalents at the end of financial year	904,090	1,209,041
STATEMENT OF CHANGES IN EQUITY		
For the year ended 30 June 2022	2022	2021
, said () s	\$	\$
Total Equity at the beginning of the financial year	818,783	593,779
Total comprehensive income for the year	128,582	225,004
Total Equity at the end of the financial year	947,365	818,783
	5.7,000	010,700



CONTACT US

TELEPHONE

1800 466 865

If you are deaf, or have a hearing or speech impairment you can contact us by:

National Relay Service (NRS) Provide the NRS with the Public Transport Ombudsman number (1800 466 865).



If you speak a language other than English you can contact us by:

Translating and Interpreting Service (TIS) Information about TIS can be found on the <u>TIS website</u>.
131 450

COMPLAINT FORM

Submit a complaint via our online complaint form.

EMAIL

enquiries@ptovic.com.au

MAIL ADDRESS

Public Transport Ombudsman PO Box 538 Collins Street West MELBOURNE VIC 8007

SOCIAL MEDIA

facebook.com/ PublicTransportOmbudsman/ twitter.com/ptovic