

Overview

Spring 09

THE PUBLIC TRANSPORT OMBUDSMAN'S FIFTH ANNUAL REPORT HAS NOW BEEN RELEASED

The community rightly has high expectations about how we deliver cost-free, independent, fair and speedy dispute resolution. This year, we report against our key business priorities to better account for the important task with which we are entrusted.

Excellent dispute resolution services: We received 1180 new cases, up 4 per cent. We investigated and finally determined 227 complaint issues, resolving 80 per cent of matters with outcomes including apologies, compensation and changes to operator procedures. We have worked hard to make our services more accessible. Information about the Public Transport Ombudsman (PTO) is now available in 7 languages other than English, and in large text and audio format for the vision-impaired.

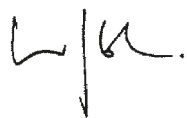
Better public transport services: We finalised 2 reports. The first follows a review of operators' complaint handling, and our recommendations include that operators apologise and consider goodwill gestures for delayed complaint responses. We are seeing evidence that operators now do this. Our second review examined the complaint trends arising from authorised officer complaints received by the PTO.

Effective relationships: This year, we undertook more than 30 outreach activities in metropolitan and regional Victoria, speaking to community workers and commuters about the PTO. We have arranged courses for public transport operators about complaint handling and dealing with unreasonable conduct, and presented at training for authorised officers and new call-centre staff.

A leading ombudsman: We have overhauled our performance management and more than doubled our investment in the professional development of PTO officers. We introduced paid maternity and study leave, and implemented an environmental management strategy, which has already seen reductions of at least 13 per cent in our energy and paper use, and in waste generation.

The coming year holds significant change for Victoria's public transport, including new metropolitan operators and a new ticketing system. These and other developments will make our job as the independent referee for public transport complaints even more critical.

I encourage you to read the full report at www.ptovic.com.au.



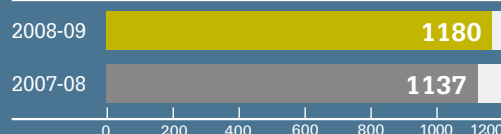
Simon Cohen,
Public Transport Ombudsman



CASE HANDLING 2008-09

In 2008-09, the PTO handled 1206 cases, including 1180 new cases – an increase of 4 per cent on 2007-08 (see graph 1).

GRAPH 1 TOTAL RECEIVED CASES

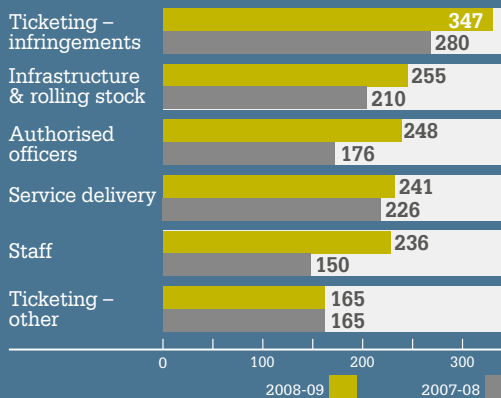


The most common complaint issue was that of transport infringement notices. The Department of Transport is charged with reviewing these notices, and we provide contact details and other information to any person who contacts us to appeal a notice. The next top 5 complaint issues handled by the PTO during 2008-09 were:

- ✎ infrastructure and rolling stock – complaints about public transport vehicles, stations and tracks
- ✎ authorised officers – complaints about conduct (intimidation, use of force), communication and the exercise of discretion
- ✎ service delivery – complaints about punctuality, cancellations, disruptions and the failure of operators to pick up or set down passengers
- ✎ staff – including drivers, station attendants and conductors – with issues about behaviour, passenger safety and the handling of complaints
- ✎ ticketing – including about faulty tickets and machines, refunds, replacements, information and conditions (see graph 2).

See the 2009 PTO Annual Report for a full explanation of our operational statistics.

GRAPH 2 ISSUES



REVIEW OF AUTHORISED OFFICER COMPLAINTS

During 2008, the PTO took on an increased role in handling complaints about authorised officers. To understand why people complained about authorised officers, we undertook a review of 90 cases – raising 139 misconduct allegations – that were finalised by the PTO between May and September 2008.

Most of the cases reviewed were not investigated by the PTO, but were instead referred to public transport operators for the first opportunity to investigate, as required by our Charter. We were therefore careful not to regard the complaints as proof, in themselves, that incidents had occurred. However, complaints – even before they are investigated – are evidence of the perceptions of those who make them, and provide valuable information to improve procedures and training.

The most common complaint issue was intimidation, raised in 28 cases (31 per cent). Other common allegations included poor communication and customer service (27 per cent), the unnecessary use of force (22 per cent), and issues associated with requesting identification from alleged offenders (22 per cent).

Fifteen cases were investigated by the PTO. In 7 cases, we were unable to determine the complaints because of a conflict of accounts, and a lack of other information (such as CCTV or witness accounts) to resolve the allegations. In 4 cases, we found that the allegations were not proved. Two cases were resolved by the public transport operator acknowledging errors on the part of authorised officers.

Our review acknowledged the contentious nature of authorised officers' powers. Our recommendations included:

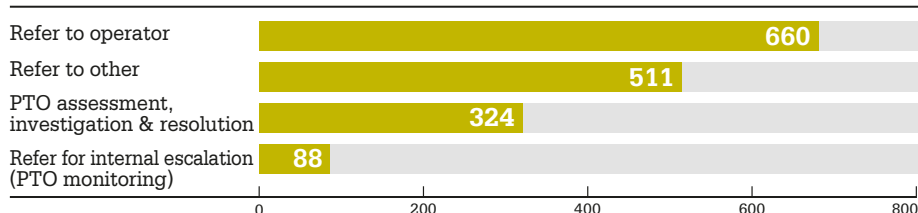
- giving authorised officers better guidance about the use of force, including a clear and appropriate definition for excessive or disproportionate use of force
- implementing a mechanism to record and monitor use of force incidents involving authorised officers.

PTO ACTIONS

The PTO finalised 1583 complaint issues in 2008-09 (see graph 3). As with previous years, most complaints finalised were referred to public transport operators, as required by the PTO Charter, to allow the operator the first chance to resolve the complaint. In addition, 88 complaint issues were referred back to senior managers for further consideration, with the PTO monitoring the review.

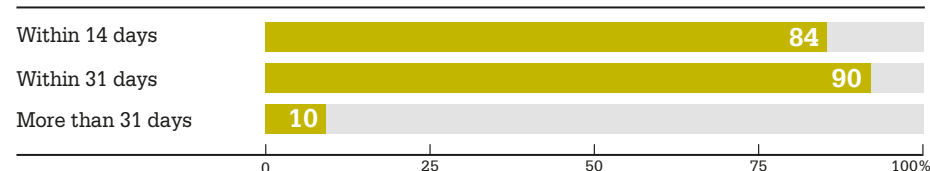
A total of 324 issues were finalised by PTO assessment, investigation and resolution, including 227 matters investigated and finally determined.

GRAPH 3 PTO ACTIONS



We aim to provide speedy case-handling. The PTO finalised 84 per cent of case issues within 14 days, and 90 per cent within 31 days (see graph 4).

GRAPH 4 PTO TIMELINESS



CASE STUDY – CONCILIATION MEETING

The PTO holds conciliation meetings – including 'on-site' conferences – where this will assist in the effective resolution of complaints. This year, the PTO attended places such as tram and train stops, and the home of the person making a complaint, to explore options for complaint resolution. Sometimes, these visits graphically demonstrate the issues of concern, resulting in a solution.

A commuter who uses a scooter for mobility complained to the PTO about the location of bollards used on ramps at a metropolitan train station, which she stated were very difficult to manoeuvre around.

During the PTO investigation, Connex advised that the purpose of the bollards was to prevent bike and skateboard riders from speeding down the ramps and endangering pedestrians. In an effort to resolve the matter, a site visit was arranged, including the PTO conciliation manager, the commuter and Connex representatives.

During the visit, the commuter demonstrated how difficult it was to move around the bollards. As a result of the site visit, Connex agreed to adjust the bollards and make access easier. Connex also undertook to inspect other ramps that may require further adjustment. The PTO is monitoring the implementation of the agreed outcomes.

Contacting the Public Transport Ombudsman

Tel: 03 8623 2111 or
Freecall: 1800 466 865

TTY: 1800 809 623
TIS: 131 450
Fax: 03 8623 2100
Email: enquiries@ptovic.com.au
Web: www.ptovic.com.au

Mail: PO Box 538,
Collins St West,
Melbourne VIC 8007