

ANNUAL
REPORT
2014

PUBLIC
TRANSPORT
OMBUDSMAN
LIMITED

PUBLIC
TRANSPORT
OMBUDSMAN
LIMITED



Ten years of
independent
complaints
handling
oversight
across
Victoria

2

Castlemaine

volvo

Change for Coaches to Maryborough & Maldon



About the PTO

The Public Transport Ombudsman (PTO) is a not-for-profit, independent dispute resolution body, providing a free, fair, informal and accessible service for the resolution of complaints about Victorian public transport operators, who are Members of the PTO scheme.

We can handle most public transport related issues, including service delivery, ticketing, infrastructure and rolling stock, land, Authorised Officers, operator staff and contractors.

Before we can investigate a complaint, the consumer must have raised it with the operator. We will provide impartial advice, information and referral in response to enquiries and complaints that have not been raised with the operator.

Our aim is to investigate and resolve cases quickly and informally. When helping consumers and operators to negotiate a resolution, we take into account what is fair and reasonable, good industry practice and the law.

The PTO has an important role in identifying and resolving systemic issues arising from enquiries and complaints. Where appropriate, we may refer systemic issues to the relevant transport operator, industry regulator, government department or the Minister for Public Transport.

We work with operators, regulators and consumer groups to drive customer service improvements and help prevent the cause of complaints. Public reporting on public transport complaints, issues and trends is a key part of our role and can be a catalyst for process and system improvements.

Our policies, processes and corporate governance comply with the *Benchmarks for Industry-Based Customer Dispute Resolution Schemes (National Benchmarks)*. These Benchmarks are currently being reviewed by the Commonwealth Consumer Affairs Advisory Council.

PTO Members

- Public Transport Victoria (PTV)
- BusVic
- Metro Trains Melbourne (Metro)
- Southern Cross Station
- Transdev Melbourne
- V/Line
- VicTrack
- Yarra Trams

Membership changes

- Transdev Melbourne became the franchised operator responsible for the delivery of 30% of Melbourne bus services from 4 August 2013. It also became a Member of the PTO scheme from that date.

Our Vision

We contribute to improving how public transport services meet the needs of the Victorian community.

Our Values

Excellence

Quality focused, Accountable, Responsive, Accurate

We strive for excellence because we value what we do.

Integrity

Open, Confident, Strong, Committed

We are transparent, honest and consistent.

Leadership

Inspired, Creative, Courageous, Effective

We lead through encouragement, guidance and innovation.

Respect

Empathic, Considerate, Honest, Fair

We treat ourselves and others with dignity.

Independence

Equitable, Reasonable, Consistent, Transparent

We are impartial and objective.



4,142

Cases received

5,764

Issues registered

Cases finalised

93% within
31 days

548 complaint
investigations received

527 complaint
investigations finalised

1,027 complaint
issues investigated

84% resolved
by agreement

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Glossary – refer to back cover

Chair's Report



Across the decade of its operation the PTO has established a reputation as an independent and respected part of the public transport landscape in this state.

April 2014 marked the 10th anniversary of the establishment of Victoria's Public Transport Ombudsman (PTO). The anniversary fell in a period when the PTO was consolidating its role after a period of great change in the public transport landscape in Victoria.

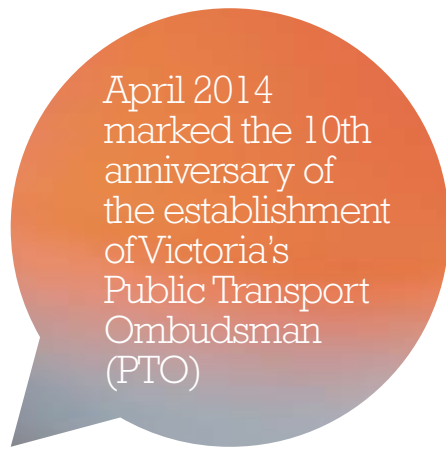
Factors such as the establishment of Public Transport Victoria (PTV) and the introduction of myki changed the operating environment of the PTO and contributed to case numbers increasing by more than 100% from 1,838 in 2010/2011 to 4,377 in 2012/2013. The greater stability in the industry and a number of customer-friendly initiatives have seen a change in the trend, with complaint numbers showing a modest decline to 4,142 in 2013/2014.

This was still the second-highest number in the scheme's history and the Ombudsman details in her report the performance of her staff in dealing with complaints in a professional and timely manner. The more stable operating environment has also assisted the Board in its budget forecasting. This annual report shows that the scheme operated with a \$33,500 surplus in 2013/2014.

Two major events occurred during 2013/2014. In February, one of the most valuable exercises of the past year was held: a Stakeholder Forum. This provided an opportunity for PTO Directors to meet with representatives of both industry Members and consumer organisations, and for all parties to broaden their understanding of the work of the PTO. The second was in May/June 2014 when the office relocated. This was done seamlessly so the office was open for business during all its normal hours. The past year has also seen the completion of a board effectiveness review, and the completion of the PTO Constitution and Charter reviews.

The scheme welcomed a new Member, Transdev Melbourne, which in August 2013 took over the operation of 30% of Melbourne's bus routes.

Two directors departed the Board in 2013/2014. Industry Director, Greg McGann, completed his term in December 2013, while Consumer Director, Wendy Smith, departed the board in June this year. Both had made a very valuable contribution to the Board's deliberations over a number of years.



Under the rotational policy for industry appointments, PTV had the opportunity to nominate a Director and we were delighted to welcome Graham Fryer to the Board. In his first six months he has already proven to be a most valuable addition. I would like to thank all the Directors and our Company Secretary, Bernard Stute, for their contributions over the past year.

I would also like to thank our long-standing auditors RSM Bird Cameron whose term as auditor has finished with their audit of the accounts which appear in this annual report. After a competitive process, Grant Thornton has secured the role as auditor from 2014/2015 onwards and we look forward to working with them over the coming years.

Across the decade of its operation the PTO has established a reputation as an independent and respected part of the public transport landscape in this state, which is a tribute to those who have held the position of Ombudsman and their staff. The current Ombudsman, Janine Young, deserves great credit for steering the scheme through many challenges over the past few years.

Soon after the end of the financial year covered by this report, Janine informed the Board that she had been appointed to the role of Energy & Water Ombudsman NSW. This is recognition of the outstanding work she has done at the PTO over the past four years. We wish Janine all the best in her new role. At the time of writing, the Board is going through the process of choosing her successor, an individual who will hopefully guide the PTO successfully into its second decade.

A handwritten signature in black ink that reads "Richard Allsop".

Richard Allsop
Chair
Public Transport Ombudsman Limited

Ombudsman's Report



PTO cases fell for the first time since myki use commenced in 2009/2010. We handled 4,142 cases, down 5% from 4,377 in 2012/2013.

The PTO's tenth anniversary is a good time to reflect on our contribution to the improvement of customer service and complaints handling across Victoria's public transport network over those years. It also provides me with the opportunity to reflect not only on the past year, but on my four years as Public Transport Ombudsman.

Every year has its challenges. How we respond to those challenges increases our effectiveness and the value of our work. 2013/2014 was no different.

PTO cases fell for the first time since myki use commenced in 2009/2010. We handled 4,142 cases, down 5% from 4,377 in 2012/2013. While that may not seem to be a significant decrease, myki cases were down by 328 (17%).

This was a goal we had been working towards, in conjunction with PTV, since January 2013 when PTV took over the implementation and administration of myki. In fact, this work began with the Transport Ticketing Authority (TTA) in 2012 when it initiated systemic changes based on PTO complaints. Working with senior staff from TTA and PTV during the roll out of myki was at times challenging for all of us. However we established an effective and independent relationship, which has been beneficial for our businesses and most importantly for myki users.

Complaints management

Most cases lodged with the PTO are complaints. In fact, 2,698 or 65% of all 2013/2014 cases were complaints about operator services or myki. Most of these were referred back to the public transport operators for resolution via the PTV's internal dispute resolution process. A further 836 complaints were referred to other organisations. We finalised 527 investigated complaints, with 84% resolved through an agreed outcome between the consumer and the operator.

Customer satisfaction

The PTO's first independent customer satisfaction survey was completed in October 2013. The high level results were very positive, establishing a benchmark for ongoing measurement:

- 73% of consumers stated their complaint was handled fairly and impartially;
- 71% of consumers were satisfied or very satisfied with their interactions with the PTO;
- 55% of consumers were satisfied or very satisfied with the outcome of their complaint; and
- 88% would recommend the PTO to a friend if they had a public transport complaint.

Four areas were identified as presenting opportunities for improvement:

- timeliness of investigation resolution;
- surveying consumers closer to the date our investigation of their complaint was finalised;
- improved advice about the role and powers of the PTO; and
- PTO outreach/awareness for low income consumers.

We have addressed each of those areas. New reporting milestones have been introduced to reduce resolution timeframes and in 2014/2015, we will commence monthly surveying of consumers whose complaint we have investigated. Our Case Officers are focused on providing clear advice about the PTO's role and importantly, when referring consumers to other organisations, explaining the role of those organisations.

And, increasing public awareness of the PTO continues to be a key focus, the importance of which was strongly supported in the Stakeholder Forum we held in February 2014. Our 2014/2015 Outreach/Awareness program will focus on the sectors most at risk of lack of accessibility to public transport services – low income, disability, aged, unemployed and non-English speaking consumers. This will supplement our ongoing promotion of the PTO to the Victorian community generally.

The PTO Members have also supported the scheme – balancing the tension which exists between our role of impartial oversight of their complaint handling and their need to deliver on business goals.

PTO Case handling review, PTV Customer Advocacy and Australian Standards

Complaints handling processes received considerable attention in 2013/2014 – within the PTO and elsewhere.

Our review of the PTO's Case Handling Policies and Procedures benefitted from the important role played by our Stakeholder Consultative Committee. This Committee, with its equal representation from operators and consumer agencies, meets twice yearly to inform our policy and process development. In undertaking the review, we also consulted with the operators to identify the things they thought were working well and those which could be improved.

As a result we have made a number of changes to streamline our approach when referring complaints to operators. These changes will help operators engage effectively with their customers and also contribute to increased PTO customer satisfaction through the timely resolution of investigations.

While this work was underway, PTV sought our participation in its review of the public transport internal dispute resolution (IDR) process and introduction of a Customer Advocate. We appreciated the opportunity and PTV's acceptance of our suggestions and advice.

On one hand we view the Customer Advocate as an additional step in the complaints process, which may lead to complaint fatigue for some consumers. However, we acknowledge PTV's transparency, with operators and consumers, that consumers still have the option to have their complaint escalated to the PTO. And we recognise that we all share the same goal – to resolve complaints effectively and efficiently, identify the root cause and prevent future complaints.

Externally, the review of the *Australian Standard for Customer Satisfaction – Guidelines for complaints handling in organizations (AS ISO 10002:2006)* has been completed. By the time this Annual Report is published, Australia should have a new complaints handling standard. I was a member of the Standards Australia Committee, working with representatives from many industries and other ombudsman offices (parliamentary and industry) to complete this review. For public transport and other sectors the new standard will provide stronger guidance for complaints handling – particularly important in today's world where we see social media playing a more prominent role in the airing of complaints.

During the year we experienced first-hand the impact that social media can have on an organisation's workload and IT systems, with two Change.org petitions involving the PTO. Dealing with this increasingly popular public communication medium requires flexibility and responsiveness around both the issue and stakeholder engagement. We have shared our learning with operators in our e-newsletter, *On Track*.

Public policy, Australian Privacy Principles and submissions

While dispute resolution is our core work, the value of the PTO extends beyond that to the broader examination of the stories and systemic issues behind the complaints. We discuss this in more detail on Page 10 in the article about our contributions to the development of public policy and the submissions we made in 2013/2014. We also outline our privacy responsibilities and our application to the Office of the Australian Information Commissioner (OAIC) as an external dispute resolution scheme accredited to investigate privacy complaints in accordance with the Australian Privacy Principles.

A great four years

Spanning a period of major transition for Victoria's public transport industry – including the introduction of both the myki ticketing system and PTV – my time as Ombudsman has been very challenging and very rewarding.

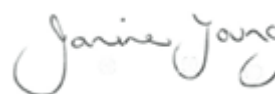
Underpinning the PTO's evolution and strength during this period have been the relationships established with our key stakeholders – including organisations such as the Victorian Equal Opportunity and Human Rights Commission, Victorian Council of Social Services, Travellers Aid, Consumer Action Law Centre and many community agencies.

The PTO Members have also supported the scheme – balancing the tension which exists between our role of impartial oversight of their complaint handling and their need to deliver on business goals. Despite occasional disharmony around complex complaints, we have engaged co-operatively and effectively to address systemic issues and enhance customer service across the public transport network.

The PTO Board's governance and strategic leadership is very strong. I extend my sincere thanks to the Directors and Company Secretary, Bernard Stute, whose corporate knowledge gained over the past ten years stands us in good stead. Working with Richard Allsop as PTO Limited Chair has been a great experience – thank you Richard.

Finally, my thanks to the PTO staff team, past and present. They are at the coalface of complaint handling and administration every day and they do a fantastic job.

It has been a great four years.



Janine Young
Ombudsman
Public Transport Ombudsman Limited

The PTO Ltd Board



Corporate governance

Public Transport Ombudsman Limited is a private, not-for-profit company, limited by guarantee. The PTO Constitution and Charter determine the structure of the PTO dispute resolution scheme and how it operates. You can obtain a copy of our Constitution and Charter at www.ptovic.com.au or by contacting us.

Board representation

Equal representation of industry and consumers ensures the independence of the Board and the PTO itself. The PTO Limited Board comprises:

- three Industry Directors, appointed by passenger-carrying Members of the PTO scheme to represent the views of the industry;
- three Consumer Directors, appointed by the Minister for Public Transport, who represent consumers and the community; and
- an independent Chairperson appointed by the Minister for Public Transport.

Board responsibilities

The Board is responsible for the business affairs and property of the PTO – including corporate governance, risk management, the setting of budgets, strategic planning, the appointment of the Ombudsman and ensuring the Ombudsman's independence.

The Ombudsman has responsibility for complaint handling and the day-to-day operations of the PTO.

The PTO Limited Board

Richard Allsop, *Chair*
Caroline Elliott, *Consumer Director*
Chris Lowe, *Industry Director*
Dianne Rule, *Consumer Director appointed 25 September 2014*
Graham Fryer, *Industry Director*
Lawrence Seyers, *Consumer Director*
Leah Waymark, *Industry Director*
Wendy Smith, *Consumer Director, resigned 25 June 2014*
Bernard Stute, *Company Secretary*
Janine Young, *Ombudsman*

Photo from left to right:

Graham, Lawrence, Leah, Chris, Janine, Richard, Caroline and Bernard

Absent from photo – Dianne Rule

Independence, fairness and accountability – the keys to equitable outcomes



The primary functions of an ombudsman are to independently investigate unresolved disputes between service providers and consumers, and to work to improve services and administration by addressing systemic issues.

The PTO is independent of both consumers and public transport operators. To maintain public confidence in our work, our decision making processes must be impartial and transparent.

The PTO Charter sets out the rules by which we must operate. It states that the aim of the PTO is to provide independent and prompt resolution of disputes and to address systemic issues.

Accordingly, when making decisions we take into account what is fair and reasonable in all the circumstances which the complaint presents.

Independence and fairness in practice

The principles of independence and fairness are built into the PTO's complaint handling processes. In practical terms, this means that we:

- provide both parties with equal opportunity to contribute to the investigation and have their say;
- act promptly and have a clear process for investigating complaints;

- give equal time and equal weight to contributions from operators and consumers;
- apply analysis and a critical eye to the information provided by the operator and the consumer;
- ensure that legal rights and responsibilities are understood and addressed by both parties;
- use our expertise to guide vulnerable consumers through the process;
- treat consumers and operators with respect;
- rely on independent verification such as closed-circuit television (CCTV), witness statements, technical reports and if necessary, independent legal advice;
- provide support and information to ensure that a level playing field is established between both the consumer and the operator;
- make decisions that are free from discrimination, and have regard to laws, codes, regulations and good industry practice;
- provide consumers and operators with access to all the information on which a decision is based;
- explain our decisions in plain English and provide options for review and escalation; and

- are informed in our policy and processes development by a Stakeholder Consultative Committee with equal representation from operators and consumer agencies.

Acting fairly extends to consumers we cannot help because the issues they raise are not within the PTO jurisdiction. In these cases we provide impartial advice and information and we refer the consumer to an organisation which can respond to their complaint appropriately.

Accountability

To make sure we continue to get these fundamental principles right, there are a number of ways that we check on and support our independence and fairness.

All ombudsman schemes report publicly on their operations and performance through annual reports. In addition to this, the PTO reports six-monthly through an electronic newsletter and provides monthly case statistics, issues and performance reports to public transport operators. Occasional reports are also provided to particular stakeholders.

Ombudsman schemes must be independently reviewed on a regular basis against the *National Benchmarks*, which include independence, fairness and accountability. The 2009 review of the PTO by The Navigator Group concluded that the scheme clearly met these and other benchmarks at that time. As we write this report, the second independent review of the PTO is in progress.



When fairness is the overarching factor

Jessica contacted the PTO when she was charged a Zone 1 / Zone 2 fare (the default fare) rather than a Zone 1 fare that covered her travel. Attending the football at the Melbourne Cricket Ground, Jessica caught the train to Richmond station. At Richmond station, station staff waved the large crowd of commuters through the open myki barriers. Jessica said she didn't get a chance to touch off her myki and she was charged the default fare.

We identified Jessica's complaint as indicative of a potential systemic issue – many other commuters may have been in the same position that day or when going to other major events where waving through myki gates by station staff may have occurred.

We reviewed the myki rules for the legal obligations of people travelling with myki. Because the barriers weren't out of order, there was no excuse for not touching off. The consequence of not doing this was that the default fare was payable.

However, we also considered the circumstances on the day, as Jessica described them – where consumers weren't touching off because they were following the instructions of station staff.

We contacted both Metro and PTV to discuss Jessica's complaint and how other consumers were likely to have been in the same situation. Both operators agreed with our assessment that, because commuters had been following the instructions of station staff, the application of the default fare was inappropriate. They also agreed that affected commuters should be reimbursed. Jessica's fare was refunded and the systemic issue was finalised.

P2013/2266 and S2013/0007

The PTO has internal rules to support our independence and fairness. Staff must agree to these as a condition of their employment. A Code of Conduct requires us to act with integrity and be accountable in all aspects of our work. We must be honest, report conflicts of interest and be accountable for the decisions we make. The Code of Conduct is a public statement of the standards we expect of ourselves and against which others can hold us to account.

Customer Satisfaction Survey

Our performance is also reviewed and rated by the consumers who use the PTO's services. In October 2013:

- 73% of consumers stated their complaint was handled fairly and impartially;
- 71% of consumers were satisfied or very satisfied with their interactions with the PTO;
- 55% of consumers were satisfied or very satisfied with the outcome of their complaint; and
- 88% said they would recommend the PTO to a friend if they had a public transport complaint.

We are committed to providing an independent, fair and accountable external dispute resolution service to the Victorians who use, or are affected by, public transport services.

88% of respondents said they would recommend the PTO to a friend if they had a public transport complaint.

Contributing to the development of public policy

While dispute resolution is our core work, there is enormous value in the stories and systemic issues that lie behind the complaints the PTO receives. This information expands the PTO's value and reach – helping us gain insights, build our knowledge base and effect change.

In 2013/2014, we drew on the PTO's case handling experience to contribute to the development of public policy by making submissions to the following public inquiries and policy discussions:

Productivity Commission Inquiry into Access to Justice Arrangements

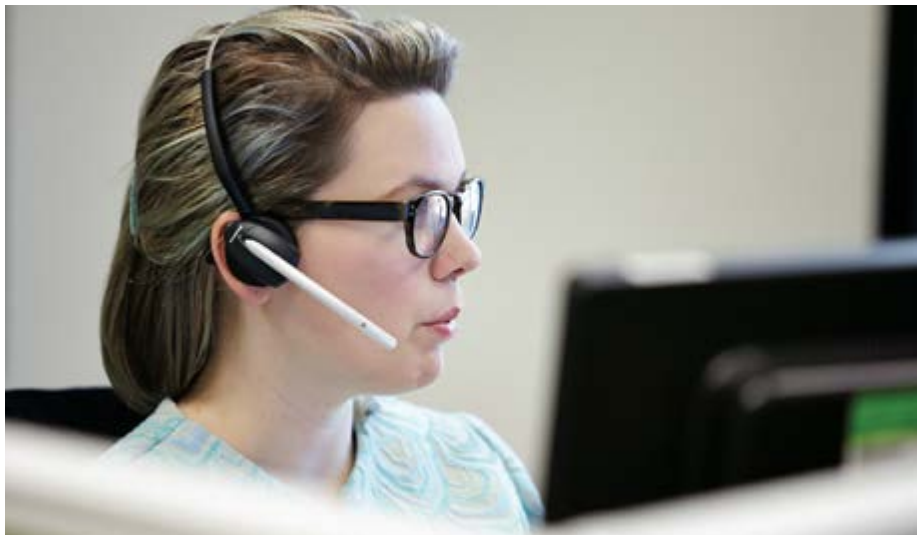
We contributed to, and endorsed, the submission by the Australian and New Zealand Ombudsman Association (ANZOA) on the important role ombudsmen have in access to justice arrangements in Australia. We also made a specific PTO submission, highlighting the importance of independent dispute resolution and oversight where private and public operators provide vital services, such as public transport.

In its draft report of May 2014, the Productivity Commission quoted extensively from the PTO's submission, to support the proposition that ombudsman schemes promote access to justice and can play a greater role in addressing unmet legal need in the community.

Victorian Parliamentary Family and Community Development Committee: Inquiry into Social Inclusion and Victorians with a Disability

We made a written submission to the Family and Community Development Committee inquiry in February 2014. This focused on the profound effect that lack of access to public transport services has on people's lives and the ways in which operators can improve accessibility.

The Ombudsman was subsequently invited to give evidence at a sitting of the Inquiry Committee, speaking on accessible public transport and initiatives to promote and increase social inclusion for people with a disability.



Commonwealth Department of Transport and Infrastructure Review of Disability Standards for Accessible Public Transport (DSAPT)

Following our submission to the Review of the *Disability Standards for Accessible Public Transport (DSAPT)* in April 2013, the Ombudsman attended a public meeting about DSAPT in Wodonga in July 2013. During the meeting, the Ombudsman talked directly to representatives from the Department of Infrastructure and Transport about the PTO's work in addressing accessibility issues around public transport. The Department's representatives commented that, across Australia, complaints about accessibility were similar and Victoria was unique in having a Public Transport Ombudsman. They also requested a copy of our *Closing the Accessibility Gap* report to inform the Review about how accessibility may be improved.

Standards Australia – Review of AS ISO 10002 – Guidelines for complaints handling in organizations

The Ombudsman served on the Standards Australia Committee and was involved in drafting the revised *Guidelines for complaint handling in organizations*. This Standard provides guidance to industry and external dispute resolution schemes on best practice in complaint handling. The PTO provided comments on the draft Standard released in August 2013. At the time of writing this report, the final version of the Standard was being printed.

Public policy discussion on use of the title 'Ombudsman'

Through ANZOA, the PTO also contributed to discussions on appropriate use of term ombudsman. In our view, the title 'Ombudsman' should only be used to describe a dispute resolution scheme that meets the *National Benchmarks of accessibility, independence, fairness, accountability, efficiency and effectiveness*. Inappropriate use of the term may undermine the confidence of the public in the role and independence of ombudsmen and their offices.

Australian Privacy Principles

The *Privacy Act 1988* (Privacy Act) *Australian Privacy Principles (APPs)*, which regulate the handling of personal information, came into force on 14 March 2014. The PTO updated its Privacy Policy to ensure compliance with the APPs.

In March 2014 the PTO applied to the OAIC to be accredited as an external dispute resolution scheme under the Privacy Act. Accreditation will allow us to deal with privacy-related complaints about Members which have obligations under the Privacy Act. At the time of writing this report, the PTO was preparing to confirm the conditions of recognition with OAIC to finalise our accreditation.

Accessibility for all Victorians – from a PTO awareness perspective



The PTO has a responsibility to be readily available and accessible to all Victorian consumers – to promote knowledge of our existence, to be easy to use and to have no cost barriers.

Aware that some consumers may need assistance to access our services, we look to provide aided access where necessary. We also actively explore options to offer additional support, including to people with disability or impairment.

Providing appropriate access facilities and assistance for disadvantaged consumers is a priority for us, because research shows these consumers to be more likely to have difficulties with public transport. Our research also indicates that these consumers are less likely to be aware of their right to complain about public transport problems.

Integral to the PTO's community outreach program is our partnering with community groups, government agencies, PTO Members and universities. In 2013/2014 we focused on regional Victoria in particular. Positively, this regional outreach was bolstered by the participation of PTV and V/Line on many occasions. As a result, consumer issues brought up during our visits received immediate response from representatives of those organisations and, at the same time, the independent role of PTO was shared and understood.

We completed 24 engagement activities with a wide range of organisations, including:

- community centres, shire offices and consumer agencies in Hamilton, Warrnambool, Bendigo, Swan Hill, Ararat, Kyneton, Strathbogie, Shepparton and Geelong; and
- Brain Injury Matters, Link Community Transport, Homelessness Victoria Network, Victorian Legal Aid Infringement Working Group, Deaf Indigenous Community Australia, Hanover Crisis Centre, Carers Victoria and Ozanam Community Centre.

The success of our focus on regional outreach activities was reflected in two ways:

- the percentage of regional/rural consumers who contacted the PTO in 2013/2014 increased to 8% of all PTO cases (from 5% in 2012/2013); and
- an independent survey of PTO awareness carried out by Wallis Consulting on behalf of PTV identified that 8% of regional Victorians have unprompted awareness of the PTO, up from 3%.

Our planning for 2014/2015 includes a new communications strategy to align future outreach activities with specific community events – including Seniors Week, Dementia Awareness Month, NAIDOC (National Aborigines and Islanders Day Observance Committee) week, Carers Week and National Week of Deaf People.

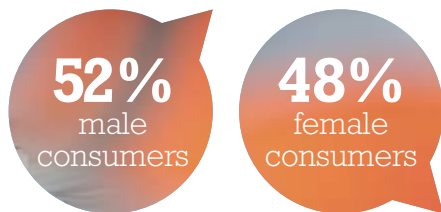
We will also continue our focus on ensuring the broader community is aware of the PTO – through the media and with the assistance of the operators, who ensure our brochures are available across the public transport network and provide information about the PTO in their complaint handling processes.

The percentage of consumers from regional/rural Victoria who contacted the PTO in 2013/2014 increased from 5% to 8%

Consumers – the people who contact the PTO



Tracking which consumers are contacting the PTO, how they are making contact and how they know about the scheme helps us plan our community outreach program. It particularly helps us plan activities to reach groups of consumers whose PTO awareness appears to be low.

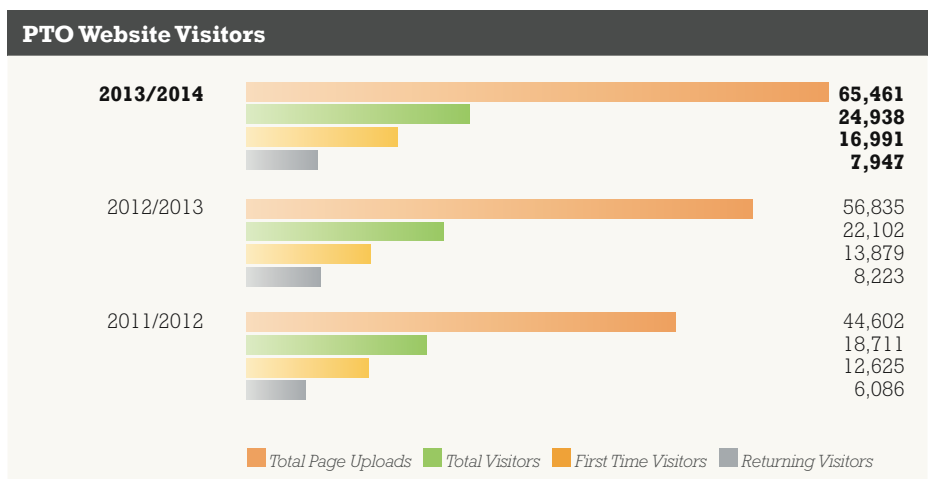
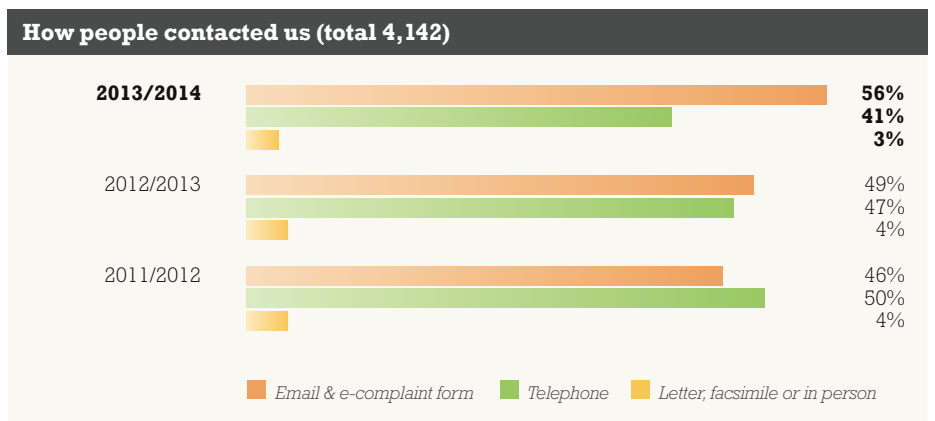


Where people came from

Melbourne Metropolitan area 92%
- down from 95%
Regional/rural Victoria 8% – up from 5%

Note: 95% of public transport travel occurs in the metropolitan area

Over half of the people who lodge an enquiry or complaint with the PTO now do so by email or through the online complaint form on our website. However, telephone contact is still preferred by many consumers. Telephone is also the medium we use for most of our investigative work (with consumers and operators), because it is still the most effective method of sharing and understanding information and complex issues.



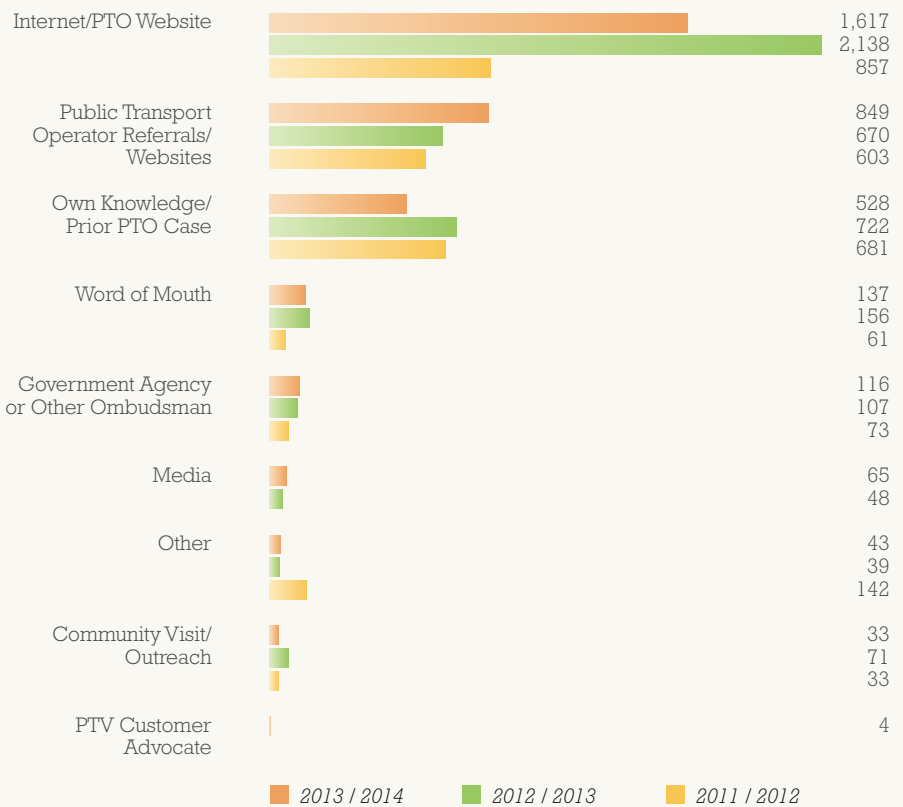
Traffic to the PTO website continues to grow, showing an overall increase of 13% in 2013/2014. 16,991 were first time visitors, up 22% from 13,879 in 2012/2013.

Our development of a mobi-site during the year – a website format designed for mobile devices – contributed to 24% of visits being made from a mobile device.

We have also continued developing our website content to ensure that information is accessible to all visitors. Most recently, in conjunction with VicDeaf, we filmed and loaded an Auslan video for consumers in the deaf community whose first language is Auslan.



Where people heard about us – collected from 4,142 consumers



Traffic to the PTO website continues to grow, showing an overall increase of **13%** in 2013/2014

Unknown or not disclosed: 1,208 in 2011/2012, 465 in 2012/2013 and 750 in 2013/2014

We collect this information from consumers in a number of ways – from phone calls, emails, letters, and through our online complaint form. Public transport operator referrals come through their complaint correspondence or their websites. All PTO Members are required to provide information about the PTO in their responses to complaints and on their

websites. This helps ensure that consumers have access to the PTO if they aren't satisfied with the operator's handling of their complaint.

Buses – the link to an integrated public transport network



In 2012/2013, there were nearly 116 million passenger trips on metropolitan buses and 15 million on regional buses – yet many commuters overlook buses as being an integral part of Victoria’s public transport network. This is represented at crowded car parks at railway stations which are also serviced by local bus operators.

Over the past few years, timetable changes across all modes of transport have focused more and more on ensuring integration between bus, train and tram services. While PTV and the bus operators have increased their engagement with communities to help them make decisions that balance the needs of all users, change is often a driver of consumer complaints.

Bus Association Victoria

Bus Association Victoria (BusVic) has been a Member of the PTO scheme since it was set up in 2004, representing the bus operators whose services fall within PTO jurisdiction.

A voluntary professional association for Victoria’s bus and coach operators, BusVic has represented the interests of member operators since 1944. BusVic works with its members to improve customer service and runs regular professional development events and seminars to improve industry standards and staff performance.

As the individual bus operators are not Members of the PTO, all bus complaints are reported against BusVic. However, in the case studies we refer to the bus operator involved in the PTO investigation. This year all bus operators agreed to have their PTO

Recognising the access rights of assistance animals

Because Lucy’s access to public transport was enabled by her small assistance dog, an Assistance Animal Pass authorised their joint travel. Aware that Lucy had previously encountered access barriers, bus operator Ventura had taken steps to ensure all of its drivers were made aware of the pass and what it meant.

Despite this, Lucy continued to have trouble boarding. On one occasion a driver took her pass and called the depot to confirm that she was allowed access. Because she felt humiliated by the experience, Lucy contacted the PTO. She wanted the bus operator to re-educate its drivers on use of the pass, so that she could board bus services without question.

As part of our investigation, we sought a detailed response from Ventura about its progress on previously agreed actions – including incorporating information about the pass into driver training. Ventura expressed its disappointment that Lucy was still experiencing problems. It provided detailed information about training initiatives and strategies to monitor driver conduct. It said it took consumer complaints about access to public transport very seriously and was committed to working with its staff to ensure their awareness of different commuter needs.

Ventura agreed to re-issue information about the pass directly to drivers, as well as more broadly through its internal newsletter. It also outlined its strategies to closely monitor driver compliance with their obligations. Lucy was satisfied with this outcome.

P2013/0478

case numbers published in this report – reflecting their commitment to improving customer service and being accountable and transparent. And while bus operators aren’t obliged to promote the PTO to their customers, many of them do so and/or seek our advice.

Transdev Melbourne

In April 2013 PTV announced that Transdev Melbourne Pty Ltd was the preferred tenderer to operate the Melbourne Metropolitan Bus Franchise. Transdev began operations in August 2013, with the vision of creating a fully integrated world-class bus network focused on punctuality

and reliability and ensuring its customers have a positive travelling experience. It has introduced customer service training for all staff – on the basis that the roles of maintenance and office staff are as important to customer service as the role of the driver.

As a Member of the PTO, Transdev is required to promote the scheme in its customer charter, on its website and through its complaints process. Since it commenced operations, Transdev has engaged with the PTO to understand our role and complaints process. Its case statistics are fully detailed on page 21.



Bus Operator Cases	12/13	13/14
Altona Bus Lines	1	0
Benders Bus Lines	1	1
Broadmeadows Bus Service	4	4
Cardinia Transit	2	4
Christians Bus Co	0	1
Cranbourne Transit	10	4
Davis Bus Lines	1	2
Driver Bus Lines	12	0
Dyson Group of Companies	27	18
East West Bus Company	1	1
Eastrans	3	10
Invicta Bus Service	6	8
Ivanhoe Bus Company	0	2
Jacobsons Bus Lines	1	0
Kastoria Bus Lines	4	3
La Trobe Valley Bus Lines	5	0
McHarry's Buslines	1	6
McKenzie's Tourist Services	1	0
Melbourne Bus Link	13	4
Moonee Valley Bus Lines	3	1
Moorabbin Transit	5	9
Moreland Bus Lines	1	4
National Bus Company	13	3
Newtons Bus Service	1	0
Panorama Coaches	1	0
Peninsula Bus Lines	2	4
Portsea Passenger Service	1	0
Reservoir Bus	2	5
Ryan Bros Bus Service	2	0
Seymour Coaches	0	2
Shepparton Transit	1	0
Sita Bus Lines	7	8
Skybus	0	2
Sunbury Bus Service	2	0
Sunraysia Bus Lines	1	0
Transdev Melbourne	0	112
Tullamarine Bus Lines	2	7
Ventura Bus Lines	61	54
Warrnambool Bus Lines	0	3
Westrans Altona	3	6
Westrans Sunshine	5	7
Westrans Werribee	2	6
Bus Operator non-specific cases	11	-
219	301	

Respecting and supporting consumer independence

Mary contacted the PTO about damage to her shopping jeep during a Transdev bus journey. The shopping jeep functioned as her mobility aid, enabling her to get out into the community for shopping and other activities. Mary had lodged a complaint with the bus operator about the damage, but was dissatisfied with the speed and scope of its response.

Mary explained to us that, on the day her shopping jeep was damaged, the bus driver hadn't stopped the bus close enough to the curb for it to be lowered so she could board independently. To compensate for this, the driver and another passenger helped by lifting the jeep. Aboard the bus, Mary found she couldn't manoeuvre the jeep because a front wheel was damaged. After she arrived home, she found damage to the interior of the jeep also. She had since been told it couldn't be repaired.

To assist our investigation of Mary's complaint, we obtained further information from her, including how much the jeep cost and what it was carrying at the time of the incident. We also sought a response from Transdev, including requesting CCTV footage of the incident.

From the CCTV footage, we could see that Mary had repeatedly asked the driver to reposition the bus so she could board using her jeep. Some damage was apparent when she manoeuvred the jeep onto the road and significant damage was evident after the jeep was lifted aboard the bus by the other passenger and the driver. Our assessment was that the lifting had resulted in damage which wouldn't have occurred had the bus been positioned correctly.

Transdev offered to cover the cost of replacing Mary's shopping jeep. Mary accepted this offer and the complaint was finalised.

P2014/1143

Notes:

- Melbourne Bus Link (MBL) ceased operating on 3 August 2013.
- National Bus Company (NBC) ceased operating on 3 August 2013.
- Transdev Melbourne began operations on 4 August 2013 taking over MBL and NBC services and most orbital / smart bus services operated by Ventura, Dysons, Tullamarine Bus Lines and Comfort Delgro Cabcharge (CDC).
- Sunbury Bus Service – operated independently by Donric Group.

Cases received and how we handled them



Cases received by case type	2013/2014
Non-Member Enquiries (including DTPLI, PTV and other bodies)	94
Non-Member Complaints (including DTPLI, PTV and other bodies)	836
Member Enquiries	514
Member Complaints	1,540
Refer for Internal Escalation (RFIE) complaints	610
PTO Investigations	548

Overall cases received

The PTO received 4,142 cases this year, 5% fewer than last year's 4,377 cases.

We classify each case the PTO receives into one of six case types, which describe how we handle and respond to the enquiries and complaints raised with us. This approach helps public transport operators understand what their customer was seeking from the PTO. It also helps us analyse cases for reporting to stakeholders and in our public reports.

Non-Investigations and Investigations

Reporting Investigations and Non-Investigations is important as it provides an insight into the work we do.

Non-Investigations – that is, Non-Member enquiries and complaints, Member enquiries and complaints, and RFIEs – are generally received and finalised by our two Case Officers on the same day or within a couple of days.

5%
decrease in cases from 2012/2013

3,534
Complaints

No prior consumer contact with the operator

One prior consumer contact with the operator

One or more prior consumer contacts with the operator

836
Non Member Complaints

1,540
Member Complaints

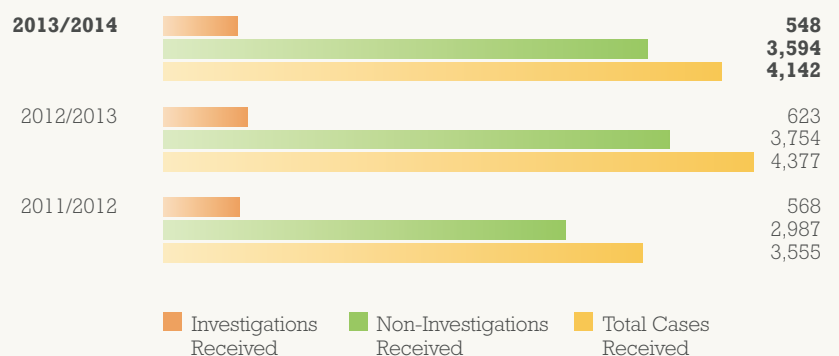
610
Refer for Internal Escalation (RFIE)

548
PTO Investigation

Investigations are more complex and resource intensive – they may take some months for our team of four Conciliators to resolve, the most complex taking six or more months to be finalised.

Over the past three years, the number of PTO investigations has steadied, with 2013/2014 seeing the first decrease in total cases received since 2006/2007.

Investigations/Non Investigations/Total Cases Received Trend



Case Issues



When consumers contact the PTO, they often raise complaints that involve more than one issue and they expect each issue to be addressed and resolved. In 2013/2014, consumers raised 5,764 issues with us, lodged in 4,142 cases.

Case issues fall into ten overarching categories:

Authorised Officer: behaviour and conduct, communication, the exercise of discretion and safety and security

General Enquiry: requests for general public transport information and other services

Infrastructure and rolling stock: vehicles, stations, tracks, toilets, announcements, overcrowding, maintenance works and noise

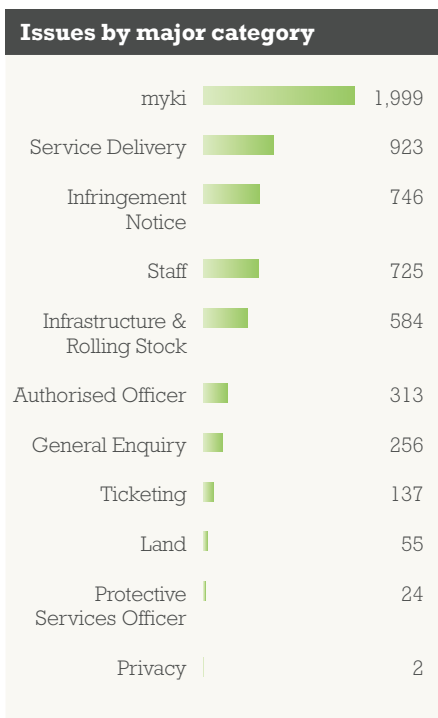
Infringement notices: these are out of the PTO's jurisdiction and are referred to the appropriate body for review

Land: car parks, rail and tram corridors, fencing and maintenance work

Privacy: complaints where consumers are of the view their privacy has been breached or personal information used inappropriately

Protective Service Officer: complaints about PSOs are outside PTO jurisdiction, however because these officers are located on stations from 6.00 pm each evening, we receive related complaints which are referred to Victoria Police

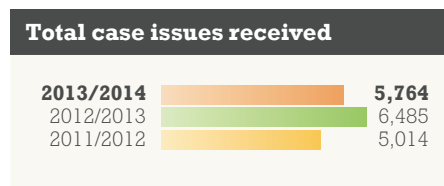
Service delivery: punctuality, cancellations, disruptions, timetabling (including changes to timetables) failure to pick up/set down commuters and website information



Staff: customer service, information provision, behaviour/demeanour, failure to pick up/set down, safety/security and complaint handling

Ticketing – Metcard and V/Line: faulty tickets and machines, refunds, replacements, compensation, information and conditions

Ticketing – myki: faulty cards and machines, refunds, replacements, compensation, information and conditions

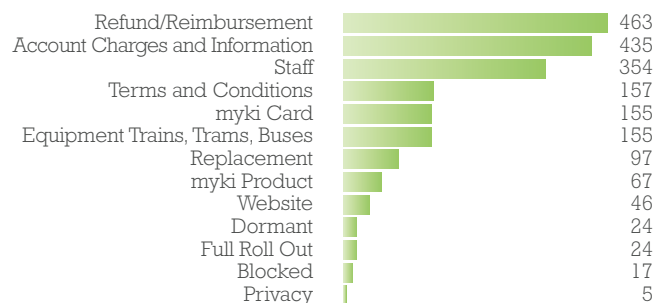


Issues raised by case type		2013/2014
Non-Member Enquiries (including DTPLI, PTV and other bodies)		98
Non-Member Complaints (including DTPLI, PTV and other bodies)		949
Member – Enquiries		546
Member – Complaints		2,155
Refer for Internal Escalation (RFIE) Complaints		989
PTO Investigations		1,027
Total		5,764

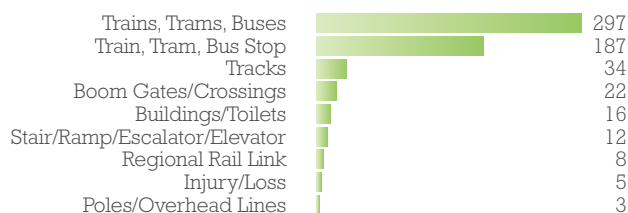


Detailed Issues by Category

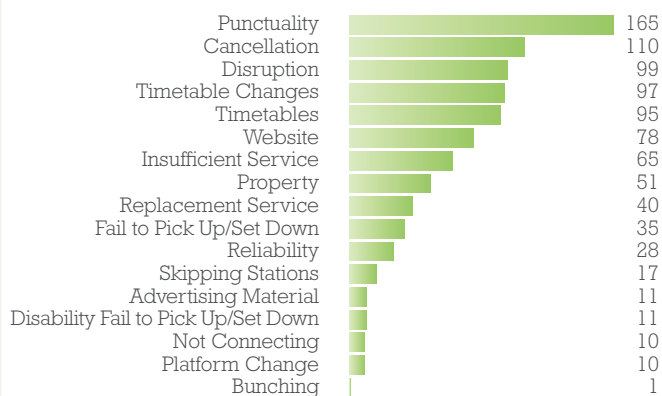
myki – 1,999 issues



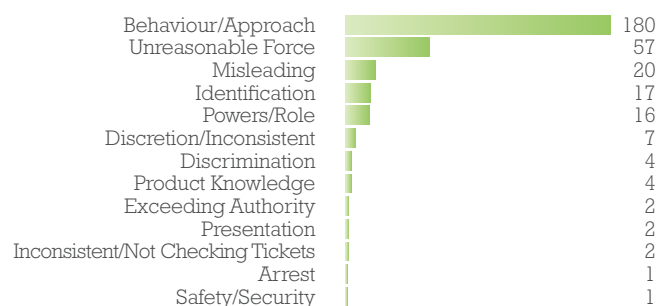
Infrastructure and Rolling Stock – 584 issues



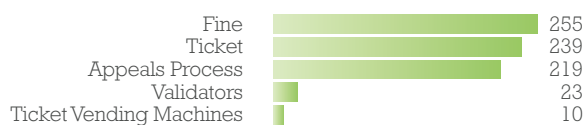
Service Delivery – 923 issues



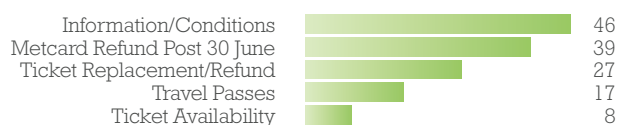
Authorised Officer – 313 issues



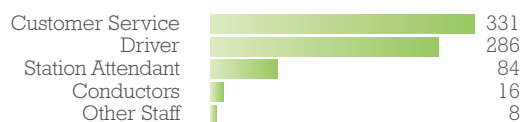
Infringement Notice – 746 issues



Ticketing (non-myki) – 137 issues



Staff – 725 issues



Protective Services Officer – 24 issues



Land – 55 issues



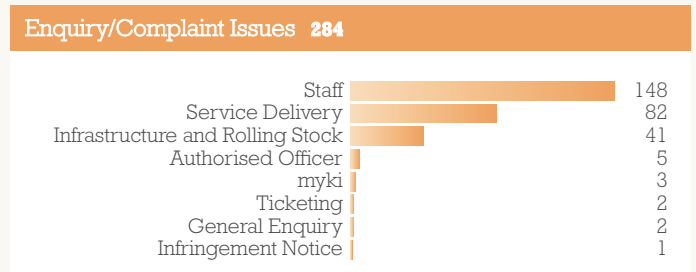
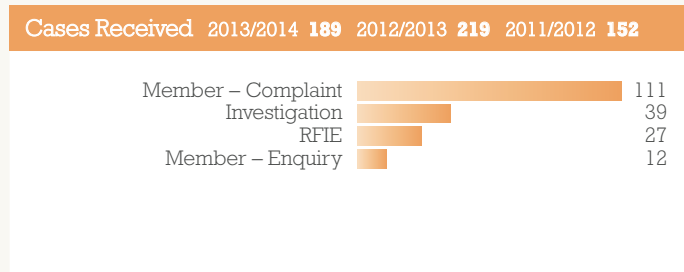
Privacy – 2 issues



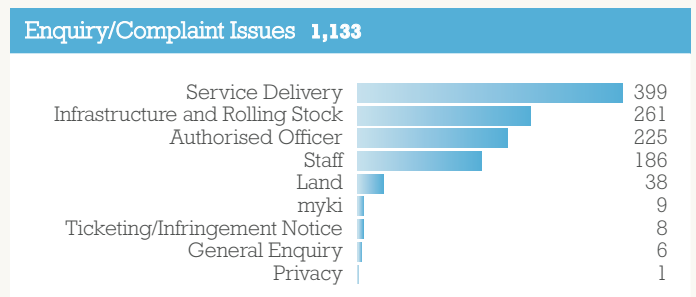
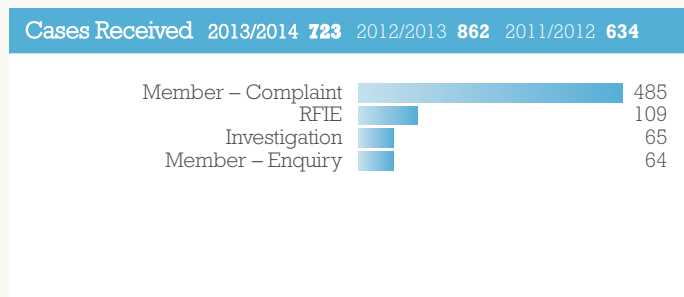
The PTO also registered 256 general issues, including enquiries about operator employment and merchandise, and complaints about taxis, roads and airlines.

Cases by PTO Member

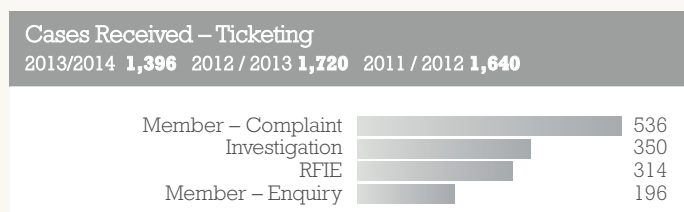
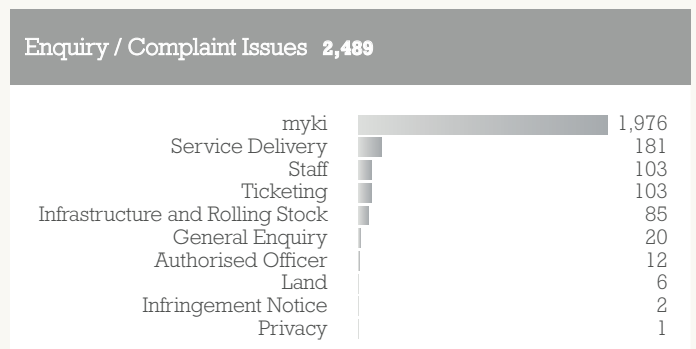
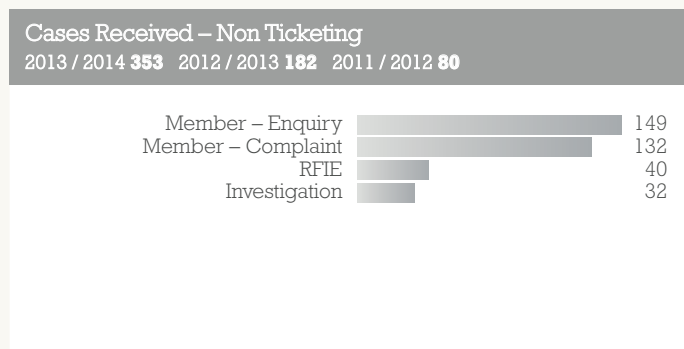
Bus Association Victoria Inc. is the industry representative body for Victoria's accredited bus operators including the 470 bus operators across Victoria that fall within the PTO's jurisdiction.



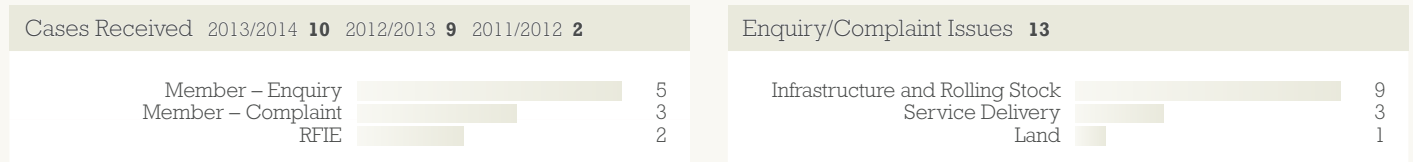
Metro Trains transports around 415,000 customers each day, has a workforce of 4,200 and operates 203 six-carriage trains across Melbourne's metropolitan train network of 15 lines and 215 train stations.



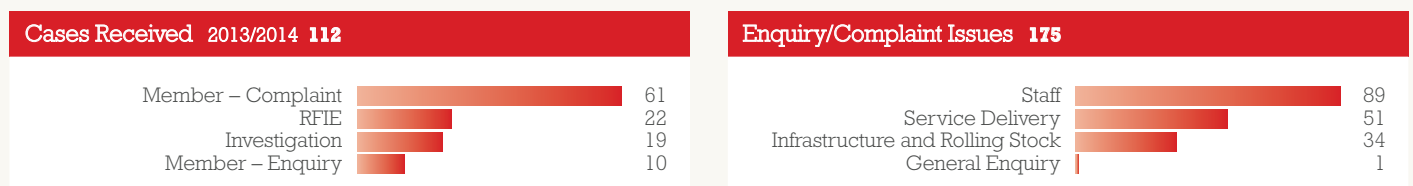
Public Transport Victoria (PTV) is the statutory authority that administers Victoria's train, tram and bus services. It is also responsible for the administration of myki and ticketing and fares policy. PTV provides a single contact point for information about public transport services, fares, tickets and initiatives. PTV cases are split into two tables – non-myki cases and myki cases. Case issues are presented in one table.



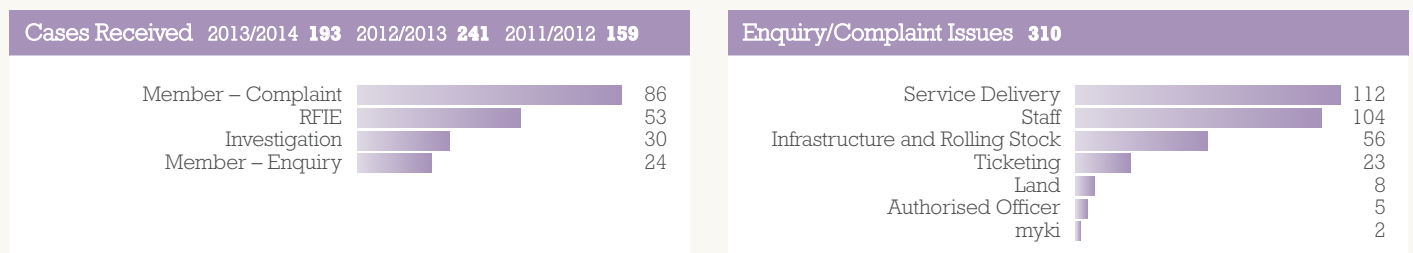
Southern Cross Station is the major railway station and transport hub of Melbourne and is managed by Southern Cross Station Pty Ltd. Around 45 million people use the facility annually.



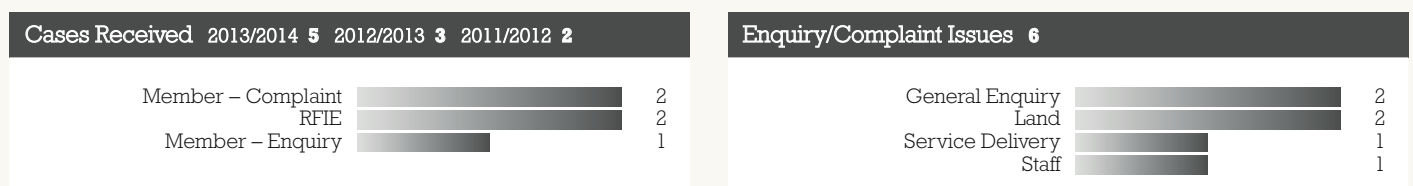
Transdev Melbourne provides bus services for a third of Melbourne's bus network. The franchise integrates more than 1,100 staff, 45 routes and 507 vehicles.



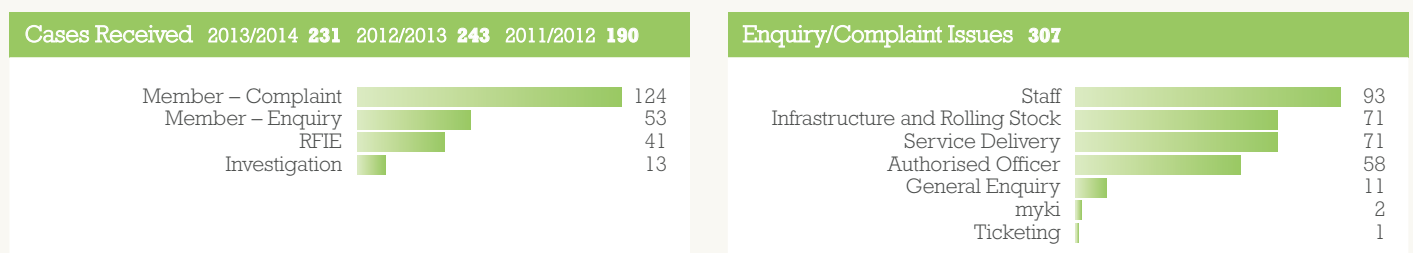
V/Line is Australia's largest regional public transport operator, running more than 1,400 train services and 600 coach services through regional Victoria and into Melbourne each week.



VicTrack is a state authority and provides essential telecommunications and other services to support a safe and efficient public transport system. It is the legal owner of Victoria's railway land and infrastructure but leases those assets to Victoria's rail and tram operators.



Yarra Trams operator, Keolis Downer EDI Rail (KDR), manages Melbourne's tram network, the biggest operating tram network in the world. It has 250 kilometres of double track, 1,763 trams stops and 29 tram routes with 31,500 weekly services and carries around 182 million passengers per year.



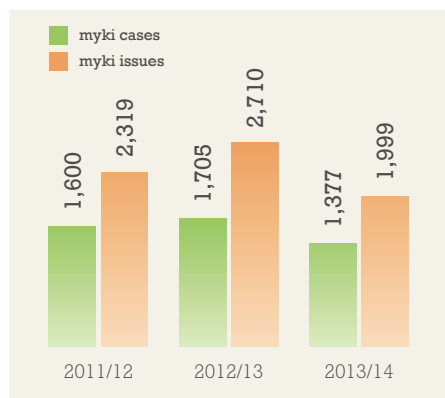
Cases, especially complaints, often raise more than one issue. The PTO also received 930 Non-Member cases – 94 enquiries and 836 complaints.

In July 2013, the final stage of myki implementation commenced across the regional commuter sections of V/Line – travel from Melbourne to Seymour, Bendigo, Ballarat, Geelong and Traralgon.

During the time myki was being rolled out across the commuter lines between Melbourne and regional Victoria, myki cases fell by 19%. In 2013/2014, we received 1,377 myki cases (down from 1,705 in 2012/2013), and only two V/Line complaints involved myki issues. These results are indicative that this aspect of the myki rollout was very effective.

With over one million myki transactions each day, touch on, touch off, top up, balance checks and contact centre transactions, it is understandable that there will be an ongoing level of complaints and enquiries to the PTO about myki. However, it is a positive development that myki cases now average only around six each day.

During the implementation of myki from 2011, the PTO experienced a significant increase in cases, including investigations. The most common issues were account charges, refunds and reimbursements, with many cases having associated customer service issues. These are still the key issues for the PTO and PTV.



myki (most common issues)		
Account	Charges	257
Staff	Contact Centre Customer Service, Information Provision	256
Refund/Reimbursement	Delay	199
Refund/Reimbursement	Declined	135
Equipment Trains, Trams, Buses	Vending Machine	102
myki Card	Faulty/Damaged/Quality	82
Terms and Conditions	Concessions/Travel Entitlements	71
Terms and Conditions	Fares/Default Fares	54
Account	Top Up	49
myki Product	myki Pass	48
Staff	Resolution Team Customer Service, Information Provision	45
Equipment Trains, Trams, Buses	Card Reader	45
myki Card	Expiry	40
Refund/Reimbursement	Calculation	34
Account	Auto Top Up	34
Refund/Reimbursement	Lost myki	31
Replacement	Delayed	30
Replacement	Lost myki	30
Account	Access	28
Staff	Station Staff Customer Service, Information Provision	26
Refund/Reimbursement	Process	25
Account	Balance Transfer	25
Website	Information Provision	25
Account	Set Up	22
myki Card	Availability	20
Staff	PTV Hubs Customer Service, Information Provision	19
myki Product	myki Money	19
Full Roll Out	Information Provision	19
Refund/Reimbursement	Commuter Club	16
Refund/Reimbursement	Concession/Zone Change	16
Account	Travel History Report	15
Website	Error	15
Dormant	Reactivation	15
Replacement	Incorrect	11
Replacement	Process	11
myki Card	Card Fee	10
Replacement	Interim Travel	10

Refer to page 20 for full details of PTV cases

Note: 1,377 myki cases received - 1,354 PTV Ticketing; 17 PTO Member cases; 6 Non-Member cases

Thank you for resolving my auto top up issue. Your professionalism, communication and promptness are commendable.
(P2014/1521)



In 2013/2014, the PTO investigated 13 systemic issues involving myki and finalised 8 systemic issues, of which 3 were carried over from 2012/2013. We are still investigating 5 myki systemic issues – further information is on pages 25-27.

Smartcard ticketing systems are in use across the globe and Victoria's experience with systemic issues is no different to that of other locations with smartcard systems – such as Oyster in London and Octopus in Hong Kong. Any ticketing system which has money stored on a card is susceptible to systemic issues around the loading, accessing or reimbursement of money, and use of the card.

Critical to addressing systemic issues is the ticketing system administrator's capacity to identify issues from its own records and its openness to responding to an ombudsman or regulator.

PTV responds positively to address the systemic enquiries and investigations raised by the PTO – this is evidenced by the reduced number of open investigations at 30 June 2014 (5 systemic investigations).

As we anticipated last year, the lessons learned during the myki metropolitan implementation and ongoing improvements to PTV's customer service and information provision meant that no systemic issues resulted from the myki rollout across regional commuter lines.

CVM time warp leads to fare overcharge

Although Peter purchased a myki pass at 7.01am at South Geelong Station, the card vending machine (CVM) displayed the time as 7.15am. When he tried to touch on shortly after purchasing the pass, and before 7.15am, it wouldn't activate and he was charged a two-hour myki money fare of \$11.00 for his trip. His travel later that day was also charged to his myki pass, resulting in an \$11.00 overcharge.

Peter lodged a complaint with myki (PTV) seeking reimbursement of the myki money fare. Before he received a response from myki, the same thing happened again. This time he kept his CVM receipt.

The response Peter received from PTV to his complaint about the first incident was that there would be no reimbursement because he touched on before buying the pass. Dissatisfied with this response, Peter lodged a complaint with the PTO.

In its initial response to the PTO's investigation, PTV declined Peter's request for reimbursement based on how his travel was recorded in his myki travel transaction history. After a further review at our request, myki confirmed that an incorrect timestamp on the CVM meant that Peter's myki pass wouldn't activate when he attempted to touch on after buying it. Acknowledging that this happened twice, myki agreed the passes would have activated if the CVM timestamp had been correct. It agreed to reimburse the two \$11.00 myki money fares.

Addressing the potential for the problem to be systemic, myki advised that it had since tested the affected device and conducted its own separate investigation. It apologised to Peter for the error and the inconvenience he experienced. Peter was appreciative of the outcome and that the PTO had identified the potentially systemic nature of the issue.

P2013/2853

Closing the accessibility gap – 12 months on



It has been almost twelve months since we released our *Closing the Accessibility Gap* report on public transport accessibility in September 2013.

The report was based on accessibility complaints to the PTO in 2011 and 2012. It articulated our findings that the accessibility barriers presented by poor customer service and inadequate or ineffective information provision are often as great as those presented by outdated infrastructure. It also identified that inconsistencies in operator training, policies and approaches add to what can already be a complex and confusing system, particularly when services do not run to schedule.

The report made 14 recommendations, focused on how public transport could be made more accessible through industry-wide improvements to customer service, staff training and information provision. It became the foundation for our submissions to the Victorian *Parliamentary Inquiry into Social Inclusion and Victorians with a Disability* and the Commonwealth Department of Transport and Infrastructure's review of the *Disability Standards for Accessible Public Transport*.



We received very positive feedback about the report from many stakeholders and PTO Members. The Victorian Equal Opportunity and Human Rights Commission and Community Accessibility Incorporated sent us letters of acknowledgement as did PTV and V/Line.

What's changing?

In December 2013, the Victorian Government released the *Accessible Public Transport Action Plan 2013-2017* aimed at delivering more accessible bus, train and tram services statewide. The themes in the Action Plan overlap those in the PTO report – customer service, consultation and community engagement, and access to services and facilities. The Public Transport Operators Committee (PTOC), made up of representatives from each transport operator and overseen by the PTV, is now focused on improving accessibility across the network.

The following advice has been received from the PTV on how it and the PTOC propose to address specific PTO recommendations in the report:

• Recommendations 1, 2, and 2a: Accessibility Definition, Industry-wide Training and Auditing

In 2013/2014, a sub-committee of the PTOC completed an audit of all frontline training across the public transport industry and conducted a peer assessment against best practice principles. A significant piece of work, this has highlighted areas for improvement, which PTV will address in implementing its Action Plan.

• Recommendations 4, 4a: Complaint / Accessibility Team Integration and Complaints Review

The PTOC is the mechanism that brings together complaints teams and accessibility areas from across the industry on a monthly basis. Since December 2013, an industry-wide accessibility complaints report has been tabled for discussion at each monthly PTOC meeting, assisting identification of accessibility trends and systemic issues.

• Recommendations 5, 7, 8: Best-Practice Standards for Assistance, Public Announcements and Real Time Information

The PTV Customer Services Delivery Team is developing comprehensive industry-wide minimum customer service standards and building an evaluation method to measure performance. An industry-wide customer service training program is also being developed to improve the effectiveness of customer service teams across the network.

Systemic issue investigations – preventing future complaints



A systemic issue is an issue identified through consideration of a single or series of individual complaints, where the effect of the issue may extend beyond the parties involved.

The Ombudsman has the power to handle, refer and report on systemic issues under the PTO Charter. In addition, under the *National Benchmarks* – specifically the benchmarks of accountability, efficiency and effectiveness – the PTO is required to highlight any systemic industry problems and to have appropriate procedures in place for the referral and reporting of systemic issues.

The PTO approaches its systemic issue responsibilities seriously in a consistent and timely manner.

The Ombudsman has the power to handle, refer and report on systemic issues under the PTO Charter

The benefits of resolving systemic issues

Important benefits for consumers, operators and the PTO flow from the investigation, resolution and reporting of systemic issues. These include:

- ensuring systemic issues are acted on quickly, limiting the potential impact of the issue on the travelling public;
- providing assistance to operators to improve their practices and processes, which in turn leads to a better customer experience and reduction of further complaints;
- bringing these issues to the attention of Government and relevant regulators;
- establishing a knowledge base about the issues and appropriate steps to address them, which will assist in the resolution of complaints lodged with the PTO; and
- assisting to create an industry culture of complaint analysis, so that systemic issues are proactively identified and resolved internally.

A five-step process

Our process for the end-to-end management of systemic issues was introduced in 2012/2013. In 2013, we began registering systemic issues in Resolve, the PTO's case management system, improving our reporting capability and content.



Systemic issues finalised and reported in 2013/2014



14

potentially systemic issues were investigated and finalised

In 2013/2014, 14 potentially systemic issues were investigated and finalised by the PTO. Twelve of these issues were found to be systemic. We are still investigating eight potentially systemic issues received prior to 30 June 2014.

PTV Ticketing (myki/metcard)

- Consumers travelling on buses in Metropolitan Melbourne being charged for the incorrect zone.
- myki action list download delays on buses – consumers touching on being unable to access myki money and passes purchased the previous day.
- Rounding up of EFTPOS transaction to the nearest 10 cents at CVMs and Ticket Office Terminals (TOTs).
- Metcard refund cut off – consumers given only six months to claim refunds after Metcard ceased to be valid.
- Incorrect time stamp on myki CVM at South Geelong.
- Incorrect coding of free travel passes for retired employees and TPI pensioners, and concession myki cards for War Veterans and War Widows.
- myki Smartcard Contents Report not aligning with the Transactions History Report, causing confusion for consumers.
- Misleading PTV communications, suggesting it is necessary to register a myki to check the expiry date and get a replacement.
- Credit cards debited for myki money, or myki pass, when the myki purchase has not been completed.

Metro

- Consumers waved through the myki barriers at major sporting events without an opportunity to touch on or touch off their myki cards.

V/Line

- Trains on the Traralgon to Melbourne service not stopping at Berwick Station.

Yarra Trams

- Out-of-date posters at tram stops indicating that tickets can be purchased on board the tram.

Issues found to be not systemic

Metro

- PTO undertook a systemic enquiry following complaints about Authorised Officers not allowing consumers sufficient time to produce their concession entitlements – Metro's response identified that where consumers were not able to immediately locate their myki or concession card, Authorised Officers provided additional time.
- A further systemic enquiry based on a number of complaints about Metro's approach to paying performance compensation when consumers did not always touch off identified that Metro was acting in accordance with the Consumer Compensation Code – and was taking a very customer-focused approach to avoid complaints arising from applying a strict policy approach.

Under the systemic microscope – myki bus overcharges

myki and the zone overlap area

In 2011 the PTO identified a systemic issue where some consumers were being charged for travel in Zone 1 when travelling wholly in Zone 2 and vice versa. This occurred in areas where the zones overlapped. Some consumers were being incorrectly charged the higher zone fare, rather than myki identifying the cheaper fare. Others, with a myki pass for the one zone they travelled in, were also being charged myki money for another zone.

TTA, the ticketing system administrator at the time, put in place a process for reimbursing affected customers, pending changes to the myki bus console which it believed would address the issue. Target fix dates for 2011, 2012 and 2013 were not met.

Identifying the cause of the systemic issue

PTV, having taken on the role of administering myki from 1 January 2013, continued TTA's extensive root cause analysis and identified that problems predominantly occurred when:

- Drivers entered incorrect route details into the myki bus console;
- Drivers did not update route details for the next service; or
- Drivers did not log onto the console and therefore operated in default mode which meant the system located the closest GPS points.

Additionally, as identified through PTO investigations, the myki bus console system may be experiencing downtime

and the bus driver may need to reboot the system and select route details during the bus service. When this occurs, it is outside of the driver's control and it takes up to five minutes for the system to be fully operational.

Interim consumer redress process

PTV was not able to proactively identify consumers who were affected by this issue, so it relied on consumers to seek reimbursement if they were overcharged. On request, it reviewed the consumer's travel history to identify regularity in travel patterns and made an assessment about offering reimbursement. PTV's rationale for this was that consumers may change their travel patterns and travel into other zones. And, while reports were available about whether a driver logged into the system correctly, it did not automatically follow that consumers on that service were charged incorrectly. This meant that PTV could not develop effective exception reports which identified affected consumers.

Consumers who contacted PTV because they were overcharged were offered a fortnightly audit of their Travel History Report with any inconsistent zone charges to be reimbursed. By December 2013, PTV was auditing approximately 620 consumer accounts.

In some cases, PTV provided myki pass holders with a myki money credit to ensure that overcharging did not result in the myki falling into a negative balance, which would block the pass and access to travel with a valid ticket.

Steps taken by PTV to address the systemic issue

PTV identified that one of the issues drivers were having difficulty with was remembering and/or correctly entering the various route service codes into the myki console.

PTV worked with bus operators to upload daily shift data for each driver into the bus myki system. This meant the drivers were able to simply select 'next trip' in the console, rather than having to key in specific route service codes. It also made the process of logging in less open to human error. When this process was trialled, occurrences of buses operating in 'default mode' or logged into the incorrect route reduced significantly. PTV also engaged two staff on a temporary basis to prioritise the uploading of shift data for metropolitan bus operators, so that this work was completed by 31 March 2014.

The PTO recommended that PTV put in place a suitable period of review following its completion of data uploading, so that the fortnightly audit process for known affected consumers did not end prematurely. This was to prevent consumers having to contact PTV or PTO again to advise they were still being overcharged. PTV advised that it would not cease auditing until all shift data was uploaded and consecutive fortnightly reports indicated that the issue had been addressed. PTV provided the PTO with monthly updates on its progress with uploading shift data and the number of buses operating in the correct mode, thereby reducing the potential for incorrect zone charging.

Current status

Despite PTV's completion of data amendments, the PTO continues to receive complaints from consumers about overcharging due to Zone 1 and 2 overlap.

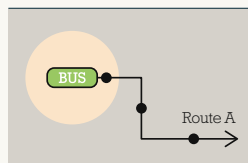
PTV has identified that bus driver error when logging into the bus myki console needs to be continually addressed. It has committed to providing additional training and information to bus operators, to ensure that drivers understand how to operate the system and their obligations. In addition, it is providing regular reports to bus operators to indicate where drivers are not interacting with the system properly and may need additional training.

We are also speaking directly with bus operators, who are focused on training their staff to eliminate overcharging. And operators have informed us that they are monitoring console downtime – a contributing factor that is outside the control of their drivers.

From 1 January 2015, this issue will be addressed comprehensively when Zone 1 and Zone 2 travel is charged the Zone 1 fare. Zone 2 trips may still incur an overcharge.

Our systemic investigation continues.

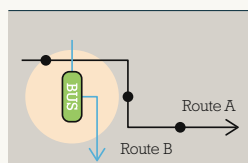
How the myki system is designed to work on buses



A driver logs onto the myki system when starting a bus route and enters Route A details into the myki console. This filters out bus stops which are not applicable to Route A and the direction the bus is operating in.

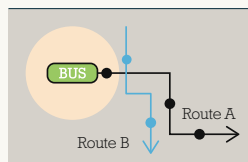
Figure 1 – Bus is operating Route A and the myki console can only identify Route A bus stops.

When an overcharge can occur



If a driver logs on to an incorrect route, or does not update route details when beginning the next service, the myki system will pick up GPS points on the route that is logged into the system. This can result in consumers being charged for travel in the wrong zone.

Figure 2 – Bus is operating in Route B, but is logged in as Route A and can only identify Route A bus stops.



If a driver logs in, but does not select route details, or fails to log on to the console, the system operates in default mode and locates the nearest GPS points – some of which could be in a different route and an incorrect zone charge may be applied.

Figure 3 – Bus is operating Route A, but the system identifies GPS bus stop points from Route B.

Note: the diagrams are designed to provide an indicative perspective only – they do not represent the complexity of the bus network which comprises multiple routes intersecting Zone 1 and Zone 2. Road maintenance detours may also have an impact.

Enquiries and complaints – out of jurisdiction

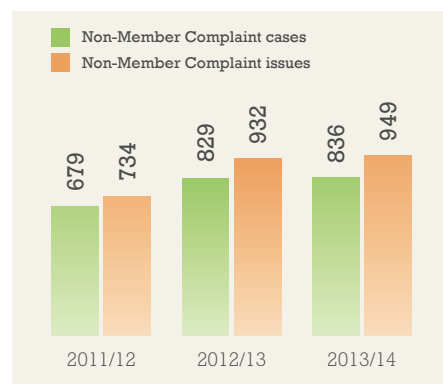
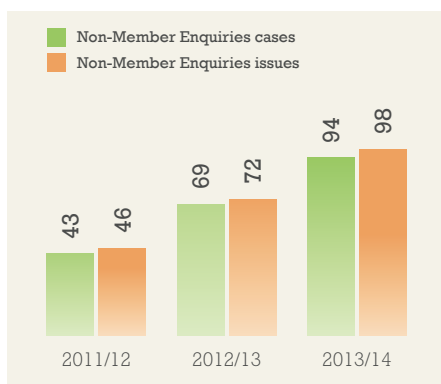
In 2013/2014 we received 94 enquiries (98 issues) and 836 complaints (949 issues) which were outside of PTO jurisdiction. Most of these were referred to the Department of Transport, Planning and Local Infrastructure (DTPLI) because they were about infringement notices.

Because consumers know about the PTO, they tend to contact us when they don't know where else to turn with a transport-related issue. Often we are able to provide general advice that resolves their issue. Where it doesn't, we refer them to an organisation that can assist them further.

In addition to DTPLI, the organisations we refer consumers to include PTV in its role as system administrator, the Taxi Services Commission, Victorian Ombudsman and Victoria Police. We have established effective relationships with most of the organisations on our referral list and have jointly developed referral protocols with those we deal with most often.

Non-Member Enquiries (most common issues)	
Infringement Notice – Fine	38
General Enquiry unrelated to public transport	25
General Enquiry about public transport	12
Infringement Notice – Ticket	7
Infringement Notice – Appeals Process	5

Non-Member Complaints (most common issues)	
Infringement Notice – Ticket	232
Infringement Notice – Fine	215
Infringement Notice – Appeals Process	213
General Enquiry unrelated to public transport	171
Infringement Notice – Validators	22
Infrastructure and Rolling Stock – Vehicles	17
Protective Services Officer – Conduct	14



Travel rights for children/teenagers – an identification dilemma

An adult friend of this consumer, aware of the PTO, contacted us to clarify the rights and responsibilities of young commuters and the role of Authorised Officers.

Travelling by tram on a child myki, Sophie was asked by an Authorised Officer to show proof of her age. (A child myki is available to children between the ages of 4 and 16.) As it wasn't a school day, Sophie wasn't carrying her school student identification card and, because she was under 16, she didn't carry a Victorian Public Transport Student Concession Card. (Concession Cards are available from PTV and are required for Victorian school students aged from 17 studying full time at an approved secondary school, or tertiary students studying full time in an undergraduate course at an approved college or university to gain entitlement to concession fares.)

The DTPLI is responsible for accreditation of Authorised Officers and is jointly responsible, with transport operators, for their performance. The DTPLI also determines the training program for all Authorised Officers, which incorporates interaction with young people.

Responding to the PTO's enquiries, the DTPLI advised that persons under 16 don't need 'proof of entitlement' unless they are a 'student pass' holder. Authorised Officers are trained to ask the person's age and, if they aren't convinced, ask for appropriate identification. Historically, this approach was the source of complaints, but it had worked well in recent years. It also advised that Authorised Officers are regularly reminded of identification requirements and to be sensitive when dealing with young commuters.

P2014/2158

Special Category Visas don't attract concession status

In January 2000 Gerry and his daughter Amanda moved to Australia from New Zealand. They each held a protected Special Category Visa (SCV) enabling them to stay, work and study in Australia. About to turn 17, Amanda needed to move from a child myki to a concession myki. To do this she required a Victorian Public Transport Student Concession Card.

Gerry said he had been told by PTV that Amanda wasn't eligible for a student concession fare because she held a SCV. He disputed this, saying it was a protected SCV and he and Amanda had the same rights as permanent residents, although not classified as such under the relevant Commonwealth Acts. He said that, in the UK the previous year, Amanda had been eligible for a concession card using her Australian student ID.

It was clear that Gerry's complaint concerned government policy about Victorian Public Transport Concession Cards and Special Category Visas (SCV). We had to advise him that we weren't able to investigate it, because the content of government policies falls outside the PTO jurisdiction. However, we were able to refer him to the Commonwealth Ombudsman and the Victorian Human Rights and Equal Opportunity Commission, so he could explore his daughter's rights further.

P2014/1892

Enquiries and complaints – referred to PTO Members

In accordance with procedural fairness, when a consumer contacts us before they seek assistance from a public transport operator, we provide advice and in most cases refer them to the PTV Contact Centre. Giving operators the opportunity to resolve enquiries or complaints directly with their customers often resolves issues without further PTO involvement – and, importantly, it establishes the right point of first contact for the future.

Member Enquiries

This year the PTO referred 514 enquiries to PTO scheme Members, involving 546 issues.



Member Enquiries (most common issues)

Service Delivery – Timetables	76
myki – Terms and Conditions	63
Service Delivery – Website	40
General Enquiry – Public Transport Information	36
myki – Account	36
myki – Card	35

Paying it forward

Han Lee found a wallet on his local bus and passed it to the driver so that it could be returned to its owner. He contacted us to enquire about how he could check this had happened. We advised him of the PTO's role and process, and that we could refer him to the bus company concerned. Because he could provide us with the bus route number, we were able to put him in touch with Transdev's lost property manager. Han Lee was appreciative of our assistance, which enabled him to follow up on his good deed.

P2013/4095

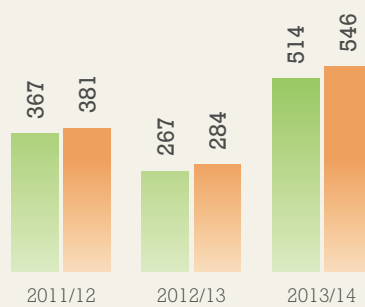
Tram door signs – a headache for tall commuters

Mario contacted the PTO for assistance with his complaint about Yarra Trams. He was seeking removal of signage attached to tram doors, saying that when he exited the tram his head hit the signs. As Mario hadn't lodged his complaint formally with Yarra Trams, we referred him to the operator. We also sought advice from Yarra Trams about what it would do to address the complaint.

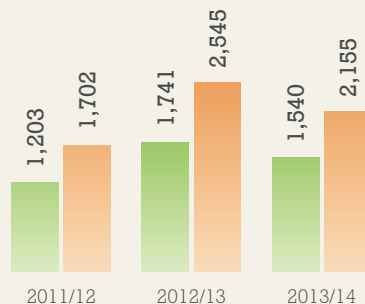
Yarra Trams advised us and Mario that PTV had provided funding to upgrade the fleet of A and B class trams. The upgrades included the installation of wall seating to expand floor space and increase capacity near tram doors – this would improve safety and comfort for passengers boarding and exiting, as well as improve passenger movement within the tram. The upgrades would also result in a height increase and design change to the exterior stops signs on tram doors which should address Mario's past experience.

P2014/0361

Member Enquiries cases
Member Enquiries issues



Member Complaint cases
Member Complaint issues



Member Complaints

In 2013/2014, the PTO referred 1,540 complaints (involving 2,155 issues) to operators, down from 1,741 complaints referred to operators in 2012/2013.

Member Complaints (most common issues)

myki – Account	180
Staff – Driver	177
Trains, Trams, Buses	168
myki – Refund/Reimbursement	123
Authorised Officer – Behaviour/Approach	119
Service Delivery – Punctuality	113
Train Platform, Shelter, Tram/Bus Stop	111
Staff – Customer Service	92
Service Delivery – Cancellation	82

Complaints referred for internal escalation

Each public transport operator has a Customer Service Team which is responsible for receiving and addressing complaints about its service. When contacted by a consumer with a complaint, an operator's frontline staff should be able to either resolve the complaint themselves or refer the customer to the Customer Service Team.

Despite this, many consumers contact the PTO dissatisfied that their complaint remains unresolved, even though they have raised it with the operator directly. Through a Refer for Internal Escalation (RFIE) process, we offer to put these consumers in direct contact with the operator's Customer Service Team – if they would still prefer to resolve their complaint directly, rather than have us open an investigation. We may also refer complaints through the RFIE process where the consumer has not contacted the operator, but their complaint involves complex issues, Authorised Officers or special circumstances.

Once our referral has been made, the operator will contact the consumer within 24 hours to acknowledge receipt of the complaint and open an investigation. Its Customer Service Team will provide the consumer with a full and thorough response within seven business days.

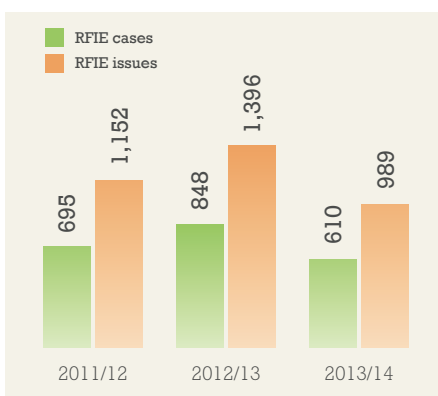
In 2013/2014 we referred 610 complaints back to operators through the RFIE process. While most referrals related to myki issues, it is significant that the second most common issue was the customer service delivered by operator staff.

I understand now that you do not have the jurisdiction to help me, but you DO have the humanity and empathy to refer me further, personally I thank you. (P2013/0836)



Refer for Internal Escalation (most common issues)

myki – Refund/Reimbursement	125
Staff – Customer Service	113
myki – Staff	102
myki – Account	99
Staff – Driver	48
Trains, Trams, Buses	44
Authorised Officer – Behaviour/ Approach	39
Train Platform, Shelter, Tram/Bus Stop	33
myki – Card	30
Service Delivery – Disruption	24
Staff – Station Attendant	24
myki – Replacement	23
Service Delivery – Punctuality	23
myki – Equipment Trains	20
Ticketing – Metcard Refund Post 30 June	20



Rail corridor vegetation – a four-year problem fixed with one PTO referral

Angela contacted us after years of trying to have vegetation in the rail corridor behind her property cut back. She said she'd contacted both Metro and her local council, but received no assistance. As a last resort she contacted PTO, because she was concerned about the potential fire hazard with the approaching summer fire season.

While Angela hadn't raised her complaint with Metro recently, rather than refer her back to the centralised contact centre, we used our discretion to refer her to Metro's Customer Service Manager via the RFIE process. In our view this was a better way to address her longstanding complaint and her immediate fire hazard concerns.

Having received our complaint referral, Metro confirmed that vegetation management in the rail corridor was its responsibility. Within a week, the vegetation was cut back and the debris was removed.

Angela was very satisfied with the clearance work and the actions of Metro's crew. She was also very appreciative that the work was completed so quickly, once the PTO became involved.

P2013/3082



Redress for RFIE Complaints	
Detailed Explanation	521
Apology	330
Refund	122
Goodwill Gesture	92
Ticket Compensation	11
Operator Staff Training	11
Recommendation for Change in Policy/Procedure	8
Operator Staff Disciplined/Counselled	7
Monetary Compensation	2

In our experience, consumers who lodge public transport complaints are primarily looking for two things – a clear, accurate and detailed explanation of what went wrong (and why) and an apology. When an operator takes the initiative to include an apology in its response to the consumer’s complaint, this is often the catalyst for resolution.

Redress value

Since 2012/2013 we have reported the value of goodwill gestures, refunds and compensation provided to consumers directly by operators as part of the resolution of their complaint. Most often these are for nominal amounts as shown in the following table:

Spare myki creates confusion, but highlights a training opportunity

Lisa, a regular weekday commuter from Geelong to Melbourne, lodged a claim with V/Line for performance compensation under the PTV service delivery framework. She said her claim was rejected on the basis that she hadn’t travelled very much during the period for which she sought compensation (March 2014 and April 2014).

Lisa contacted the PTO to question V/Line’s claims assessment process, saying she touches her myki on and off every time she travels. She also provided details of a second myki, which she may have used during the period in question. She wanted V/Line to review her travel history using both myki cards and compensate her accordingly.

As Lisa had made contact with V/Line once only, we referred her complaint back to the operator for investigation. Lisa understood that if this referral didn’t resolve her concerns she could request a PTO investigation.

V/Line provided Lisa with a detailed explanation of its compensation process and an apology. It also offered her some reimbursement. Lisa didn’t accept the offer, believing V/Line still hadn’t calculated her myki usage correctly. She calculated it herself, providing the information to V/Line for further review. Frustrated that she couldn’t resolve the complaint with V/Line directly, Lisa returned to the PTO seeking an investigation.

Responding to our investigation of Lisa’s complaint, V/Line advised that an inexperienced staff member had reviewed Lisa’s travel history. It said the staff member would receive further training in how to accurately review travel history reports.

V/Line credited the correct amount of compensation to Lisa’s myki. It also noted, however, that the claims process may have been smoother had Lisa provided details of the second myki card when she first submitted the compensation form. Lisa was satisfied with this outcome and the complaint was finalised.

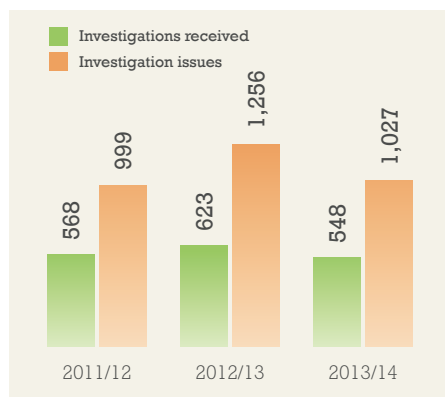
P2014/1950

Redress Value	Average	Range
Goodwill Gesture	\$25.22	\$2.48 – \$340.20
Refund	\$57.32	\$0.55 – \$885.55
Ticket Compensation	\$72.10	\$3.92 – \$272.00

PTO Investigations Received



In 2013/2014 the PTO received 548 complaints for investigation, down 12% from 623 in 2012/2013. Our investigation process focuses on what is fair and reasonable for each party in the circumstances of the complaint.



Thanks very much for your assistance with this case. I appreciate all the liaising you've had to do and I am very pleased with the outcome!

P2013/3947

The PTO Investigation process

Where a complaint remains unresolved despite the consumer's direct contact with the operator, the PTO will investigate it. When registering a complaint for investigation, we ask the consumer what they are seeking as an outcome – this sometimes leads to an important discussion about realistic outcomes and expectations.

In undertaking an investigation, our aim is to bring about a fair and reasonable resolution that is accepted by both parties. Our Conciliators collect and analyse information from both parties. They also research relevant laws, codes and industry practice. Where a complaint is complex, we may seek additional advice from regulators, or technical or legal advisers. While each investigation focuses on an individual complaint, we also encourage operators to address the root causes of complaints to help prevent problems recurring.

Sometimes an agreement cannot be reached. In these cases, the Ombudsman may make a binding decision or may dismiss the complaint.

PTO Investigations received (most common issues)

myki – Refund/Reimbursement	192
myki – Staff	168
myki – Account	120
Staff – Customer Service	113
Staff – Driver	54
Trains, Trams, Buses	39
myki – Equipment Trains	35
myki – Card	28



The Non-Complex Investigation process – rolling it back into a 'business as usual' approach

During the myki rollout, resolution delays caused by the volume of myki complaints received by the TTA myki Resolution Team – the PTV myki Resolution Team's predecessor – led to further consumer dissatisfaction. This situation was compounded when the PTO's caseload began to outweigh our resources.

To address the situation, we worked with the myki Resolution Team to streamline our process. This included introducing a Non-Complex Investigation process for some myki investigations.

In the latter part of 2013, as myki complaints decreased and we found ourselves receiving fewer non-complex complaints, the need for a formal Non-Complex Investigation process reduced. Having conferred with our Stakeholder Consultative Committee, we took the decision to cease this process at 30 June 2014.

Operators have been advised that, going forward, complaints being investigated by the PTO should be reviewed as soon as they are received – to enable opportunities for quick resolution to be identified and acted on. The operator's goal must be to respond to the PTO with all investigation information and a resolution offer as quickly as possible. This is the best outcome all round – for consumers, for operator Customer Service Teams and for the PTO's Conciliation Team.



Weighing the issues for a fair and reasonable outcome

After an AO asked to see Rosie's myki, he checked it using a handheld reading device and asked that she leave the tram because the myki wasn't valid. Rosie said she explained that she had already touched on twice that day, but hadn't touched on this trip because she understood it was valid for travel all day. She said she was embarrassed at being publicly accused of travelling without a valid ticket and as a result, disembarking the tram accompanied by the AO team.

Rosie contacted the PTO dissatisfied with Yarra Trams' handling of her complaint.

In response to our investigation, Yarra Trams explained that because Rosie hadn't touched on for the trip where she encountered the AO, the officer's reading device displayed a red screen. This led him to question whether she'd validated her myki. Yarra Trams said the AO had accepted Rosie's explanation during the conversation at the tram stop, but standard practice required him to remind her that she needed to validate the myki every trip.

Rosie asked for more information about why the reading device didn't show her myki as activated. Yarra Trams explained that reading devices display the last 10 successful touch on actions. From this, an AO can tell that the passenger has been charged for two separate 2-hour tickets, entitling them to the Day Fare. Most passengers touch on for their second 2-hour ticket, then don't touch on or off for the rest of the day. The myki cards are designed to charge against the dollar balance only when touched off. Expiry of the second 2-hour ticket (because it hasn't been touched off) produces a 'no valid ticket' red alert screen on the reading device.

Our further investigation found that the AO should use the reading device's 'usage history' function to investigate why the red alert screen has come up. Where two separate 2-hour tickets show on the myki for that day, the AO can confirm the myki is valid. Had this occurred, Rosie would not have been asked to disembark – just reminded to always touch on.

Yarra Trams apologised to Rosie for the situation she found herself in and offered a goodwill gesture equivalent to a weekly ticket (\$50.12). In our view this was a fair and reasonable offer, but Rosie remained dissatisfied. She felt the amount offered and Yarra Trams' response didn't adequately address the impact on her.

We revisited the PTO's role with Rosie, in particular how we are able to deal with complaints related to customer service, but not personal injury/emotion claims. We confirmed our view that, in the circumstances of the complaint and based on our experience of industry practice in situations of this type, the offer was fair and reasonable. Rosie accepted our advice and Yarra Trams' offer.

P2014/1871

The importance of respectful and appropriate communication

Having recently moved to Melbourne to study, Sally bought a concession myki based on her understanding of student travel entitlements. Soon after, four Authorised Officers (AO) approached her. One checked her concession myki and asked to see her entitlement to concession. When Sally presented her student card, the AO explained that she also needed a Victorian Public Transport Student Concession Card. Sally said she hadn't known to ask about this card too.

Sally was asked for her name and address so that a report of non-compliance could be issued. Unable to recall her temporary accommodation phone number to verify the address, she provided a relative's phone number. While one AO made the call, the other AO began making comments that Sally felt were inappropriate, insensitive and upsetting.

Sally subsequently received a fine for travelling without a valid concession entitlement. She said she contacted Metro and was referred to the DTPLI for information about how she could appeal the fine, but her complaint about the AO's behaviour wasn't addressed. Considering this unsatisfactory, Sally contacted the PTO.

In response to our investigation of Sally's complaint, Metro confirmed that the AO's conduct was unacceptable and not in accordance with the *Code of Conduct for Authorised Officers*. The AO had since been subject to disciplinary action. Metro apologised to Sally.

Sally appreciated the apology and that Metro's disciplinary action should prevent the same thing happening to someone else.

P2014/1726

PTO Investigations Finalised



In 2013/2014, 84% of PTO investigations were resolved by agreement.

We finalised 527 investigated complaints, down 26% from 708 in 2012/2013 when myki investigations peaked. We finished the 2013/2014 year with 94 open investigations.

Binding decisions/Discretion not to further investigate

The Ombudsman did not make any binding decisions in 2013/2014. This reflects the approach the Conciliation Team takes to work with consumers and operators to bring about agreed outcomes.

A binding decision by the Ombudsman is a final option when an agreed outcome cannot be reached. If the consumer accepts the Ombudsman's decision, the operator must abide by it. If the consumer rejects the decision, the complaint is dismissed and the consumer is free to pursue their concerns through another forum.

Alternatively, the PTO Operations Manager has delegated responsibility from the Ombudsman to finalise an investigation where a complaint is assessed as having insufficient merit to warrant further investigation – for example, having had a full opportunity to present their views, the consumer rejects a fair and reasonable resolution offered by an operator, or where the merit of the complaint has been appropriately addressed by the operator. In 2013/2014, 9 cases were finalised with a no further investigation outcome, 5 on a merit basis and 4 on a fair offer basis.

Another 52 investigations were discontinued when the consumer did not recontact the PTO after the operator's initial response was provided. Most of those initial responses reflected the resolution sought by the consumer.

And a further 24 investigations were discontinued when the consumer withdrew the complaint during the investigation process.

Investigation outcomes – redress

Outcomes from investigations are similar to those from the RFIE process. Most include the provision of a detailed explanation and an apology for incorrect information, confusion or service deficiency. The proportion of complaints which receive a goodwill gesture is similar too, although the amounts are higher for complaints investigated by the PTO – perhaps reflecting complaint complexity.

A goodwill gesture that is timely and appropriate to the circumstances of the complaint can effectively address its impact on the consumer and help repair the relationship between them and the operator. This is important as it also builds consumer confidence in the operator – vital given the ongoing nature of use of public transport. In some cases an operator will make a commercial decision to resolve a complaint quickly, rather than prolong an investigation.



Finalised Investigations	
PTO Resolution	442
Discontinued – No Further Consumer Contact	52
Discontinued – Withdrawn	24
No Further Investigation – Merit Addressed	5
No Further Investigation – Fair Offer from Operator	4
Total	527

Redress for Investigations	
Detailed Explanation	423
Apology	261
Refund	179
Goodwill Gesture	135
Recommendation for Change in Policy/Procedure	24
Operator Staff Training	22
Operator Staff Disciplined/Counselled	18
Ticket Compensation	6
Monetary Compensation	3



Redress Value	Average	Range
Goodwill Gesture	\$57.47	\$3.00 – \$776.88
Refund	\$124.33	\$1.08 – \$2,216.00
Ticket Compensation	\$22.43	\$3.00 – \$50.00
Monetary Compensation	\$163.23	\$22.30 – \$435.90

Redress value

Since 2012/2013, we have reported the value of goodwill gestures, refunds and compensation provided to consumers by operators as part of their resolution of a PTO investigation. In summary, for 2013/2014 these are outlined in the table to the left.

Shared responsibilities deliver the right message

Harry contacted us saying Metro hadn't responded to his complaints about the absence of no-smoking signs on three train platforms – platform 3 at Werribee Station, platform 1 at Spotswood Station and platform 5 at North Melbourne. He was also concerned that some commuters were smoking in undercover station zones where it was banned.

Harry cited Section 222A of the Tobacco (Amendment) Act 2005 (the Act) as stating that no-smoking signs should be visible. He pointed to the ongoing absence of no-smoking signs in these locations to be evidence that his complaints were not being taken seriously.

When we reviewed the Act and Metro's response to our investigation of Harry's complaint, we found that responsibility for platform signage was unclear. Additional information we requested from both Metro and PTV, clarified that Metro (as the train operator) is responsible for maintaining signage at existing stations and PTV is responsible for installing signage at new or redeveloped stations. Our investigation included a site visit to each of the stations in question to help us propose a solution.

As a result of our investigation, it was agreed that signage at Werribee Station was compliant so no further action was required. Metro agreed to provide additional no-smoking signage at Spotswood Station and PTV agreed to install the correct signage at North Melbourne Station (to rectify its omission when the station was redeveloped in 2009).

Harry was satisfied with this outcome, acknowledging that these measures would meet the requirements of the Act and clearly alert consumers not to smoke in certain areas.

Note: On Saturday 1 March 2014, all areas of train stations and raised platform tram stops became smoke-free, increasing the comfort for customers who travel on Victoria's public transport network. The new arrangements extended the existing smoke free zones, which included covered areas of train platforms and undercover tram and bus shelters. The fine for smoking in a smoke-free area on public transport is \$212 for adults and \$72 for children.

P2013/2492



Under the spotlight – complex investigations



A complex complaint investigation is a dynamic and ongoing process. How a complaint presents at the outset is not always how it unfolds during investigation. A complaint that initially presents as complex may be investigated and resolved relatively quickly. One that appears to be straight-forward may reveal more complicated issues during the investigation and take some time to resolve.

During 2013/2014 we resolved 527 investigations, 98.4% of them within six months. Nine investigations took between 182 days and 343 days to resolve.

Our Operations Manager works with our Conciliators to ensure complex investigations are reviewed regularly so changed circumstances and new information are considered. We are also very conscious of not prolonging an investigation by being side-tracked by unrelated events. Complex investigations often require both a written explanation and a conversation to step the consumer through serious, complicated and/or disputed issues.

This focus on clear, consistent communications with consumers helps restore consumer confidence and can be an important factor in rebuilding a consumer/operator relationship that has become strained through the dispute.

Concerns about potential safety issues

In September 2013 Ned saw motorbikes chained to a bicycle rack on the platform of a regional train station. The rack was clearly signposted 'bicycles only'. Concerned about potential safety issues, Ned lodged a complaint with V/Line.

When Ned expressed his dissatisfaction with the operator's initial response, he was told his complaint would be escalated to someone more senior in V/Line. When a further response from V/Line was not received within a reasonable time, Ned contacted the PTO.

Our investigation of Ned's complaint focussed on V/Line's policies and obligations for commuter safety and motorbikes on platforms. A check of the Transport (Conduct) Regulations 2005 showed that vehicles are prohibited on platforms. We also found that it was a V/Line staff member who had parked his motorbike on the platform.

Responding to the complaint, V/Line advised us that it had installed new signs telling commuters not to park on the platform and it had instructed station staff to actively enforce that requirement. Station staff had also been reminded to park personal motorbikes in the designated areas, not on the platform. V/Line provided us with photographs of the new signage and copies of emails to station management requesting that the policy be enforced.

In response to Ned's dissatisfaction with its handling of his complaint, V/Line advised that it had attempted to contact him. It provided case notes indicating that a call had been made, but there was no answer. Ned disputed this, saying there were no such messages on his answering machine. Regardless, we noted that only one contact attempt had been made by V/Line and we assessed this as insufficient. V/Line agreed, confirming that its complaint handling processes hadn't been followed. It advised that it had since reminded its staff that they are required to make at least two contact attempts.

Ned was satisfied with the information provided through our investigation, V/Line's review of its complaint handling and the steps taken by V/Line to prevent motorbikes being parked on the station platforms in the future.

P2013/3533

Public transport internal dispute resolution (IDR) process



In 2013, in collaboration with the operators and the PTO, PTV reviewed the IDR process which it and public transport operators follow. The outcomes of this review were fully implemented in early 2014 with PTV's transition to a new outsourced provider for the PTV Contact Centre.

On behalf of the operators, the PTV Contact Centre responds to thousands of enquiries about public transport every week. Where consumers make a complaint about an operator, PTV records the complaint and forwards it to the operator for acknowledgement and a substantive response within seven business days. Some consumers lodge complaints directly with operators – via their websites, to frontline staff, by email or letter. Ensuring that operator IDR processes capture these complaints so that resolutions occur is a key measure of the system's effectiveness.

One outcome of the PTV's review was the introduction in December 2013 of a Customer Advocate. The PTV Customer Advocate investigates and resolves escalated complaints across the public transport industry – assisting consumers who are unable to achieve resolution through other IDR processes. The role of Customer Advocate does not affect our role. Consumers have the right to raise their complaint directly with the PTO, whether or not the PTV Customer Advocate has been involved.

Top Ten Consumer Concerns with Operator Complaint Handling

Policy Decision/Procedure Application	279
Complaint Lost/Not Followed Up	258
Inadequate/Incomplete Response	132
Meaningless Response/Form Letter	80
Conflicting Advice Given/ Incorrect Procedure Advised	78
Inadequate Investigation	63
Onerous/Difficult to Follow Process	56
Failure to Escalate Complaint	39
Procedures Unclear/Not Explained	37
Inappropriate Manner/Attitude	35

In 2013/2014 we continued to collect information from the consumers who contacted the PTO about how the operator responded to their complaint. The things they highlighted as lacking in operator responses can be directly linked to the outcomes which consumers get from PTO complaints:

- detailed explanations about policies and procedures; and
- apologies for incorrect advice, lack of complaint follow up and inadequate investigation.

Each month, we provide this feedback to the operators to help them continue to improve their IDR processes by focusing on what their customers are seeking when lodging a complaint.

Consumers have the right to raise their complaint directly with the PTO.

Our case handling performance



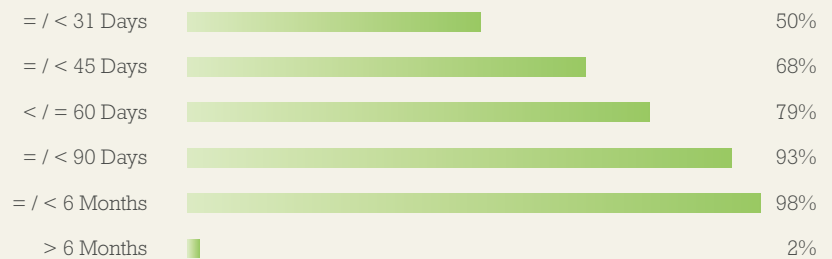
Cases Finalised Within 31 days

93%
2013 / 2014

90%
2012 / 2013

91%
2011 / 2012

2014 Days to Finalise Investigations



In 2013/2014, nine complex complaints took more than six months to resolve – the longest investigation was finalised on 13 July 2013 having taken 343 days to resolve.

2013/2014 Full Year Case Activity Snapshot



Our financial performance

The following is a concise version of the Financial Report for the Public Transport Ombudsman Ltd. for the year ending 30 June 2014. 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.

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

	2014	2013
	\$	\$
Comprehensive Income Statement		
For the year ended 30 June 2014		
Continuing operations		
Revenue from annual levies	1,789,357	1,606,900
Non-operating activities		
Interest income	21,898	26,956
Other income	19,550	15,554
Total income	1,830,805	1,649,410
Expenses from ordinary activities		
Depreciation and amortisation expense	54,193	50,582
Employee benefits expense	1,294,349	1,325,199
Occupancy Costs	123,977	89,653
Telephone and IT expenses	106,653	96,284
Consultancy expenses	57,931	80,384
Other expenses from ordinary activities	160,175	149,451
Surplus (Deficit) from ordinary activities before income tax expense	33,527	(142,143)
Income tax expense relating to ordinary activities	-	-
Surplus (Deficit) for the period from continuing operations	33,527	(142,143)
Other comprehensive income for the year	-	-
Total comprehensive income for the year	33,527	(142,143)

Changes in Equity

For the year ended 30 June 2013

Total equity at the beginning of the financial year	365,926	508,069
Total comprehensive income for the year	33,527	(142,143)
Total equity at the end of the financial year	399,453	365,926

The Australian Taxation Office has issued a private tax ruling declaring that the company is deemed exempt from income tax for the financial years ending 30 June 2012 to 30 June 2015.

	2014	2013
	\$	\$
Statement of Financial Position		
As at 30 June 2014		
Current assets		
Cash and cash equivalents	1,178,431	809,054
Trade and other receivables	278,958	596,432
Total current assets	1,457,390	1,405,486
Non-current assets		
Office equipment	217,470	114,319
Total non-current assets	217,470	114,319
Total assets	1,674,859	1,519,805
Current liabilities		
Trade and Other Payables	1,202,919	1,090,733
Provisions	45,241	53,752
Total current liabilities	1,248,159	1,144,485
Non-current liabilities		
Trade and Other Payables	16,909	-
Provisions	10,337	9,394
Total non-current liabilities	27,246	9,394
Total liabilities	1,275,405	1,153,879
Net assets	399,453	365,926
Equity		
Retained surplus	399,453	365,926
Total equity	399,453	365,926

Statement of Cash Flow

For the year ended 30 June 2014

Cash flows from operating activities		
Receipts from Members	2,154,336	1,744,165
Payments to suppliers and employees	(1,649,514)	(1,701,700)
Interest received	21,898	26,956
Net cash inflow from operating activities	526,720	69,421
Cash flows from investing activities		
Payments office equipment	(157,343)	(51,230)
Proceeds from office equipment	-	300
Net cash (outflow) from investing activities	(157,343)	(50,930)
Net increase in cash and cash equivalents	369,377	18,491
Cash and cash equivalents at the beginning of financial year	809,054	790,563
Cash and cash equivalents at the end of financial year	1,178,431	809,054

Contacting the Public Transport Ombudsman

The Public Transport Ombudsman provides a fair and independent way to resolve complaints about trains, trams, buses, ticketing and other public transport services.

The Public Transport Ombudsman can help if you cannot solve your complaint with the public transport operator. Our services are free and available to anyone who travels on, or is affected by, public transport in Victoria.

Free Call: 1800 466 865

National

Relay Service: TTY users phone 1800 555 677
then ask for **1800 466 865**

Speak & Listen (speech-to-speech)
users phone 1800 555 727
then ask for **1800 466 865**

**Interpreter
Service:**

131 450

Fax: 03 8623 2100

Email: enquiries@ptovic.com.au

Website: www.ptovic.com.au

Mail: PO Box 538
Collins Street West
Melbourne VIC 8007

Glossary of terms

ANZOA	Australian and New Zealand Ombudsman Association
AO	Authorised Officer
APP	Australian Privacy Principles
CCTV	Closed-circuit television
CVM	Card vending machine
DSAPT	Disability Standards for Accessible Public Transport
DTPLI	Department of Transport, Planning and Local Infrastructure
EDR	External dispute resolution
IDR	Internal dispute resolution
OAIC	Office of the Australian Information Commissioner
PTO	Public Transport Ombudsman
PTOC	Public Transport Operators Committee
PTV	Public Transport Victoria
RFIE	Refer for Internal Escalation
SCV	Special Category Visa
TOT	Ticket office terminals
TTA	Transport Ticketing Authority

