



ANNUAL **REPORT** 2017



Helping People With
Public Transport Complaints
Since 2004

PUBLIC
TRANSPORT
OMBUDSMAN



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PTO SCHEME MEMBERS

- BusVic
- Level Crossing Removal Authority (LXRA)
- Melbourne Metro Rail Authority (MMRA)
- Metro Trains Melbourne (Metro)
- Public Transport Victoria (PTV)
- Southern Cross Station
- Transdev Melbourne (Transdev)
- V/Line
- VicTrack
- Yarra Trams



WHO WE ARE

The Public Transport Ombudsman (PTO) provides a free service to help people resolve complaints about public transport in Victoria. We look at complaints from people who use public transport, as well as people affected by public transport activities and works. We also provide impartial advice and where appropriate, referral information.

We act impartially and work with members of the community and public transport operators to find fair and reasonable outcomes, taking into consideration the law and good industry practice.

We also identify, investigate and resolve systemic issues, which are public transport issues that potentially have a greater impact on the community. Together with our policy work, this allows us to prevent future complaints and to contribute to the ongoing improvement of public transport in Victoria.

OUR BENCHMARKS

We comply with the Commonwealth Government's Benchmarks for Industry-based Customer Dispute Resolution (the Benchmarks) which promote best practice in industry dispute resolution schemes. The six Benchmarks are:

Accessibility | Independence | Fairness | Accountability | Efficiency | Effectiveness

The Benchmarks underpin everything we do, from strategic planning to dispute resolution and raising community awareness about the PTO.

Our performance against the Benchmarks is independently assessed every five years.



Photo by Marcus Wong [CC-BY-SA-3.0] via Wikimedia Commons

“THIS YEAR COULD BE
CONSIDERED ONE OF
TRANSITION FOR THE SCHEME
AS THE DYNAMIC EXTERNAL
ENVIRONMENT IMPACTS ON THE
SCALE, COMPLEXITY AND VOLUME
OF APPROACHES TO THE PTO.”

CHAIR'S REPORT



I have great pleasure in presenting the 2016/17 Annual Report as Chair of the Public Transport Ombudsman. This year could be considered one of transition for the scheme as the dynamic external environment impacts on the scale, complexity and volume of approaches to the PTO. It has been gratifying to see the impact of the PTO's feedback into policy and process result in material reductions in complaints about myki, infringements and authorised officers. Simultaneously the increased scale of significant public transport projects and the pressure that growth and development continue to place on the public transport system is generating new challenges.

As the board of the PTO, the Directors and I recognise the need for the scheme to have the reach and structure that supports the resolution of as many complaints as possible. In November 2016 the Board undertook a planning day to consider the strategic direction of the scheme and formed a new strategy committee, strengthening the value the scheme brings to all stakeholders and the broader community.

The Board commissioned a survey of stakeholders to further understand the perceived value of the scheme and to identify improvement opportunities. The feedback received supports the Board's view that the Ombudsman and her team are delivering a high quality service and are well respected for their professionalism and fairness. We also recognise one of the key challenges facing the scheme is that of broader community awareness. The strategic direction of the Board is focused on taking a measured and practical approach to expanding awareness while providing insights from consumer feedback which assist members to improve their services and reduce complaints.

The Board recognised that Treasure has had a very successful three years in her role and we are pleased to announce that we have engaged her as Public Transport Ombudsman for another four years. Treasure and her team are very experienced and skilled and on behalf of the Board I would like to congratulate them on another stellar year of service delivery.

On a personal note, I would like to thank the Directors of the PTO Board and, in particular, Brendan Geary from V/Line who leaves the Board this year to be replaced by Chris Lowe, CEO of BusVic as part of the Member Director rotation schedule. Brendan has served as the inaugural strategy committee Chair and has been an enthusiastic and dedicated Director for the past two years.

Kay Rundle
Chair
Public Transport Ombudsman



OMBUDSMAN'S REPORT

I am pleased to present my third annual report as Public Transport Ombudsman. This year has been marked by further shifts in the types of complaints made to my office. Last year I made mention of the concerning increase to complaints related to authorised officers and fines. Pleasingly, it appears the response by government to these issues has been effective and, my office has seen a reduction in these complaints by 30%.

Myki complaints are also continuing their downward trend with a reduction of 12%. The PTO has worked with PTV on 25 myki improvement opportunities over 3 years, including confusion arising from the change in myki card colour and design, automatic top ups, refund delays and the process for considering special circumstances when assessing refund requests.

There is unprecedented pressure on the public transport network, stemming from various sources including patronage growth, traffic congestion and the inevitable disruption caused by the many major projects underway. This is having an impact on consumers and my office is seeing this reflected in complaint issues.

The sharpest shift in complaints has been in service delivery. In particular more concerns are being raised about reliability of services, insufficient replacement services and cancellations. Complaints about reliability of services doubled, counting all modes of public transport. Bus travellers drove the largest increases. Transdev, which runs 46 of the busiest routes in metropolitan area saw complaints about

reliability rise from 13 last year to 54 this year. Melbourne's other bus operators also saw 41% more complaints about reliability reach our office.

My office is also seeing a rise in investigations, with 21% more commenced during the year compared to last year. Looking at the issues, it is evident that although less investigations were required to resolve disputes about penalty fares and authorised officers, we spent a lot more effort investigating service delivery, infrastructure and rolling stock and staff issues. The nature of investigations is changing, with many investigations requiring conversations with several operators in order to locate the source of the concern and the party best able to provide explanation and proposals for resolution. Our data shows us that investigations into staff, service delivery and infrastructure issues tend to take more time than myki issues.

The Level Crossing Removal Authority and Melbourne Metro Rail Authority are both new members of the PTO scheme. In the 2016/17 financial year they attracted 23 and 12 complaints respectively.

Given the level of disruption these projects create this represents fairly low levels of complaints and is in part due to high levels of communication and community engagement by the respective authorities; however, it is likely that many consumers don't know they can complain to my office about problems that may arise relating to these projects. To that end, I embarked on a communications program with local government councils throughout 2017, as often, residents impacted by public transport related works will complain directly to their council. I have visited and spoken to 35 councils so far in both metropolitan and regional locations. My discussion with the various local government senior staff and in some cases Mayors, was very insightful and I learned a great deal about the types of public transport related issues that residents raise with local government.

In metropolitan Melbourne issues ranged from the condition of assets, such as the removal of graffiti and rubbish, to timetables, connectivity and frequency of services; particularly in the growth corridors in the outer metropolitan areas. Regional councils provided much the same feedback and areas of regional Victoria which are still required to use paper tickets on V/line services highlighted problems people face in trying to obtain a paper ticket. I have referred this matter for consideration internally under our improvement opportunity process and look forward to working productively with V/Line and PTV on suggestions for improvements.

Public transport services throughout Victoria are under ever increasing pressure as the city and regions are impacted by rapid population growth and the reliance on public transport increases. The major projects underway throughout the state will undoubtedly have a positive impact upon their completion; however, the disruption caused by this work will likely increase the pressure on service delivery, congestion and impact the broader community. Providing the community has a general awareness about the PTO and how my office can assist, I expect an increase in approaches to my office as a consequence. To that end I will be looking to ensure public transport customers and the community have clarity about their right to complain to the PTO should their attempts to resolve matters directly with members be unsuccessful.

On a final note, I would like to extend my thanks to the Board of the PTO and in particular our Chair Kay Rundle, for their support and guidance throughout the year. I am fortunate to work with a dedicated and highly professional team and I thank them for their efforts throughout the year. Lastly I wish to extend my thanks to the staff of the 10 members of the PTO scheme for their cooperation and collaboration in working toward fair outcomes and system improvements.

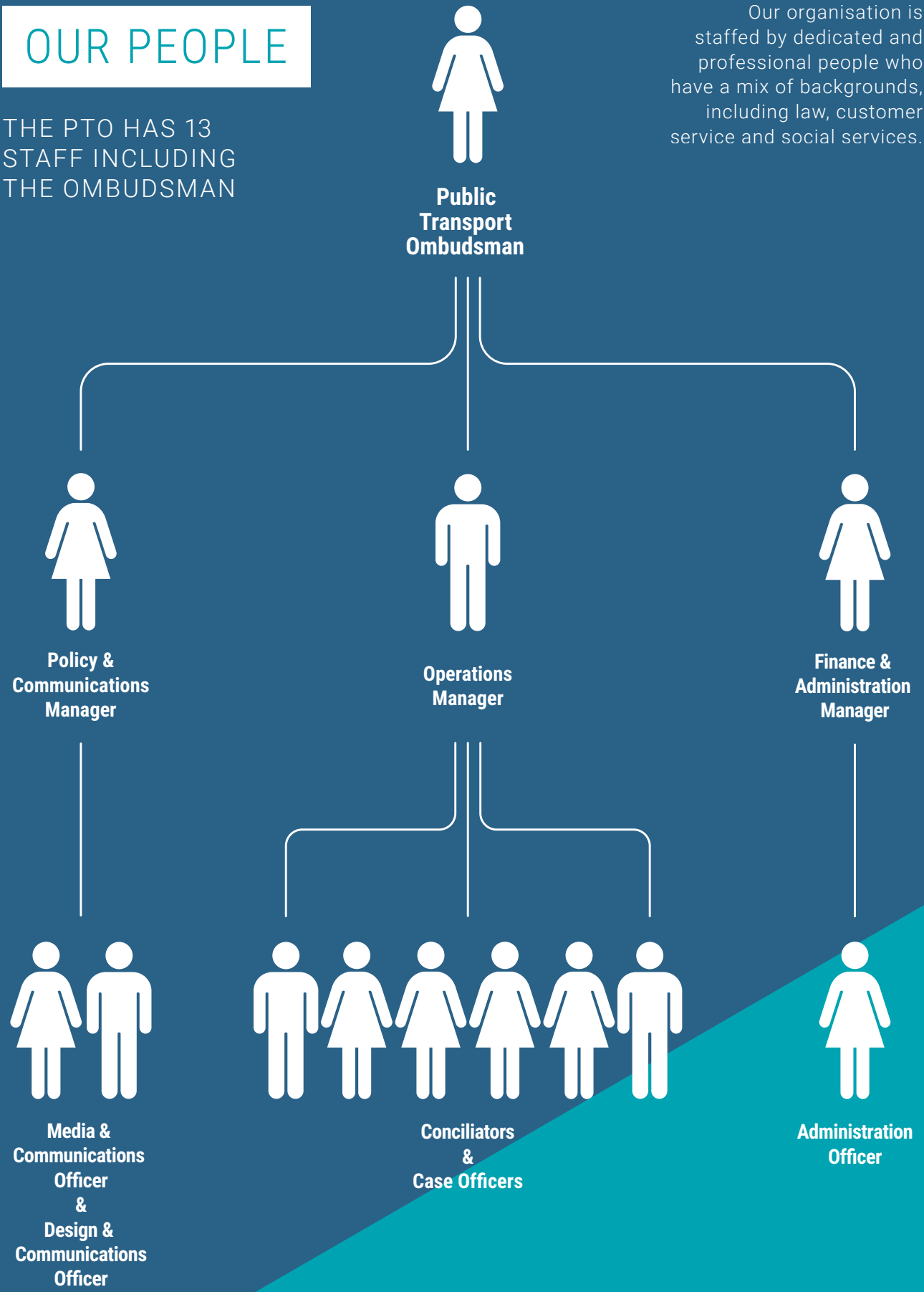
Treasure Jennings
Public Transport Ombudsman

"PUBLIC TRANSPORT SERVICES THROUGHOUT VICTORIA ARE UNDER EVER INCREASING PRESSURE AS THE CITY AND REGIONS ARE IMPACTED BY RAPID POPULATION GROWTH AND THE RELIANCE ON PUBLIC TRANSPORT INCREASES."

OUR PEOPLE

THE PTO HAS 13
STAFF INCLUDING
THE OMBUDSMAN

Our organisation is
staffed by dedicated and
professional people who
have a mix of backgrounds,
including law, customer
service and social services.



THE PTO BOARD



Kay Rundle
Chair



Bernard Stute
Company Secretary



Dianne Rule
Consumer Director



Mark Davies
Consumer Director



Llewellyn Prain
Consumer Director



Brendan Geary
Industry Director



Jacques Liebenberg
Industry Director



Emilie Perrot
Industry Director

HOW WE RESOLVE COMPLAINTS

Our aim is to find fair and reasonable outcomes for consumer complaints.

We work with consumers and members (public transport operators) to find reasonable outcomes by understanding all the issues and possible solutions. We consider laws and codes as a minimum standard – ultimately we are concerned with what is fair and reasonable in the circumstances.

We look at the circumstances of the consumer, the facts of the case, and we might also look at what other public transport operators do in similar situations to get an idea of reasonable industry practice.

During our investigation we look at supporting evidence, such as CCTV footage or myki records.

Although almost all cases are resolved through conciliation, the Ombudsman can make a binding decision up to \$5,000, or \$10,000 with agreement of the member. In our 13 year history, we have only needed to make one binding decision.

Sometimes we will decide a complaint is unsubstantiated or not reasonable. In those cases, the Ombudsman can decide to discontinue an investigation, and the consumer is free to take their complaint to another forum.

“OUR AIM IS TO FIND FAIR AND REASONABLE OUTCOMES FOR CONSUMER COMPLAINTS”

DIFFERENT APPROACHES TO RESOLVING COMPLAINTS

Information requests

Consumers contact us with general enquiries about public transport or the role of the PTO, which are usually dealt with on the spot by PTO staff.

Outside jurisdiction enquiries and complaints

We often hear from consumers who want to complain about something that is not within our jurisdiction to investigate, such as ticket infringements, transport policy or taxi complaints. We provide them with general information and advice, and refer them to other organisations who can assist them.

However, often these complaints form part of a broader systemic issue and we may look at how we can provide feedback to the member or government on these concerns.

Refer to Member complaints

If a consumer has a complaint that they haven't yet raised with a member of our scheme, we refer them to the member in the first instance. If the complaint is unresolved after the consumer has spoken to the member, the consumer is encouraged to contact us again.

Refer for Internal Escalation

Sometimes a consumer has spoken to a member about a complaint and it is not resolved, but the consumer is happy to keep dealing with the member, even after contacting us. In that case, we will refer the complaint to the member's customer service team for investigation and resolution. The member must investigate the complaint, respond to the consumer within seven business days and provide a copy of the response to the PTO.

If the consumer is not happy with the response they can call us and we may investigate the complaint.

PTO Investigations

We may investigate where the consumer's complaint to the member has not been resolved, or where we exercise our discretion to investigate because of the circumstances of the complaint or of the consumer.

We discuss the complaint and proposed resolution with the consumer and then the member's customer service team is asked to provide a response and supporting documentation within 14 days.

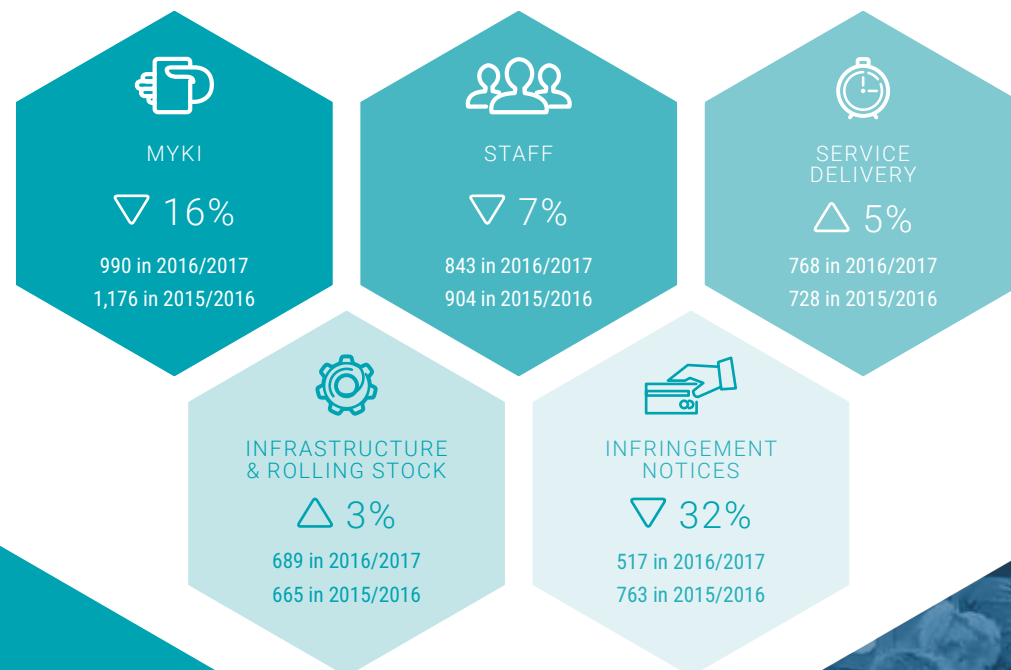
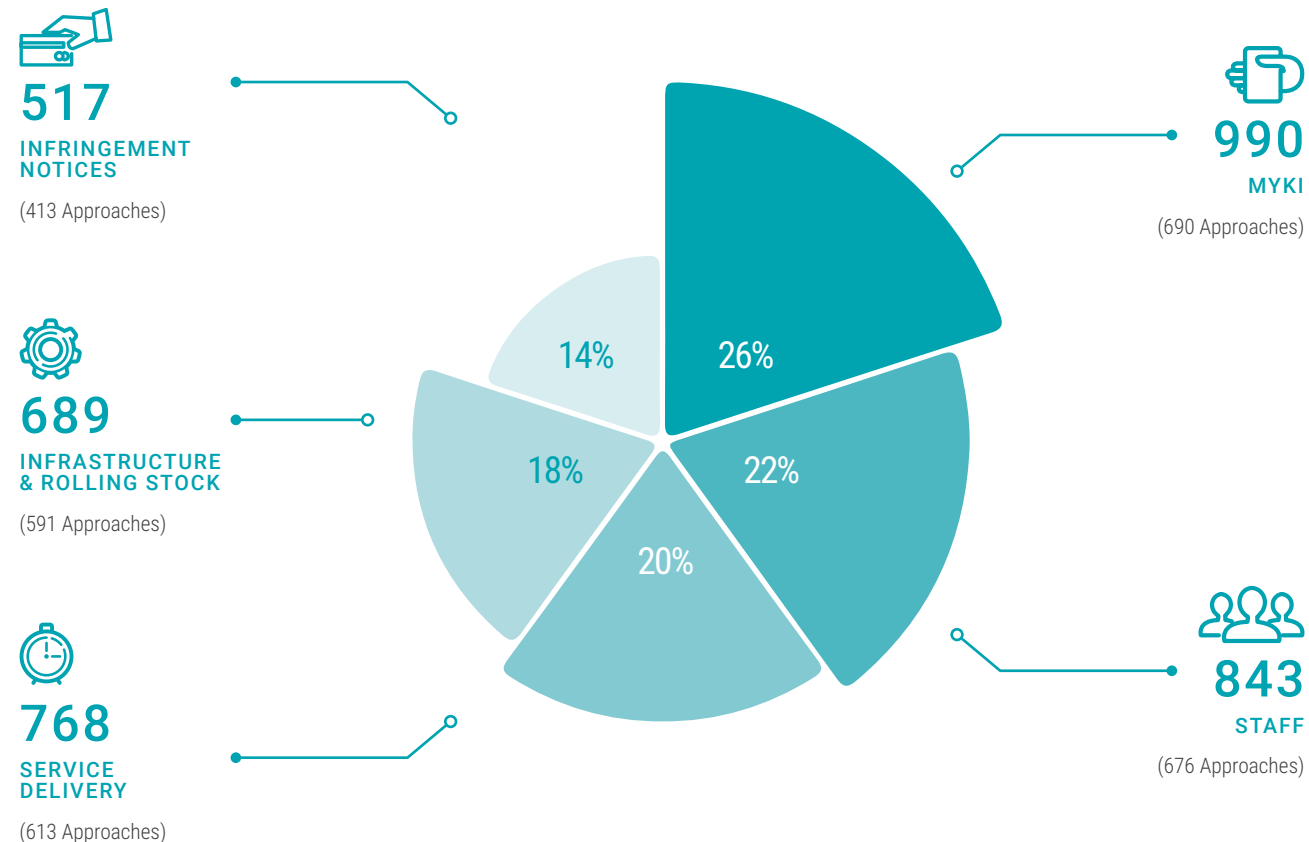
We will assess the member's response and try to conciliate an agreed resolution to the complaint. This can involve a number of conversations and contacts with the consumer and the member.

Complaints that cannot be resolved by conciliation may be referred to the Ombudsman for determination, or we may find that the member has acted reasonably.

TOP 5 MAJOR ISSUE CATEGORIES

Consumers approaching the PTO raised more concerns about service delivery than last year, and issues with tracks and vehicles saw the infrastructure and rolling stock category rise slightly.

Approaches by consumers with issues about infringement notices fell markedly. There was also another reduction in myki complaints from last year.



NUMBER OF APPROACHES TO THE PTO

539 Related to
Non Members

-199 compared to 2015/16 financial year

586 Consumers
Helped

by the PTO to escalate their complaint with the member
-133 compared to 2015/16 financial year

312 Requests for
Information

-159 compared to 2015/16 financial year

432 Investigations
Conducted by PTO

+74 compared to 2015/16 financial year

1147 Complaints
Received

+21 compared to 2015/16 financial year

390 Investigations
Finalised

+30 compared to 2015/16 financial year

3016
TOTAL
APPROACHES

MYKI

Myki is Victoria’s reloadable smartcard ticketing system. In Victoria, myki is used for all metropolitan tram, train and bus services within ticketing zones 1 and 2, as well as some V/Line and regional bus services. In 2017 we had 990 issues involving myki, down from 1,176 the previous year.

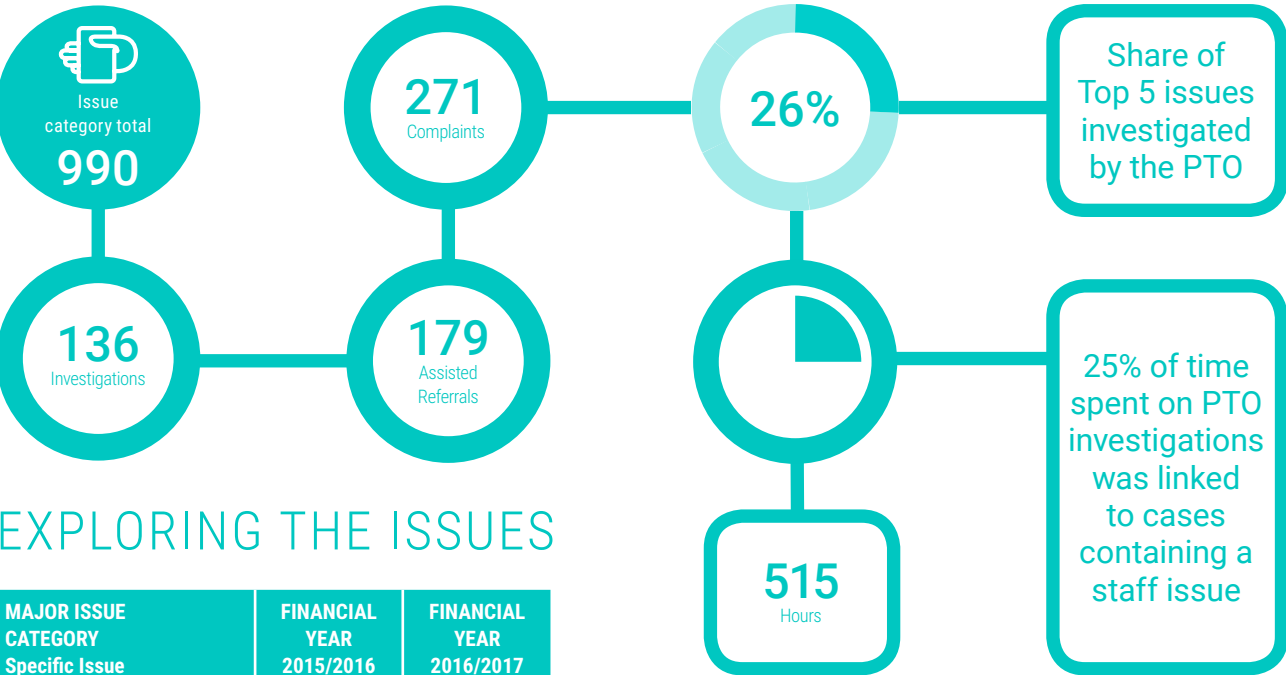
It is pleasing that the decrease in complaints with myki issues has been greater than the overall rate of decrease in complaints to our office, particularly staff complaints involving myki, which reduced by 17%.

Going against this trend, issues involving overcharging increased from 41 to 76, contributing to a 25% increase in myki account issues compared to last year.

Within these complaints, several issues arose about seniors myki holders being

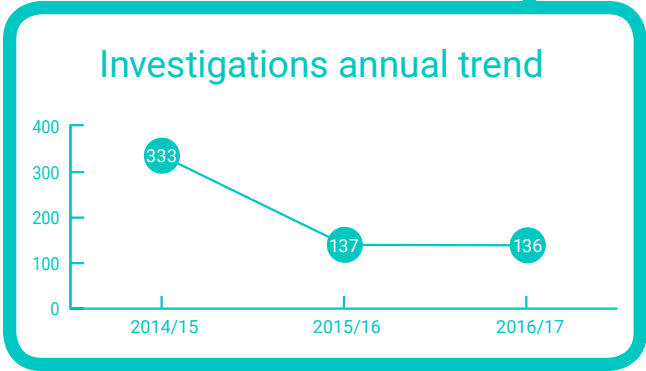
charged on weekends, pass holders saying they’re being charged myki money incorrectly (belying myki’s promise of calculating the lowest fare) and travellers solely within zone 2 being charged zone 1 and 2 fares.

There was a positive follow on from PTV’s decision to automate its refund and reimbursement process following a systemic issues investigation by the PTO – issues about refund and reimbursement, previously our largest category of myki complaints, reduced from 262 to 219 issues.

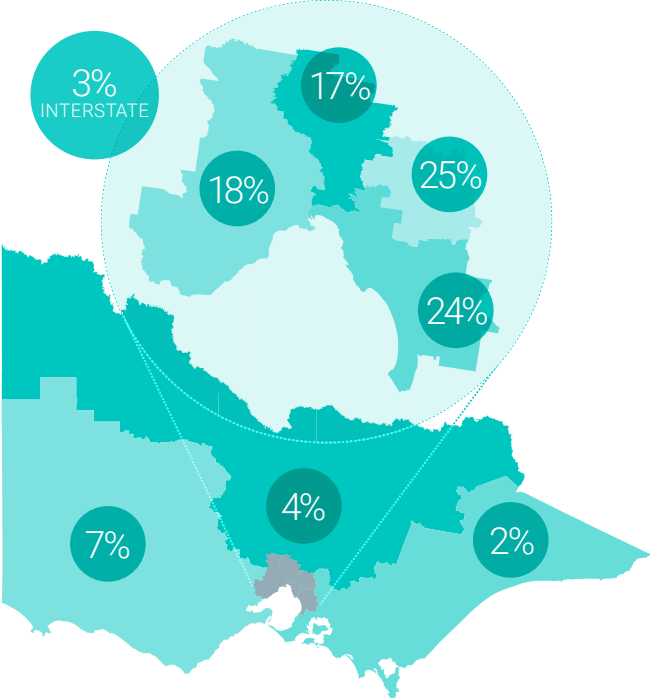


EXPLORING THE ISSUES

MAJOR ISSUE CATEGORY Specific Issue	FINANCIAL YEAR 2015/2016	FINANCIAL YEAR 2016/2017
Account	191	238
Refund / Reimbursement	262	219
Staff	193	160
Terms and Conditions	107	86
Equipment Trains	72	73
myki Card	91	66
myki Product	78	56
Replacement	62	49
Website	36	15
Equipment Trams	32	9



APPROACHES BY LOCATION



CASE STUDY

Yasmine called us after PTV declined her request to be reimbursed for a default fare charge of \$26.10.

Yasmine usually travels by train from Melbourne to Deer Park, which is a V/Line service. The cost of the journey, had she touched off, would have been \$3.90. Instead she was charged \$30. Yasmine explained that on this day, the train service was cancelled and replacement bus services operated instead. Yasmine touched on when she boarded the bus but forgot to touch off at Deer Park. She explained that this was because the bus was parked around 600m away from the station (and myki readers).

PTV advised that it would not reimburse Yasmine because she had previously received reimbursement for a default fare charge. PTV had a policy of reimbursing the first default fare charge, on the basis that the consumer is then aware of the need to touch off their myki, in accordance with the conditions of travel.

In response to the PTO, PTV acknowledged the particular circumstances of Yasmine’s travel on that day and offered to reimburse the difference between the fare and the default charge. Yasmine accepted PTV’s offer of \$26.10 and the matter was resolved.

P2016/3027

CASE STUDY

Misha contacted us after she discovered her myki was overdrawn by \$92. This meant that she was unable to access her new monthly pass. She had previously complained to PTV about double payments from her credit card to her myki and was not happy with PTV’s response.

We followed up with PTV to establish what was going on with Misha’s myki. PTV conceded that when it first responded to Misha it had not undertaken a thorough investigation. PTV reinvestigated and told us that Misha had set up two automatic myki top ups (ATUs) from her credit card. One ATU was for her myki and one for her then partner’s myki, which she hadn’t cancelled

We were able to confirm that there had been no double payments. What she thought were double payments were the payments to her ex partner’s myki.

Because Misha had disputed two of the credit card payments with her bank, when PTV received charge-back requests from the bank about the disputed transactions, PTV refunded the money. PTV then reversed the payments from Misha’s myki because Misha couldn’t have the payments refunded to both her bank account and myki. This explained why Misha’s myki account became overdrawn, however this hadn’t been properly explained to Misha until the PTO investigated. PTV offered Misha a goodwill payment in recognition of its poor handling of her complaint when she first contacted them. They also reimbursed her for the new myki she bought after her old myki was overdrawn, and made other adjustments to compensate for the fact that she could not use the pass on her old myki. Misha was happy with PTV’s total offer of \$92.76 in resolution of her complaint and the case was closed.

P2017/1135

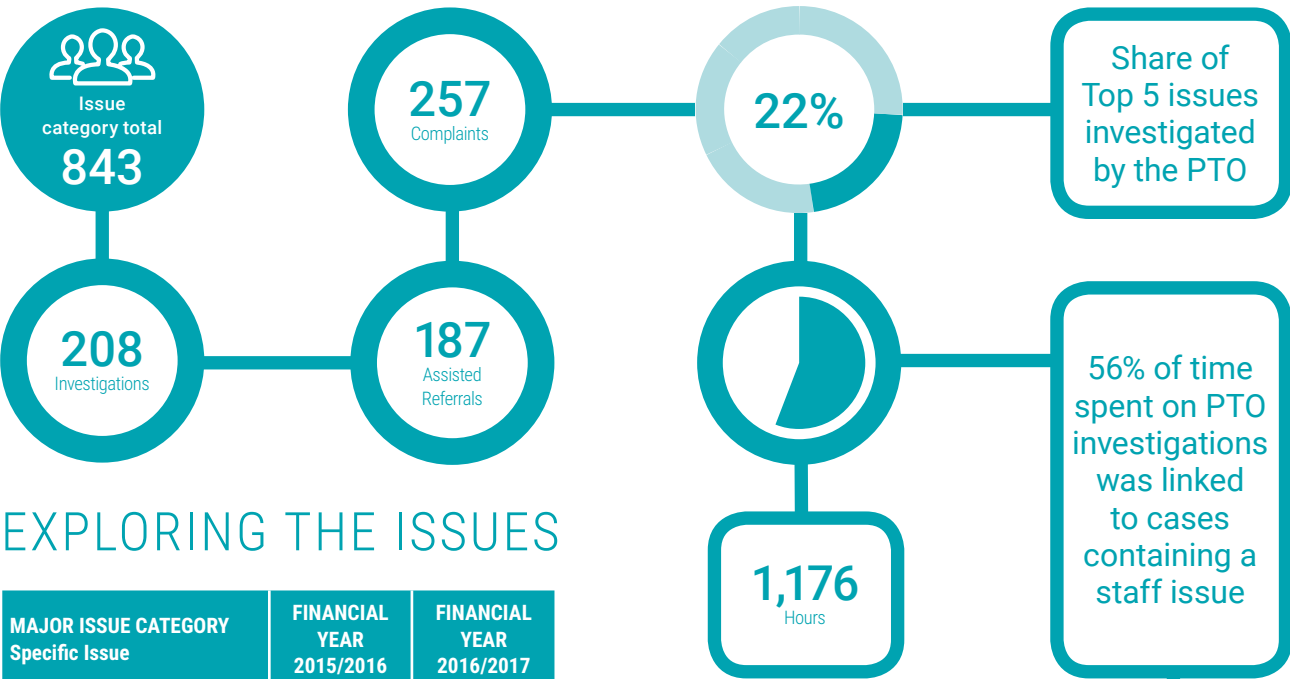
STAFF

Complaints involving staff issues remained consistent overall, reducing by 7%, which is in line with the general reduction in complaints to the PTO in 2017. Complaints involving staff issues are generally more involved and take 15% more time to investigate and resolve.

Staff issues are often coupled with another issue that was the primary reason for the consumer's complaint. Poor complaint handling or staff interactions can compound or overshadow the original problem and become the focus of our investigation. Often when a member has made a payment to a consumer on a goodwill basis, it is in recognition of poor complaint handling or staff conduct.

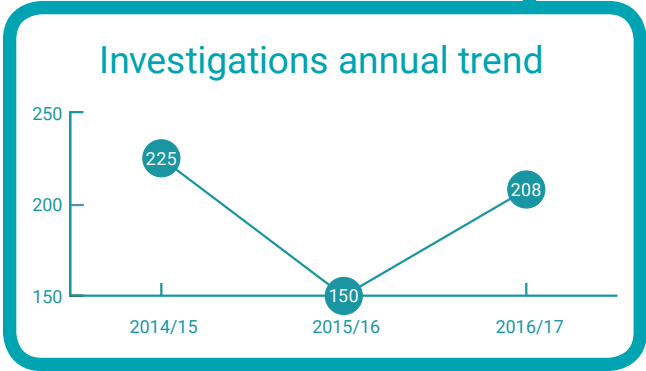
While complaints involving customer service issues have reduced, there was an increase in complaint issues involving drivers, conductors and station staff.

This is not surprising in the context of increasing service reliability and cancellation complaints. Complaints about staff on the ground are often associated with customer concerns about the reliability of public transport services.

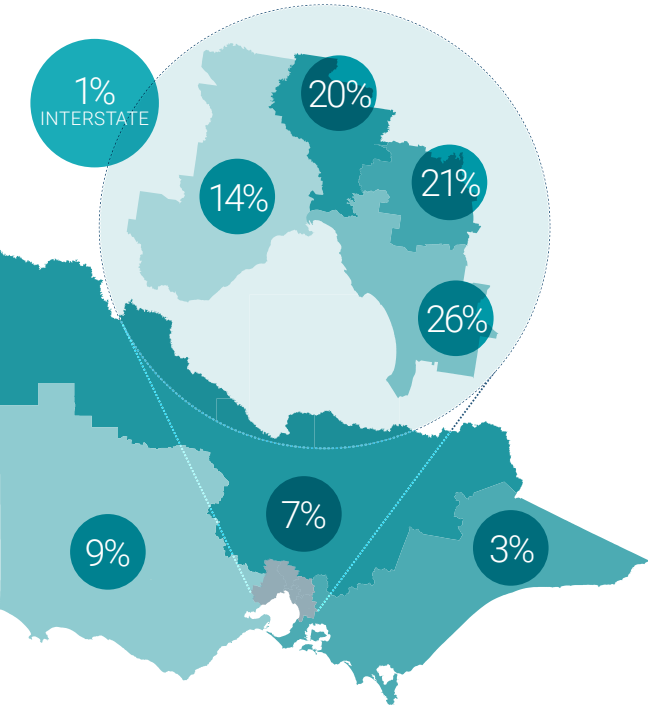


EXPLORING THE ISSUES

MAJOR ISSUE CATEGORY Specific Issue	FINANCIAL YEAR 2015/2016	FINANCIAL YEAR 2016/2017
Customer Service	519	426
Driver	268	304
Station Attendant	89	74
Comductors	18	21
Other Staff	28	18



APPROACHES BY LOCATION



CASE STUDY

Michael came to the PTO to make a claim for some damaged clothing. He had been travelling to work on a bus when the bus driver braked suddenly. Michael says he was thrown out of his seat. He hurt his shoulder and his knee, and his jeans were torn. He wanted the bus company to pay \$122 to replace his jeans.

As part of our investigation, we looked at CCTV footage of the incident. The footage shows Michael being thrown out of his seat quite forcefully and into the stairwell of the bus. The bus driver confirmed that he braked suddenly to stop at a red light where there was a red light camera. We believed that under the circumstances, Michael's claim for the cost of new jeans was a reasonable request. Initially, the bus company did not agree. Ongoing discussions between the PTO and the bus company resulted in the bus company agreeing to pay Michael's claim of \$122. Michael was happy with this outcome and the case was closed.

2017/0227-1

CASE STUDY

Simon contacted us with a noise complaint. He lives in close proximity to a metropolitan railway station and complained that some of the manual announcements were excessively loud. The announcement were taking place between 6.30am and 9am on weekdays. He also believed that some of the announcements were unnecessary.

We opened an investigation into Simon's complaint and asked Metro to look into the issues. In response to Simon's complaint about announcements, Metro stated that their advisory announcements, such as reminding people to stand behind the yellow line, and wishing passengers a good day, added to the customer experience and would continue.

Metro had the public address system at the station checked by technical staff and advised that it was found to be operating at the right volume. Staff were advised not to make announcements before 7am unless there were safety or service delay issues. Metro further

"Staff at train stations and tram stops assist in ensuring safety, timely departure and provide updated schedule information"

advised that the angle of one of the speakers would be changed to help limit the impact of announcements on Simon.

Simon was happy with the measures taken by Metro and reported an improvement in the announcements. On that basis, we finalised the case.

P2017/1276

SERVICE DELIVERY

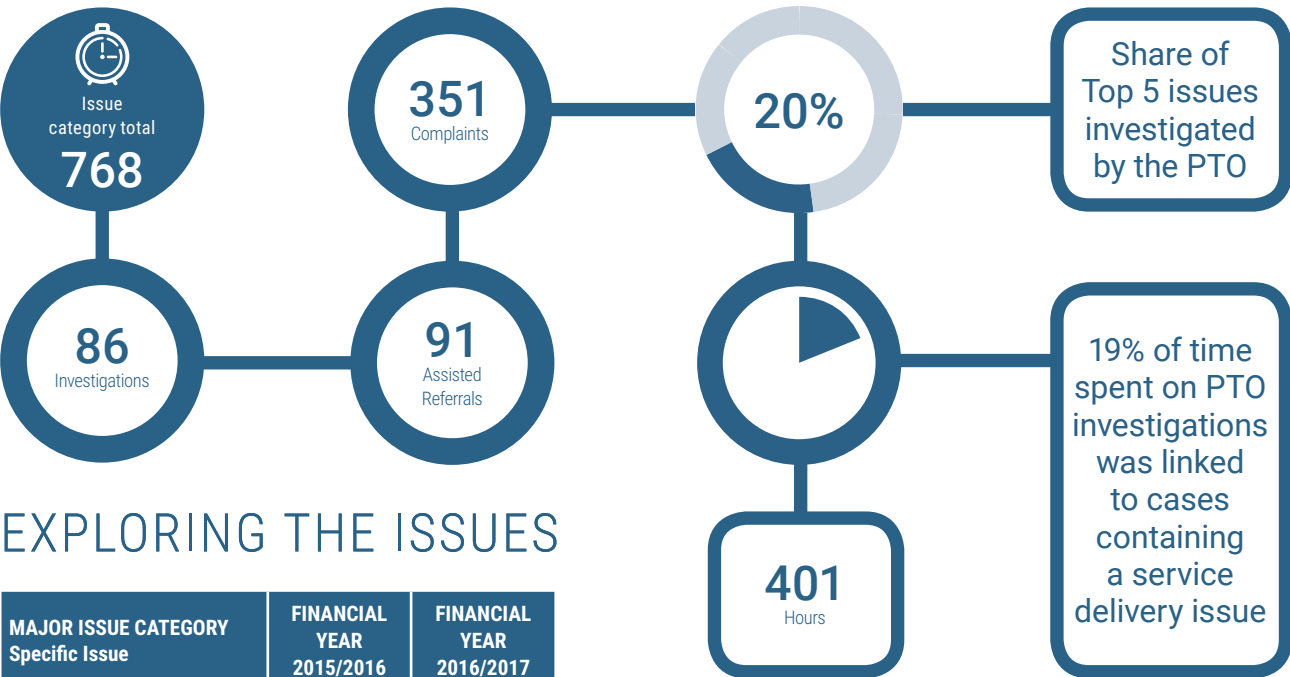
While service delivery issues increased by 5% overall, consumers contacted us about particular pain points – reliability issues more than doubled and cancellation issues increased by 29%.

Consumers are telling us their stories about the disruption and frustration they are experiencing as a result of unreliable services. These are issues that the Ombudsman talked about on radio during the year. Consumers need to be able to plan their lives around the published timetable and online information and have certainty around whether services will run and that they will run on time.

Compared to last year almost all of the increase can be associated with a rise in complaints about the reliability of buses. In particular, issues raised about Transdev’s cancellations rose from 8 to 21,

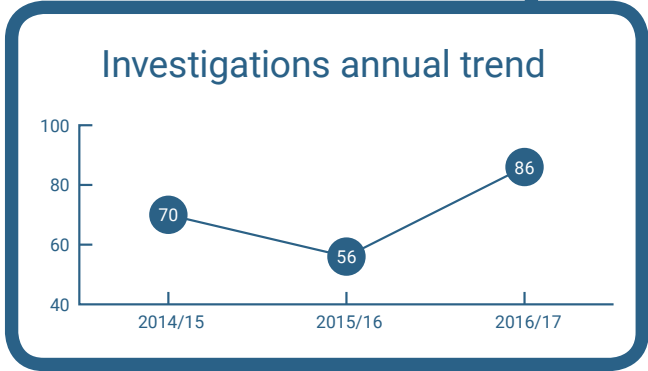
and issues about reliability of its services rose from 13 to 54. Issues about service delivery in the bus sector as a whole rose from 148 to 251.

Yarra Trams, which like the bus sector operates services that share our roads, saw an overall decrease in service delivery complaints. Slight increases in the number of issues raised by consumers in terms of reliability and disruptions can be understood in association with the significant roadworks and route changes that occurred throughout the year.

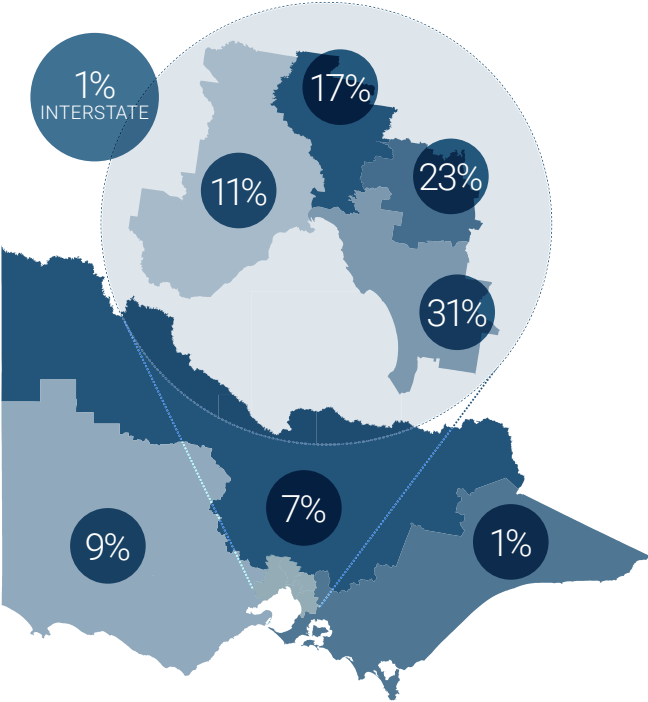


EXPLORING THE ISSUES

MAJOR ISSUE CATEGORY Specific Issue	FINANCIAL YEAR 2015/2016	FINANCIAL YEAR 2016/2017
Reliability	65	137
Punctuality	110	104
Cancellation	70	90
Insufficient Service	69	74
Disruption	90	67
Timetables	88	58
Property	69	49
Timetable Changes	66	45
Website	30	45
Replacement Service	31	44



APPROACHES BY LOCATION



CASE STUDY

Rob complained to us that his bike was damaged whilst boarding a V/Line service because the doors closed on his bike, crushing the back wheel.

Rob contacted us because he was not happy with V/Line’s response. V/Line said the reason they would not offer compensation for the bike was because Rob boarded the train in an unsafe manner and there was no evidence of the doors closing on his bike.

We viewed the footage and decided that in the circumstances Rob was not being reckless when he boarded the train, and we couldn’t see clearly whether or not the doors closed on his bike. In the circumstances we felt he had done his best.

Both parties agreed to close the case after we talked to Rob about V/Line’s advice on how to safely board a train. In recognition of Rob’s special circumstances, V/Line offered him \$50 towards the cost of a new bike.

We located a social enterprise that provided refurbished, second hand bikes to concession card holders for free. As Rob did not need to pay for his new bike, V/Line agreed to pay Rob’s parkiteer membership of \$50 which would allow him to use the bike cages at V/Line and Metro railway stations.

P2017/0123

CASE STUDY

Jan finds it difficult to plan his travel because of delayed and missed services on bus routes between Doncaster and the city.

There have been frequent delays, of up to an hour, and sometimes services are missed. He has been told to use the PTV website to plan his travel, however he says it does not identify all the delays. Jan is a contractor, so if he is late to work he does not get paid. He wants to be notified about delays so that he can make alternative travel plans to get to work on time. Jan was not satisfied with the initial response from Transdev, so he complained to us.

Transdev explained that the disruptions experienced by Jan were due to driver and bus shortages at the Doncaster depot. They advised that they were in the process of getting ten new buses on the road and were implementing a new fleet allocation plan to ensure the most appropriate bus models were being used on those routes. They were also in the process of training a new intake of staff which should address the driver shortage.

Transdev said they would continue to monitor bus breakdowns to identify whether any other changes could be made to improve reliability, and better manage the maintenance program. Transdev confirmed that it is required to report all cancellations to PTV so they can update their website; however, it seems this was not always done for the services Jan was complaining about. Transdev took corrective action so that PTV will receive cancellation information and noted that it was upgrading its travel alert service for customers to include unplanned disruptions, such as those experienced by Jan.

Transdev apologised to Jan for his experiences and said that the changes they were implementing should address the issues raised in his complaint and ensure a more reliable service moving forward.

Jan contacted us again and said that the buses has been running to schedule again and he didn’t require any further action.

P2016/3060

INFRASTRUCTURE & ROLLING STOCK

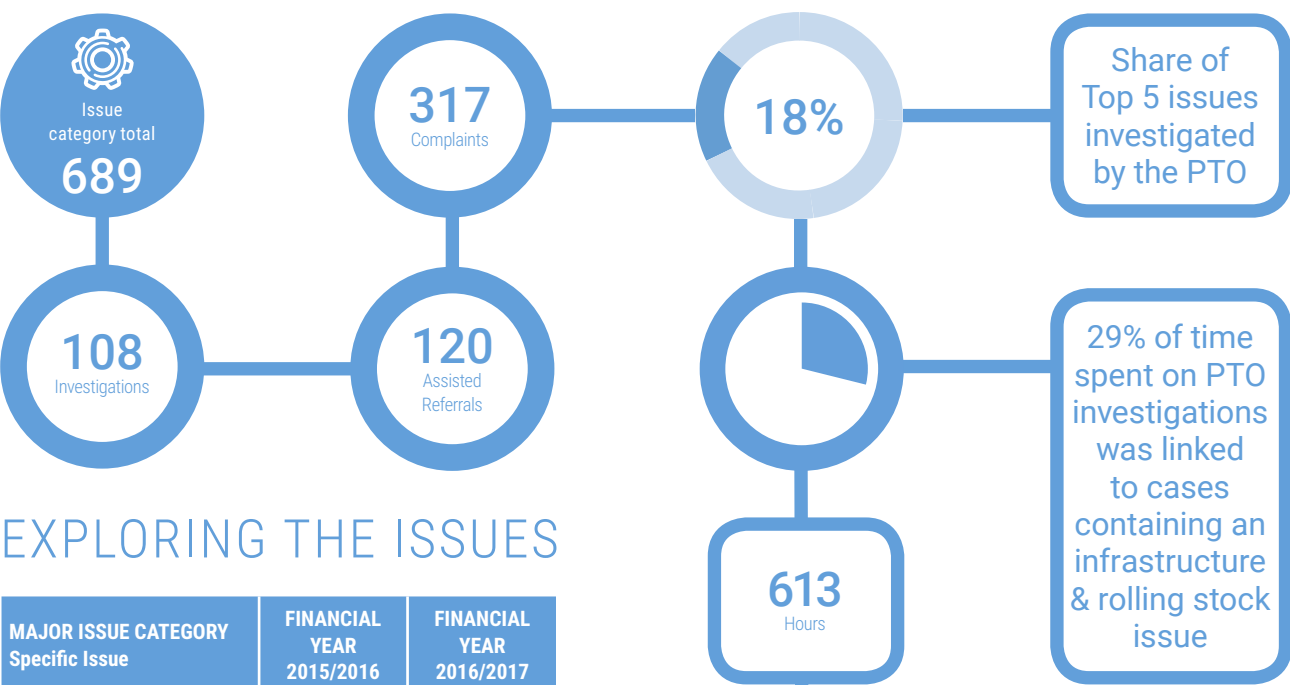
Complaints about infrastructure and rolling stock rose slightly from last year. We had more issues about tracks and boom gates because of the extent of works carried out by the Level Crossing Removal Authority and the beginnings of the Melbourne Metro Rail Authority's works.

Looking at the more traditional passenger carrying operators, we saw a significant increase in concerns about cleanliness, safety, overcrowding in vehicles and disability access. In the bus sector, issues about vehicles rose from 65 to 95, with Transdev's share rising from 29 to 45 while BusVic member bus operators saw concerns about vehicles rise from 36 to 50.

In rail, Metro and V/Line issues about carriages and coaches/bus replacements rose slightly from 51 to 57 for Metro and 43 to 45 for V/line.

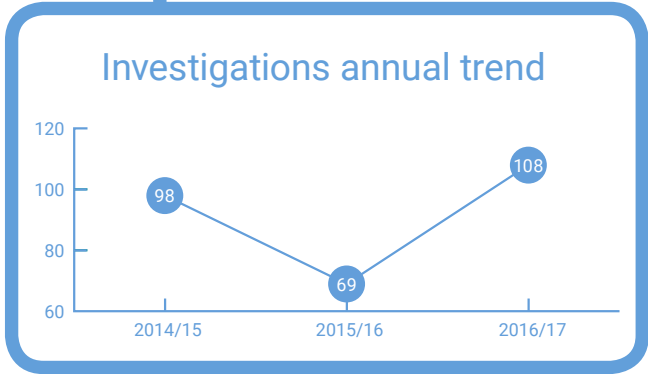
On our tram network, issues about vehicles fell from 96 to 85, with disability access complaints falling from 8 to 0.

Overall complaints about infrastructure and rolling stock remained relatively constant, which is an achievement, considering the scale of infrastructure projects.

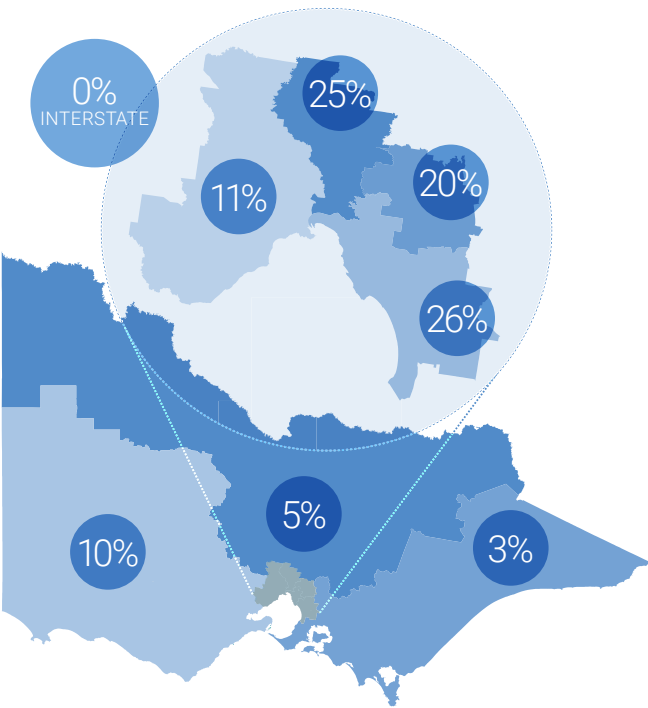


EXPLORING THE ISSUES

MAJOR ISSUE CATEGORY Specific Issue	FINANCIAL YEAR 2015/2016	FINANCIAL YEAR 2016/2017
Vehicles	303	339
Platform / Shelter / Tram Stop / Bus Stop	219	200
Tracks	88	90
Boom Gates / Crossings	22	22
Buildings	10	15
Stair / Ramp / Escalator / Elevator	9	10



APPROACHES BY LOCATION



CASE STUDY

Ming was concerned about the construction of a new station car park on land adjoining his property. He was worried about the danger to himself and the property and wanted to have some steel fencing installed in front of the concrete kerbs along the car parking spaces.

He contacted both Metro and VicTrack but didn't get a response to his concerns, so he contacted our office.

We contacted Metro and VicTrack and it was agreed that VicTrack would handle the complaint. Ming wanted us to refer the complaint to VicTrack as an assisted referral, so that it would be addressed quickly. Ming was advised that if his complaint was not resolved he should contact us again and we could look at investigating the matter for him.

As a result of our referral, VicTrack's project manager contacted Ming and began discussions with him about the type of fence to be installed. Victrack confirmed to the PTO that Ming was satisfied with the outcome.

P2017/1513

CASE STUDY

Dani was concerned about the use of chemicals during graffiti removal work at railway sidings situated behind her home. The work was being done within 20 metres of her home and she said that fans being used on site were blowing the fumes into her house. She was unable to use her backyard and questioned whether the chemicals were causing her skin irritations. She wanted confirmation that the chemicals being used were not harmful, and for the activities to stop.

Dani was not happy with Metro's response to her concerns and complained to us. We commenced an investigation, and made a site visit to Dani's house to talk to her about her concerns and look at the proximity of the works.

Metro confirmed with Dani that the works were for train refurbishment, rather than graffiti removal. The workers on site were wearing protective clothing because they were working in

a confined space, and the chemicals were safe. Metro had previously provided Dani with details of its safety assessments, and commissioned an independent assessment of the quality of the air where the painting was taking place.

Metro confirmed the completion date for this project but was unable to say what the sidings would be used for after that. They will continue to be used for projects as and when required. However as per current practices, all works will be assessed and monitored to ensure safe workings and the needs of the local community will also be taken into account. Metro's Environment Manager is drafting a procedure document for the sidings that will include communications to residents.

Dani was very happy with the outcome of her complaint to the PTO.

P2017/1016

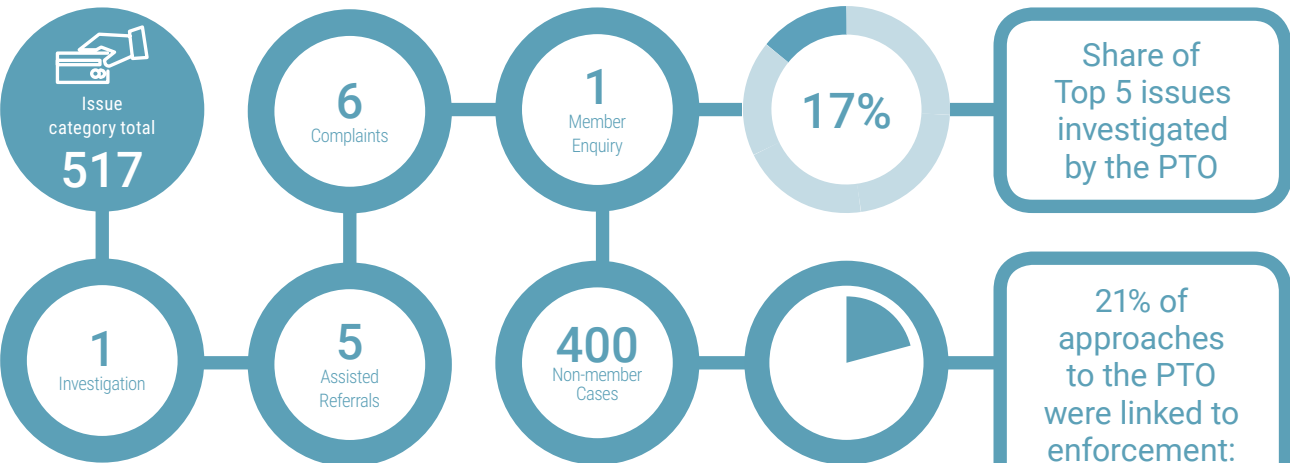
INFRINGEMENT NOTICES

Complaint issues about infringements have reduced from 763 to 517. Infringements, or public transport fines, are not within our jurisdiction.

Although consumers are reported for infringements by authorised officers, the fines are issued by the Department of Economic Development, Jobs, Transport and Resources (DEJTR). DEJTR is not a member of the PTO scheme and so we can't look at complaints about the fines they issue.

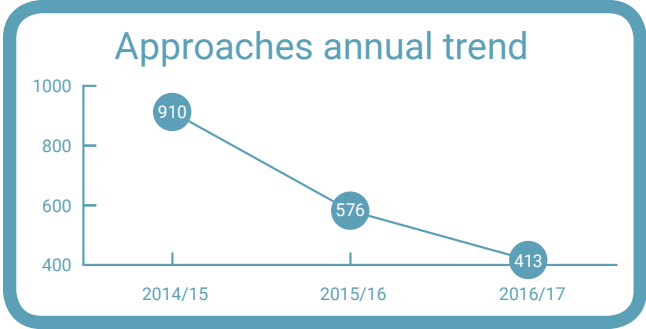
Nonetheless, there is a general perception in the community that transport fines fall within our remit, and we continue to receive a significant number of complaints. When consumers complaint to us about transport fines we can give them information and advice about the process and how to lodge an appeal. We can also look at any associated issues such as complaints about AO conduct/behaviour.

“...there is a general perception... that transport fines fall within our remit, and we continue to receive a significant number of complaints.”

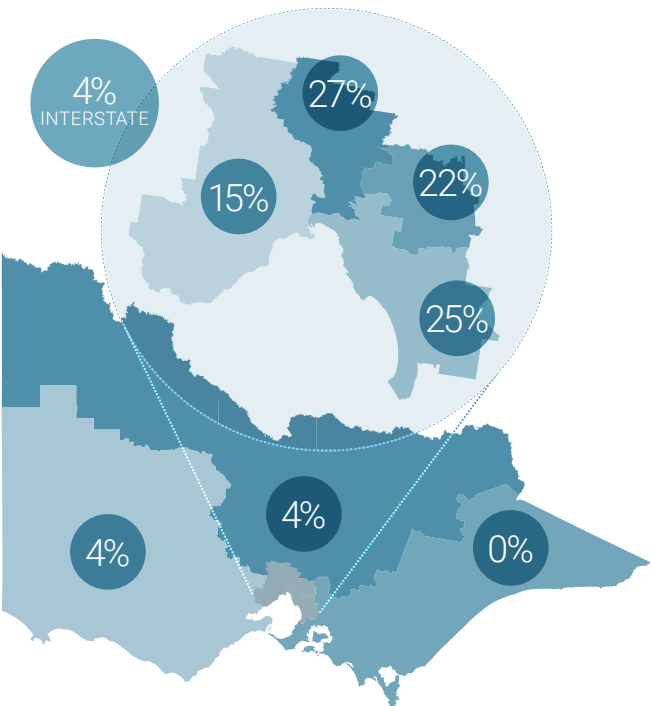


EXPLORING THE ISSUES

MAJOR ISSUE CATEGORY Specific Issue	FINANCIAL YEAR 2015/2016	FINANCIAL YEAR 2016/2017
Fine	315	203
Incorrect Ticket	106	83
Options after Appeal Response	123	79
No Ticket	39	56
Failure to Validate	88	49
Not Satisfied With Response on Appeal	39	24
Faulty Validator	20	7
Case Officer Customer Service	8	6
No Response to Appeal	10	6



APPROACHES BY LOCATION



CASE STUDY

Russ complained to us about a fine he received for failing to provide evidence of his concession entitlement. He appealed the fine but the appeal was rejected because he had already had a successful appeal for the same offence around six months earlier.

Russ believed that the fine was unfair because it was as a result of a careless oversight. Only concession card holders are required to carry additional information. There is no example of how his oversight could lead to abuse of the system as his concession card can't be used by anyone else. Russ suggested the system should be changed so that people were given a chance to provide their evidence of concession in a timely manner. This would avoid the significant impost of a fine for a low income earner.

We advised Russ that the fine is issued by the Department of Economic Development, Jobs, Transport and Resources and as the Department is not a member of our scheme, we cannot look at his complaint.

P2017/1514

THE FARE COMPLIANCE REGIME

The public transport fare enforcement landscape has changed significantly in the past year with the abolition of penalty fares from 1 January 2017 and the introduction of a warning system for ticket infringements. It is pleasing that improvement to the State Government's ticketing regime is making it easier for public transport users to comply with ticketing requirements, which should see a reduction in the number of consumers inadvertently travelling without a valid ticket. A consumer who has received an infringement notice can apply for a review on the basis that their non-compliance was not deliberate, providing they

haven't received a warning or fine for a ticketing offence in the previous three years. Our last report expressed hope that the new warning system will support authorised officers in having a more educative role and being more customer focussed when it comes to fare enforcement. This seems to have been the case, with approaches to our office showing a drop of over 40% in complaint issues involving AOs. We have been regularly briefed by PTV on the new training program for AO, which should assist AOs in identifying vulnerable consumers and exercising discretion.

“...improvement to the State Government's ticketing enforcement arrangements is making it easier for public transport users to comply with ticketing requirements...”



FOCUS ON INVESTIGATIONS

Investigations are undertaken when a consumer has tried to resolve their complaint directly with the member but they remain dissatisfied. Our investigation procedures give consumers the chance to have their complaint assessed and investigated by an independent person.

We commenced 432 investigations during the year, 21% more than last year.

The increase was driven by a rise in consumer complaints about unresolved issues in the areas of service reliability (up 60%), infrastructure and rolling stock (up 50%) and staff issues (up 35%). Reductions in investigations were evident in myki issues (down 15%) and authorised officers (down 55%).

Conciliators use a case management system that records the time spent actively completing tasks associated with resolution of each dispute. On average 272 minutes are spent on each investigation file before finalisation.

Our data shows that investigation into the rising issue categories – service delivery, infrastructure and rolling stock and staff - take noticeably more effort on the part of conciliators than myki investigations, which continue to fall in number. Investigations about infrastructure and rolling stock take around 46 minutes more time than average, and take 12 days longer to finalise. Similarly, staff issues take 16% more time during the investigation, and 12 days longer to finalise. Service reliability issues take 8 days longer than average to finalise.

These growing areas of investigations can contain sensitive or technical information associated with them, for example: staff performance, allegations of misconduct or dangerous driving. Infrastructure and rolling stock complaints often require input from fleet management and technical staff, while service delivery complaints can involve gathering data from various areas to substantiate an operator’s or consumer’s point of view.

Our conciliators are skilled in dispute resolution and investigation and have expert knowledge of the public transport industry. The conciliators collect and analyse information from both parties and where appropriate seek advice from regulators and expert advisors. They consider relevant laws and codes and good industry practice.

Conciliators work with the consumer and the member to find a mutually agreeable outcome that is fair and reasonable in the circumstances. We will let the consumer and member know if we believe an outcome is not fair. We will also tell a consumer if we believe the member has made a fair and reasonable offer to resolve their complaint.

If a member does not agree with our view, the Ombudsman has the power to make a decision that is binding on the member. If we decide that a member has made a fair offer that the consumer does not wish to accept, we will close the case and the consumer has the option of pursuing their complaint through other avenues.

CASE STUDY

We were contacted by Lee who lived interstate, on behalf of her 96 year old great aunt, Reva. Reva complained that the rail reserve behind her home had recently been developed into a bike path as a result of level crossing removal works. Prior to the works the reserve had not been accessible to the public. Reba was concerned that people using the path could see into her backyard, and rubbish was being thrown over the fence into her yard.

LXRA had offered affected residents a \$500 Bunnings voucher to purchase fence extension or plants. However Reva was not in a position to visit Bunnings, furthermore her fence was old and probably wouldn’t support extensions. Reva was also not happy with LXRA’s offer to convert the voucher to cash.

Reva sought to have LXRA pay half the cost of a new and higher fence. Half the cost of the fence was \$1189.

PTO staff undertook a site visit to view the site and talk to Reva and Lee about the issues and impacts. Lee told us that Reva was scared for her safety and not sleeping at night, and she had also changed how she was using her backyard. LXRA were provided with a statement explaining Reva’s concerns and experiences.

Within days of the site visit and after reviewing Reva’s statement, LXRA agreed to pay for half the cost of the new fence. Reva accepted the offer and the matter was resolved.

P2017/1721

OPERATOR SHARE OF INVESTIGATIONS

OPERATOR	# OF INVESTIGATIONS	
	2015/2016	2016/2017
Public Transport Victoria	170	165
BusVic	28	58
Metro	56	52
V/Line	42	51
Yarra Trams	38	50
Transdev	23	42
Level Crossing Removal Authority	-	11
Southern Cross Station	1	2
Melbourne Metro Rail Authority	-	1
Victrack	-	-

“Our investigation procedures give consumers the chance to have their complaint assessed and investigated by an independent person.”



SYSTEMIC ISSUES & CONTINUOUS IMPROVEMENT OPPORTUNITIES

COLLABORATING WITH MEMBERS

The PTO works with its members to improve public transport through the identification, investigation and resolution of potentially systemic issues or areas where there may be an opportunity for a process improvement.

These are issues we identify through complaints or other feedback which have the potential to affect more than person. The underlying complaint is resolved through our conciliation process, and the systemic issue is then classified and addressed more broadly through our systemic issues process. Addressing and resolving systemic issues or finding improvement opportunities, leads to a better public transport system for all, and a reduction in future complaints.

MYKI REGISTER

The largest number of systemic issues we have addressed have related to the myki ticketing system.

This is not surprising as myki also continues to be the most complained about issue in complaints to our office. We keep track of the broad issues involving myki through our myki issues register and meet regularly with PTV to review and address these issues collaboratively.

In the past three years, we have worked with PTV on 48 myki related systemic issues.

CASE STUDY

Following a complaint from a consumer we began an investigation into the free travel arrangements available to holders of DSP (disability support pension) concession myki. A DSP myki entitles the holder to free weekend travel in two consecutive travel zones. The consumer had a pass on his DSP myki for zones 1 and 2, and wished to travel for free on the weekend in zones 3 and 4. However he was charged for his travel.

PTV acknowledged a system flaw which results in the consumer being charged for the portion of the travel which should be free, and said that there is no immediate fix for the problem.

Although the number of consumers affected is not large, it is an anomaly that affects vulnerable consumers and may not be picked up by them.

PTV advised us that it has created a reimbursement watchlist that they can put consumers on after they contact PTV, and consumers will then be automatically reimbursed. The PTO continues to monitor the impact of this issue on consumers but remains concerned that the ticketing system is effectively overcharging people in these circumstances.

S2017/0014

“ADDRESSING AND RESOLVING SYSTEMIC ISSUES OR FINDING IMPROVEMENT OPPORTUNITIES, LEADS TO A BETTER PUBLIC TRANSPORT SYSTEM FOR ALL”

IMPACTS ON CONSUMERS OF TWO DIFFERENT TICKETING SYSTEMS

A number of issues looked at by the PTO during the year highlight the impacts of the two ticketing systems available to metropolitan and regional travellers. While the metropolitan myki conditions of travel are fairly well understood, although not without issues, regional travellers are required to understand how myki operates differently in regional areas, as well as deal with the paper ticketing system in areas where myki doesn't operate.

The paper ticketing system currently in place for many regional services has been the subject of complaints and feedback during outreach activities in regional areas, as discussed on page 41 of this report.

The PTO will be taking a broader look at the ticketing system and the challenges facing regional travellers with a view to identifying opportunities for process and policy improvements. Under our Charter we have the power to make a confidential report to a member or DEJTR if we believe that a policy or commercial practices of a member have been identified as the source of a number of similar complaints.

CASE STUDY

We took a systemic approach following a consumer's complaint that the information about free early bird travel (travel completed before 7.00 am weekdays) on PTV's website was misleading, and could easily be interpreted to mean that V/Line services were included. In response, PTV improved some of the messaging on its website, but maintained

that the terminology was generally consistent in distinguishing between metropolitan and regional services. The Ombudsman noted that the policy could be considered unfair – the 'early bird' entitlement is based around the zone 1 and 2 structure, however V/Line passengers travelling in zone 2 on diesel services are not eligible.

S2016/0032

SYSTEMIC ISSUES & CONTINUOUS IMPROVEMENT OPPORTUNITIES

CASES CLOSED AND BEING MONITORED	
DESCRIPTION	OUTCOME AND STATUS
Inconsistencies in myki refunds and reimbursements for special circumstances.	New review process implemented by PTV which clarifies when special circumstances will apply. CLOSED.
Introduction of grey myki card means consumers can no longer easily distinguish between concession and full fare myki cards.	PTV advised that consumer impacts were minimised as consumers were able to personalise their myki by writing on the ID panel on the back of the card. However we continued to receive complaints and will now develop a report to DEJTR about consumer impacts. CLOSED.
V/Line booking and seat allocation process failure	We are satisfied that the booking error resulted from a human error. CLOSED.
AOs not providing consumers with a brochure about how to complain following penalty fare	PTV reminded operators that AOs are accountable for providing a penalty fare information brochure every time a penalty fare was issued. CLOSED.
Confusing information on PTV website about access to free travel and redeeming vouchers in Senior's week	PTV updated its website information about free travel and referred the issue of how to redeem travel vouchers to the Department. CLOSED.
Delays in international students receiving their iUse passes	PTV confirmed that passes are dispatched within 1-3 business days of request and provided supporting data. CLOSED.
Incorrect transfer of balance from some expiring mykis	PTV advised that it is a known issue and that there is no immediate solution so it is seeking a long term solution via IT change. CLOSED.
Compromised access to performance based compensation for some V/Line passengers	V/Line implemented a new process to ensure these passholders had access to performance based compensation. CLOSED.
V/Line platform changes and insufficient announcements at Southern Cross Station (SCS).	Vline advises consistency of platforms cannot be guaranteed. They are working on improving up to date information to its customers. CLOSED.
AO detection of valid pass on trams following unsuccessful touch on	AO training, and new procedure to investigate before reporting consumers who claim to have valid pass. CLOSED.
PTV failure to refer complaint information to relevant public transport operators.	PTV identified network outages that led to the problem and developed a contingency plan for future outages. PTV forwarded complaints by affected consumers to relevant operators. CLOSED.
State of access toilets at Southern Cross Station.	SCS agreed to improve maintenance of access toilet facilities at SCS. CLOSED.
Customers disadvantaged by online process for multiple reimbursement requests	VLine advised that policy and payments are administered by PTV. Referred to PTV. CLOSED
Passengers on regional services not getting the 'early bird' fare in zone 2	Improved PTV messaging about eligibility, however Ombudsman has noted unfairness of current policy position. CLOSED.
Repeated failure of \$10 auto top up	PTO is satisfied with PTV's advice that this resulted from the bank's fraud mitigation approach. CLOSED.
Accessing travel history reports older than 2 years.	PTV confirmed there is process in place to request THR over two years old. If the account is unregistered, consumer would have to submit an FOI request. CLOSED.
Customers not getting copy of complaint submitted online to PTV	PTV have since changed their website to ensure that consumers receive an automatically generated copy of their complaint. CLOSED.
Accuracy of information at PIDs (SmartGuide) at tram stops about services.	Yarra Trams' advised that it has identified and implemented a technological fix to minimise consumer impacts. CLOSED.

CASES CLOSED AND BEING MONITORED

DESCRIPTION	OUTCOME AND STATUS
Customers disadvantaged by online process for multiple reimbursement requests	PTV advised that there are no more e-passes which caused the problem, therefore no longer an issue. CLOSED.
Lack of support for vision impaired tram passenger affected by disruption.	Yarra Trams provided access policy and confirmed the drivers training. One off issue, not systemic. CLOSED.
Onerous process for requesting a refund of a myki double charge.	PTV confirmed its process and the circumstances in which a bank statement is required. CLOSED
Metro drivers failing to assist consumer in wheelchair board trains.	Metro provided evidence of appropriate procedures. PTO satisfied it was the result of human error rather than a systemic failing. CLOSED.
Consumer was charged for weekend travel and the rate was greater than for peak travel.	PTV looking at implementing policy change or system fix to resolve. CLOSED.
Overcharging for regional coach travel.	V/Line rectified online error about fare and confirmed that consumers were being undercharged, not overcharged. CLOSED.
Consumers were advised that PTV Customer Advocate could not handle their complaint.	PTV said that complaints outside its terms of engagement will be considered for investigation on a case by case basis. CLOSED.
Consistency and accuracy of information to consumers about access to CCTV footage	PTV changed referral process for consumers seeking access to CCTV footage. CLOSED.
Confusing arrangements for touch on Geelong station	PTV acknowledged confusion around myki machines. Improved signage for consumers. CLOSED.
Consumers with multiple myki passes are unable to control the order in which each pass activates	PTV advised that issue cannot be fixed and will consider requests for compensations from affected consumers. CLOSED.
varying time frames for transfer of balance of soon to expire myki	PTV provides consumers with conservative estimate although transfer usually much quicker. CLOSED.
DSP concession myki holder unable to use his zone 1 and 2 pass for weekend travel.	PTV advised that it has a reimbursement watchlist in place to automatically reimburse consumers. CLOSED.
PTV requirement for consumers to provide banking info for myki refund.	PTV clarified circumstances in which bank account information is required. CLOSED.

CASES OPEN AS AT 17/10/2017

Real time bus tracking
Daily capping for travel across regional and metropolitan zones
Failed transactions
Blocked cards and myki accounts
Processing of refund requests for deposits on blocked cards
Automatically generated refund letters cause confusion for consumers
Information to consumers about myki refund
TopCo complaint handling timeframes
Metro footage
Handling complaints about driver conduct including serious allegations
Performance data for bus industry is not published on PTV's website
Train transposals and service information

 * Denotes myki register systemic issues.

OUTREACH, AWARENESS & ACCESSIBILITY

IN THE COMMUNITY

Making the public aware of our services is one of the biggest challenges for the PTO. That’s why it’s important for us to get out into the community and talk to people from all walks of life about their public transport concerns and let them know how we can help.

We’ve travelled across Victoria this year to many different events including orientation week at several regional and metropolitan universities – and even the *New to Melbourne Festival*. In February the Ombudsman spoke at the Light Rail conference on the importance of organisations dealing effectively with consumer complaints.

We continue to engage closely with the disability support sector and have attended a number of disability and access community expo’s, providing

expert advice and assistance to consumers with public transport issues.

By immersing ourselves within the communities we live in, we’ve been able to listen to people’s public transport stories and concerns and help by providing on-the-spot advice.

The PTO supports staff undertaking community awareness activities. Team members slept rough on 4 May at *Sleep at the ‘G* and raised over \$700 to help Melbourne City Mission support homeless youth.

GETTING THE WORD OUT

Throughout the year the Communications team has also been working on increasing community awareness through social media. The team have developed tailored communication kits including posters, case studies, web copy and stories for council outreach activity and local media to promote the service.

Through Facebook, the PTO has been able to share content with the community about the service, current public transport related media and used some light-hearted humor to

engage the public. Members of the public also use Facebook to contact our office about complaints.



Over the last six months, page likes increased by more than 30%.

We’ve developed a series of infographics to communicate important key messages to the community about how many people we’ve helped and who we can help. Our infographics form part of our larger communications toolkit and have been shared widely by a number of councils on Facebook.

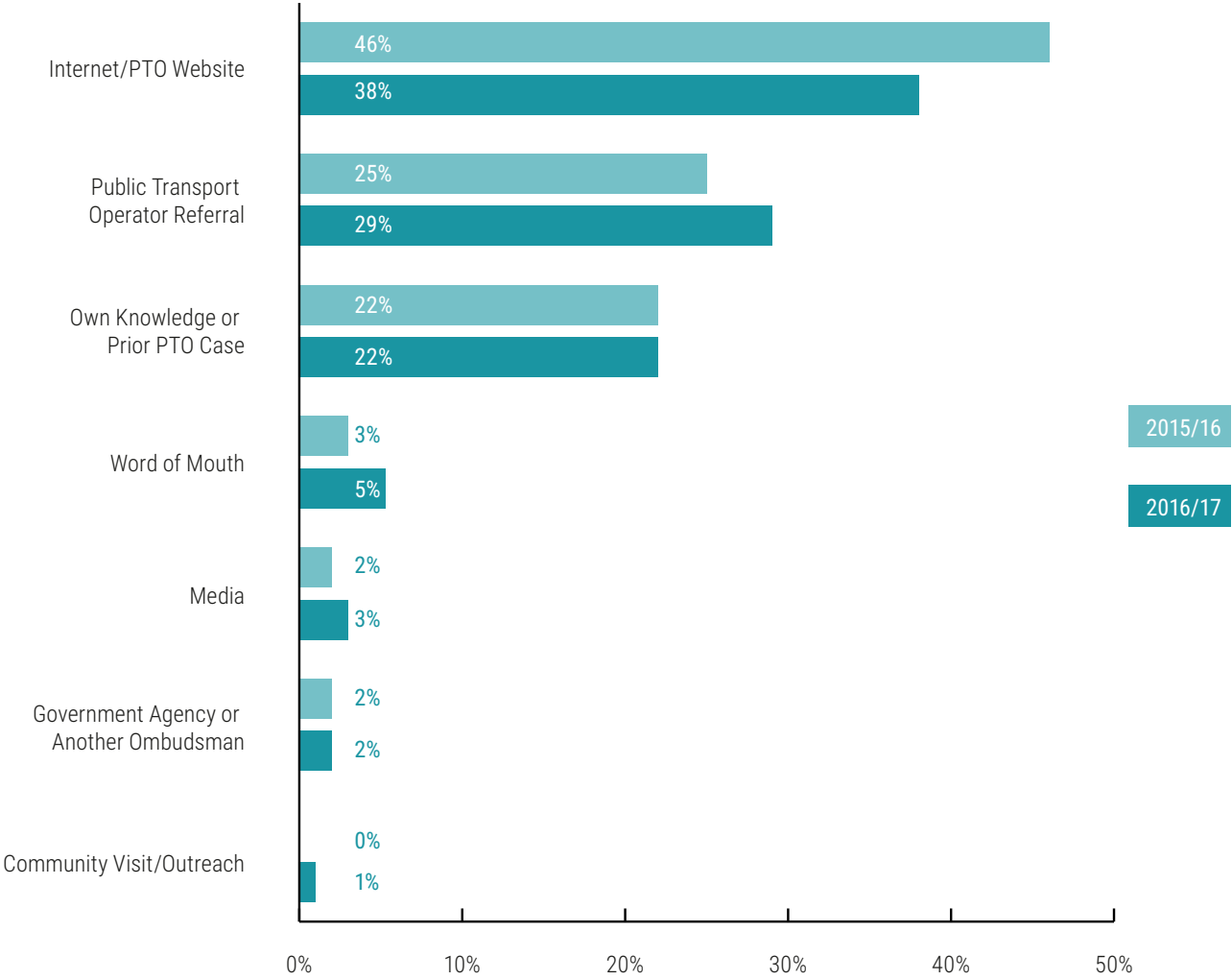


Facebook infographics

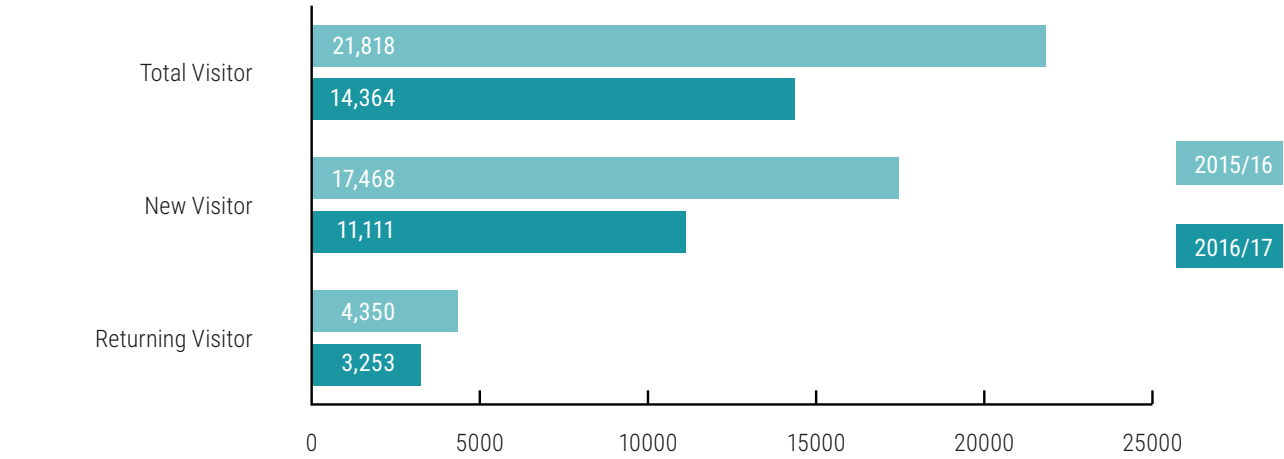
ACCESSIBILITY

We not only provide online complaint options but a lot of the work we do is done over the phone. Our case officers can also meet with consumers to discuss their complaint and can also arrange a time to conduct site visits. Sometimes it suits complainants to nominate someone to talk to our office on their behalf.

WHERE PEOPLE HEARD ABOUT THE PTO



PTO WEBSITE VISITORS



VICTORIAN COUNCIL ROADSHOW

35 TOWNS IN 24 DAYS

This year the Public Transport Ombudsman embarked on a roadshow to engage with Victorian councils across the state. The Ombudsman sat down with CEO's, Mayors and transport managers across 35 different councils from Swan Hill to Leongatha.

Conversations between the Ombudsman and councils were very informative and constructive. Many of the issues raised were universal and were encountered across both metropolitan and regional areas: graffiti, noise and

land use around public transport. However there were many conversations about the issues that regional travellers in particular face, such as service frequency and reliability and paper tickets. Some of the issues affecting regional communities that were raised with the Ombudsman are explored in more detail on page 41.

"Many of the issues raised were universal and were encountered across both metropolitan and regional areas"

While the Ombudsman met with councils across the state, the communications team were working with the media teams at councils and sharing case studies and a variety of promotional pieces about the PTO for each community.

Since kicking off the roadshow and working closely together, councils across the state have welcomed the initiative to offer their residents more options to have their say about public transport.

Councils have shown their full support by promoting the service to residents through local media, community newsletters and Facebook.

TOWNS VISITED

- Altona
- Ararat
- Ballarat
- Beaufort
- Bendigo
- Bright
- Camberwell
- Dandenong
- Daylesford
- Footscray
- Geelong
- Glen Waverley
- Horsham
- Ivanhoe
- Kerang
- Leongatha
- Melbourne
- Melton
- Mentone
- Morwell
- Pakenham
- Prahran
- Preston
- Queenscliff
- Richmond
- Sandringham
- St Kilda
- Stawell
- Sunshine
- Swan Hill
- Torquay
- Warracknabeal
- Warragul
- Werribee
- Wodonga



POLICY CONTRIBUTIONS

The past year has seen us participate actively in the review and development of public transport and consumer protection policy.

It is particularly pleasing that the Victorian Government listened to the concerns expressed in our previous Annual Report about the fairness of the penalty fare system, and abolished penalty fares from the beginning of 2017.

During 2017 we worked with WEstjustice, a legal service in the western suburbs of Melbourne, on a project to support young people who were trying to complete their schooling while "couch surfing" to deal with the effects of violence in the family home.

WEstjustice approached our office in response to the Youth and Industry Roundtable we hosted in 2015 hoping we could assist with this project.

"...the Victorian Government listened to the concerns expressed...about the fairness of the penalty fare system, and abolished penalty fares from the beginning of 2017."

A number of discussions were held with WEstjustice and public transport operators to explore ways in which these students could be encouraged to travel compliantly on public transport while being supported through

difficult personal circumstances. As a result of these discussion, a pilot proposal was developed and is currently being discussed with various stakeholders.

OTHER POLICY PROJECTS

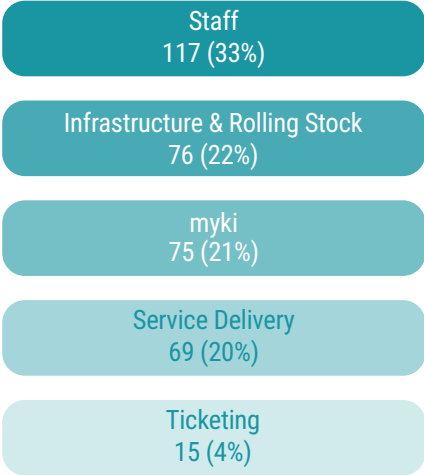
1. In early 2016 we made a submission to the Victorian Government's review of Access to Justice. In August 2016 the Victorian Government released its report, identifying that alternative dispute resolution such as the PTO can increase access to justice by providing an alternative to formal court or tribunal proceedings that is quicker, cheaper, and more likely to result in an outcome that satisfies both parties and maintains their relationship. We support the proposal to improve the provision of legal information to the public, and establish Victoria Legal Aid as the entry point for information about legal issues for Victorians. A central information source will improve community awareness of industry based dispute resolution schemes such as the PTO, and ensure the justice system better meets the needs of vulnerable members of the community.
2. In 2016 we were invited to provide our views on the review of the Transport Ticketing Regulations. We made a written submission and met with DEJTR to explain our concerns with the draft Regulations. Further changes were made to the Regulations following our discussions.
3. We made a submission to the *Whole of Journey Guide* developed by the Commonwealth Department of Infrastructure which advocates a whole of journey approach to make public transport more accessible for people living with disability. Our view is that the development of the guide is a valuable resource to encourage ongoing development of best practice by public transport service providers.
4. More recently we made a submission to The Justice Project, which is a review of access to justice by the Law Council of Australia.

Through our systemic issues investigations, detailed on page 28, we work with public transport operators to improve practices and policies and create a better public transport system for everyone.

REGIONAL ISSUES

TOP 10 REGIONAL CONTACTS BY POSTCODE*		
Postcode	Indicative Locality	Number of Approaches
3212-3220	Greater Geelong	46
3350-3356	Greater Ballarat	32
3550	Bendigo	16
3820	Warragul	10
3377	Ararat	10
3690	Albury/Wodonga	9
3608	Nagambie	9
3223	St Leonards	5
3844	Traralgon	5
3629	Mooroopna	4

* Postcodes as supplied by consumers



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3350-3356 GREATER BALLARAT SPOTLIGHT

Five consumers approached us with concerns about changes to the bus services and timetables in Ballarat.



3820, 3844 WARRAGUL & TRARALGON SPOTLIGHT

Nine consumers complained about staff behaviour, poor customer service and complaint handling. These ranged from a bus driver's behaviour in Morwell to several incidents involving Metro staff at Flinders Street Station and Southern Cross Station.



3690 ALBURY/WODONGA SPOTLIGHT

Four consumers made complaints about drivers of local bus services. One consumer made multiple complaints about various issues after being removed from a service.



3550 BENDIGO SPOTLIGHT

Approaches from Bendigo residents contained concerns about disabled access to buses, service disruptions and dissatisfaction with coach replacements for train services.



METROPOLITAN ISSUES

3000 MELBOURNE CBD SPOTLIGHT

A number of consumers expressed concerns about the state of train carriages, trams and buses. The most common complaint was about infringement notices and authorised officers.

3182 ST KILDA SPOTLIGHT

Punctuality of services featured repeatedly, most issues were about late bus services. St. Kilda residents also raised several complaints about the cleanliness of trains.

3072 PRESTON SPOTLIGHT

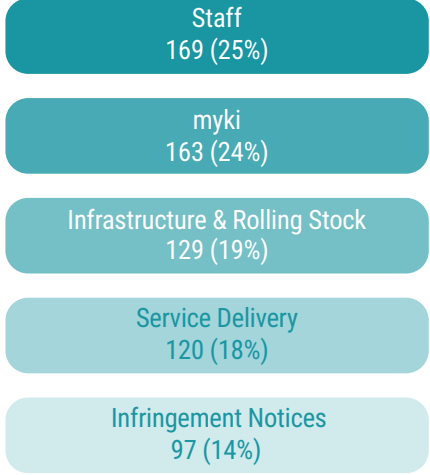
myki complaints were the major component of complaints from Preston residents. Some consumers received myki cards which were incorrectly coded based on their concession entitlement, while another myki user complained of the confusing new card design.

3204 WERRIBEE SPOTLIGHT

The majority of complaints by Werribee residents were about punctuality of services, particularly bus services. The other major area of concern was poor customer service when approaching PTV or operators directly.

TOP 10 METROPOLITAN CONTACTS BY POSTCODE*		
Postcode	Indicative Locality	Number of Approaches
3000	Melbourne, CBD	47
3182	St Kilda	36
3196	Chelsea	24
3204	Bentleigh	22
3073	Reservoir	22
3147	Ashburton	22
3030	Werribee	21
3072	Preston	21
3058	Coburg	21
3109	Doncaster	20

* Postcodes as supplied by consumers



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REGIONAL FOCUS

Connections to work, family, friends and events are important to regional travellers. This year, staff and infrastructure and rolling stock issues dominated concerns expressed by regional travellers.

Staff issues were the leading category, including issues about customer service and staff behaviour, including drivers. Infrastructure and rolling stock concerns, including the state of vehicles and tracks also featured strongly.

The remainder of issues were largely about myki problems and service reliability and punctuality. Occasional travellers sometimes find it inconvenient or confusing to travel using two ticketing systems (myki and paper tickets).

Our data tells us that 16% of approaches to the PTO are from consumers who live in regional Victoria and Melbourne's outer fringe. We recognise that awareness of the PTO and what we do needs to be much higher in the community, and in particular in regional communities. This is why the Ombudsman began her program of meeting with regional councils to discuss local public transport issues and explain the services offered by the PTO.

On her travels, the Ombudsman heard about the particular pain points that regional travellers face. For example the paper ticketing system used across much of the V/Line rail and coach network is outdated and can lead to significant inconvenience to regional travellers.

Although paper tickets can be booked over the phone or online, the tickets cannot be printed out by the passenger and must be picked up from an outlet instead. The Ombudsman heard from people who needed to make a separate trip, often of a significant distance, to pick up their ticket before travelling. Sometimes the outlet providing the paper ticket is not open before the passenger wishes to board their train or coach.

The PTO is currently reviewing the complaints it has received about the paper ticketing system, as well as the relevant feedback from regional visits, with a view to undertaking a significant systemic investigation.

The Ombudsman also heard from regional councils about common land use issues around public transport such as graffiti, noise, dust, vegetation control and maintenance. We are able to help regional residents with these issues where they are the responsibility of a public transport operator such as V/Line or VicTrack.

Due to the overwhelmingly positive feedback on the Ombudsman's regional visit program, the program will continue next year with plans to hold PTO information forums in different regional areas of Victoria.

MAJOR PROJECTS

Melbourne's rapid growth and transformation has led to the State Government expanding the capacity of Victoria's rail network to reduce congestion and provide a better travel experience for commuters. Two statutory authorities are responsible for delivering on these objectives through the construction of the Metro Tunnel Project and the removal of 50 level crossings throughout Melbourne:

- Melbourne Metro Rail Authority (MMRA)
- Level Crossing Removal Authority (LXRA)

The types of complaints we receive from both of these authorities can be somewhat complex and sometimes require additional consultation with technical expert advisors. Our staff receive regular and ongoing briefings with all members including MMRA and LXRA, and are well equipped to manage the full range of passenger and non-passenger complaints.

MELBOURNE METRO RAIL AUTHORITY

The Melbourne Metro Rail Authority joined our scheme in June 2016 and promises to add capacity to Melbourne's rail network by taking three of the busiest train lines through twin nine kilometre tunnels from the west of the city to the south-east as part of a new Sunbury to Cranbourne/Pakenham line. Building the tunnel will create space in the City Loop and allow more trains to run on the network across Melbourne. As part of the project that will allow an additional 39,000 passengers to use the rail network each peak period, MMRA will deliver five new train stations in and around the CBD and improved signalling for the new fleet of high capacity trains.

The MMRA is not only responsible for delivering the Metro Tunnel but also the Ballarat Line Upgrade to expand and upgrade the capacity of the train line between Melbourne and Ballarat – one of Victoria's fastest growing regional cities.



Photo by Bramley Turner-Jones

COMMUNITY CONSULTATION

The MMRA has led an extensive program of community consultation since embarking on the project. They have in place broad and accessible communication channels for the community including information phone lines, online forms, mail and information channels through social media – Facebook and Twitter.

Resolving MMRA complaints can indirectly involve third-party investigations and diverse resolutions as detailed in this recent complaint:

A new tram stop was being built near the front of Russell's home as part of the early works pertaining to Melbourne's Metro Tunnel. Russell became worried that the new tram stop would impact access to his front door and reduce car parking in his area.

After contacting the MMRA he felt that his feedback hadn't been taken seriously, and that he hadn't received a timely response. He also felt that the nature of their response was generic and didn't appropriately address his concerns. After making several phone calls to the MMRA to follow up on his concerns about the nature and timeliness of their response, he made a complaint to our office.

We listened to Russell's concerns and held discussions with the MMRA to conduct a full investigation into his complaint.

The PTO accepted MMRA's position with respect to the consumer not receiving a timely response in that while MMRA was accepting feedback submissions about the project, no commitment was made to provide individual responses to residents.

As a result of our investigation, MMRA worked with Australia Post to address Russell's concerns about limited parking which could be alleviated by moving the location of a mail box on his street which blocked public parking. Further to their discussions, Australia Post made the decision to decommission the mail box near Russell's home and the MMRA also committed to providing an additional car parking space there. We didn't hear from Russell again, so we closed his case on this basis.

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LEVEL CROSSING REMOVAL AUTHORITY

After VicRoads delivered a report naming the most dangerous level crossings, the State Government established a Level Crossing Removal Authority (LXRA) to oversee the removal of 50 level crossings across Melbourne by 2022.

Removing each level crossing involves extensive excavation and building in and around train stations within the community. With the nature of complaints in these areas sometimes involving both passenger and non-passenger operators like LXRA, it made sense for consumers to have a single point of contact to resolve their complaints. That's why in January 2016, LXRA became one of the newest non-passenger members to join the Public Transport Ombudsman's scheme.

THE CHANGING FACE OF COMPLAINTS

With ten level crossings now gone, we expect the bulk of complaints will be made to our office across the next few years. The complaints we receive about LXRA come from a variety of consumers, from residents to traders and can often include external factors that impact people's personal space like noise, dust and even vibrations.

Resolving LXRA complaints is a collaborative process and can often result in a range of outcomes as detailed in this recent complaint:

The home next to Elizabeth was being rented out by LXRA so that it could provide vehicle access to trucks needing to access the rail corridor at the rear of her property. The property was also being used to store equipment. As part of the works, trucks often stopped along the fence line. In addition to noise concerns from the property, her backyard had also become dusty to the point where the washing on her line was getting dirty. Her son's study time was also being disturbed by the noise.

Elizabeth approached LXRA and they helped her relieve the noise she was experiencing by providing her with alternative accommodation on a couple of occasions. However Elizabeth felt that LXRA was unable to give her a definitive date as to when the works would end.

She also felt frustrated that she had to speak to different people each time she phoned and anxious about the entire experience so she decided to make a complaint to our office.

We opened an investigation and visited Elizabeth at her home to conduct a site inspection and talk through her complaint. As a result of our investigation and discussions with LXRA, a definitive end date of the works was provided to Elizabeth. As a gesture of goodwill LXRA provided Elizabeth with further relocation accommodation, cleaning for her outdoor patio, a dry cleaning voucher, movie tickets and a refurbished computer for her son. Elizabeth was satisfied with the outcome and we closed the case.

P2017/1366

APPROACHES AND COMPLAINTS WITH ISSUES BY PTO MEMBER

BUSVIC	FY 2015-2016	FY 2016-2017
Member - Complaint	92	89
Investigation	28	58
RFIE	30	39
Member - Enquiry	7	9
Total Approaches Received	157	195
Top Issues		
Staff	165	185
Service Delivery	80	97
Infrastructure and Rolling Stock	38	44

LEVEL CROSSING REMOVAL AUTHORITY	FY 2015-2016	FY 2016-2017
Investigation	-	11
Member - Complaint	2	7
RFIE	2	5
Member - Enquiry	-	2
Total Approaches Received	4	25
Top Issues		
Infrastructure and Rolling Stock	1	15
Staff	2	13
Land	1	5
Service Delivery	3	2

MELBOURNE METRO RAIL AUTHORITY	FY 2015/16	FY 2016-2017
Member - Complaint	2	9
RFIE	0	2
Investigation	0	1
Member - Enquiry	2	1
Total Approaches Received	4	13
Top Issues		
Infrastructure and Rolling Stock	-	6
Staff	-	4
Land	-	3
Service Delivery	-	2

METRO TRAINS	FY 2015-2016	FY 2016-2017
Member - Complaint	222	212
RFIE	128	91
Investigation	56	52
Member - Enquiry	49	34
Total Approaches Received	455	389
Top Issues		
Service Delivery	190	175
Infrastructure and Rolling Stock	164	174
Staff	181	127
Authorised Officer	136	98
Land	66	53

PUBLIC TRANSPORT VICTORIA	FY 2015-2016	FY 2016-2017
Member - Complaint	469	466
RFIE	374	312
Member - Enquiry	293	177
Investigation	170	165
Total Approaches Received	1306	1120
Top Issues		
myki	1137	961
Service Delivery	166	159
Infrastructure and Rolling Stock	132	134
Penalty Fare	241	127
Staff	146	122

SOUTHERN CROSS STATION	FY 2015-2016	FY 2016-2017
Member - Complaint	3	3
Investigation	1	2
Member - Enquiry	1	1
RFIE	2	1
Total Approaches Received	7	7
Top Issues		
Infrastructure and Rolling Stock	7	5
Service Delivery	1	2
Staff	2	1

TRANSDEV	FY 2015-2016	FY 2016-2017
Member - Complaint	52	99
Investigation	23	42
RFIE	27	23
Member - Enquiry	6	2
Total Approaches Received	108	166
Top Issues		
Service Delivery	68	154
Staff	95	105
Infrastructure and Rolling Stock	35	62

VICTRACK	FY 2015-2016	FY 2016-2017
Member - Complaint	1	4
RFIE	2	4
Member - Enquiry	7	0
Total Approaches Received	10	8
Top Issues		
Land	3	5
Infrastructure and Rolling Stock	1	3
Staff	2	2

V/LINE	FY 2015-2016	FY 2016-2017
Member - Complaint	105	109
Investigation	42	51
RFIE	72	49
Member - Enquiry	25	19
Total Approaches Received	244	228
Top Issues		
Staff	134	128
Service Delivery	136	97
Infrastructure and Rolling Stock	84	84
Land	17	28
Ticketing	36	28

YARRA TRAMS	FY 2015-2016	FY 2016-2017
Member - Complaint	175	137
Member - Enquiry	82	66
RFIE	82	60
Investigation	38	50
Total Approaches Received	377	313
Top Issues		
Infrastructure and Rolling Stock	189	148
Staff	168	141
Service Delivery	80	75
Authorised Officer	97	68
General Enquiry	24	23

SUMMARY FINANCIAL STATEMENTS

The following is a concise version of the Financial Report for the Public Transport Ombudsman Ltd. for the year ending 30 June 2017. The financial statements and specific disclosures contained in this concise financial report have been derived from the full financial report and the concise financial report cannot be expected to provide as full an understanding of the financial performance, financial position and financing and investing activities of the entity as the financial report.

DISCUSSION AND ANALYSIS OF THE COMPREHENSIVE INCOME STATEMENT

REVENUE FROM ORDINARY ACTIVITIES

Revenue for the period ending 30 June 2017 was \$1,704,589. This was derived from three sources:

- Annual Levies from Members: \$1,685,851
- Interest Income: \$17,138; and
- Other Income: \$1,600

OPERATING EXPENSES

Operating Expenses for the period ending 30 June 2017 were \$1,804,509. The majority of operating expenses were employee benefits (\$1,311,974), Telephone and IT expenses (\$129,241) and occupancy expenses (\$121,908).

INCOME TAX

The Australian Taxation Office (“ATO”) issued a private tax ruling declaring that the company is deemed exempt from income tax for the financial years ending 30 June 2015 to 30 June 2018.

DISCUSSION AND ANALYSIS OF THE STATEMENT OF FINANCIAL POSITION

TOTAL ASSETS

Total assets decreased by \$37,181 during the period due primarily to a decrease in total current assets of (\$11,259) and a decrease in non-current assets of (\$25,922).

TOTAL LIABILITIES

Total Liabilities increased by \$62,739 during the period. This is due to an increase in total current liabilities of \$34,739 and increase in non-current liabilities of \$28,000.

DISCUSSION AND ANALYSIS OF THE STATEMENT OF CASH FLOWS

CASH FLOWS FROM OPERATING ACTIVITIES

Cash at the end of the financial year as shown in the statements of cash flows is \$682,881. This was derived from:

- Cash inflow from operating activities (\$749,770)
- Cash outflow from investing activities (\$43,295); and
- Cash and cash equivalents at the beginning of financial year \$1,475,946.

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

INCOME STATEMENT

For the year ended 30 June 2017

	2017 \$	2016 \$
REVENUE	1,704,589	1,852,618
Employee benefits expense	1,311,974	1,219,091
Depreciation and amortisation expense	69,255	55,981
Occupancy costs	121,908	114,642
Telephone and IT expenses	129,241	119,488
Consultancy expenses	29,655	36,714
Other expenses from ordinary activities	142,476	182,825
(Loss) /Surplus before income tax expense	(99,920)	123,877
Income tax expense	-	-
Total Comprehensive (Loss) / Income for the year	(99,920)	123,877

BALANCE SHEET

As at 30 June 2017

	2017 \$	2016 \$
CURRENT ASSETS		
Cash and cash equivalents	682,881	1,475,946
Trade and other receivables	947,599	163,484
Other Assets	14,705	17,014
Total current assets	1,645,185	1,656,444
NON-CURRENT ASSETS		
Property, plant and equipment	100,239	99,779
Intangible Assets	36,374	62,756
Total non-current assets	136,613	162,535
Total assets	1,781,798	1,818,979
CURRENT LIABILITIES		
Trade and other payables	1,198,945	1,188,131
Employee benefit liability	50,323	26,398
Total current liabilities	1,249,268	1,214,529
NON-CURRENT LIABILITIES		
Provisions	54,084	21,840
Trade and other payables	5,441	9,685
Total non-current liabilities	59,525	31,525
Total liabilities	1,308,793	1,246,054
Net assets	473,005	572,925
EQUITY		
Retained surplus	473,005	572,925
Total equity	473,005	572,925

STATEMENT OF CHANGES IN EQUITY

For the year ended 30 June 2017

	2017 \$	2016 \$
Total Equity at the beginning of the financial year	572,925	449,048
Total comprehensive income for the year	(99,920)	123,877
Total Equity at the end of the financial year	473,005	572,925

STATEMENT OF CASH FLOW

For the year ended 30 June 2017

	2017 \$	2016 \$
CASH FLOWS FROM OPERATING ACTIVITIES		
Receipts from Members	937,598	1,992,125
Payments to suppliers and employees	(1,704,506)	(1,737,819)
Interest received	17,138	16,926
Net cash inflow from operating activities	(749,770)	271,232
CASH FLOWS FROM INVESTING ACTIVITIES		
Payments for office equipment	(43,333)	(3,846)
Proceeds from office equipment	38	-
Purchase of intangible assets	-	(20,156)
Net cash (outflow) from investing activities	(43,295)	(24,002)
Net increase in cash and cash equivalents	(793,065)	247,230
Cash and cash equivalents at the beginning of financial year	1,475,946	1,228,715
Cash and cash equivalents at the end of financial year	682,881	1,475,946

CALL US

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*(Free from landlines, standard rates apply for calls from mobiles). If you call from a mobile you can ask us to call you back.

National Relay Service (NRS)

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

- Contacting the National Relay Service
<http://relayservice.gov.au/support/training/nrs-call-numbers/>
- Providing the NRS with the Public Transport Ombudsman number you want to call (1800 466 865).

For more information, visit:
<http://www.relayservice.gov.au>

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