

PTO FAREWELLS  
SIMON COHEN

Simon Cohen left the Public Transport Ombudsman in June 2010 after some two-and-a-half years. During that time, public transport in Melbourne has substantially changed. Extraordinary increases to the number of passengers on trains, trams and buses; new public transport operators; and significant commitments across governments to invest in Victoria’s public transport; these are but a few examples on a long list.

The PTO, too, has transformed to meet these challenges. Simon has built on the solid foundations of the office’s early years, bringing a keen focus on the independence, efficiency and accessibility of the PTO. He has, I think, in all his work had two clear goals in mind: solving public transport complaints in a fair and impartial manner; and using the information and perspective of the PTO to help with improving Victoria’s public transport.

I thank Simon, on behalf of all at the PTO, for his enthusiasm, hard work and sustained focus as our second Ombudsman. We also wish him well in his new role as Telecommunications Industry Ombudsman.

*Merran Kelsall*

Merran Kelsall  
Chair, Public Transport Ombudsman

MESSAGE FROM SIMON COHEN

*I have very much enjoyed my term as Public Transport Ombudsman. The PTO is a small but important part of Victoria’s public transport, providing a free, speedy and independent way for commuters and others to have their complaints investigated and resolved. I would like to publicly acknowledge the excellent work of the small team at the PTO; they are all strongly committed to the fair and effective resolution of public transport complaints. This lies at the heart of the PTO’s mission. I thank all staff, the PTO Ltd Board, and the community and industry stakeholders for their support during my appointment.*

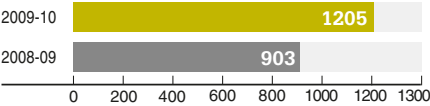
*Simon Cohen*

Simon Cohen

OPERATIONS REPORT –  
1 JUL 2009-31 MAR 2010

The PTO registers a case when a person contacts us to raise a new issue or issues (each new case may include a number of issues). In the period 1 July 2009 to 31 March 2010, the PTO received 1205 new cases. This is an increase of more than 30 per cent over the same period in 2008-09.

GRAPH 1 CASES RECEIVED (July 09 – March 10)



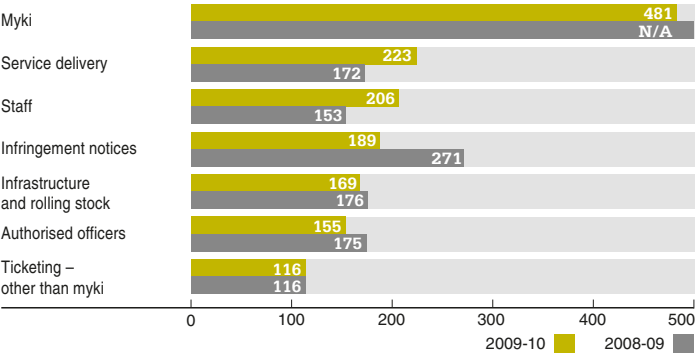
The primary reason for this is due to more cases about myki. Complaints about other issues have remained largely consistent, except for those about ticket infringement notices (notices). It is the Department of Transport’s role to review notices. We refer complaints about these notices directly to the Department. In the past year we have provided better information, on our website and elsewhere, to clarify our role. We believe that this has, at least in part, resulted in a 30 per cent decrease in these cases.

We completed 1172 cases between 1 July 2009 and 31 March 2010. Many cases were immediately referred to public transport operators to allow a first opportunity to resolve the case. We are concerned that so many persons come to us first, and have worked with a number of public transport operators to suggest how access for commuters to their own customer complaint processes can be improved.

In addition to these referrals:

- 200 issues were finalised by PTO assessment, investigation and resolution
- 159 issues were finalised by an escalated referral to senior managers within public transport operators for a further opportunity to resolve the complaint. We monitor these referrals including to make sure a response is provided.

GRAPH 2 TOP ISSUES (July 09 – March 10)



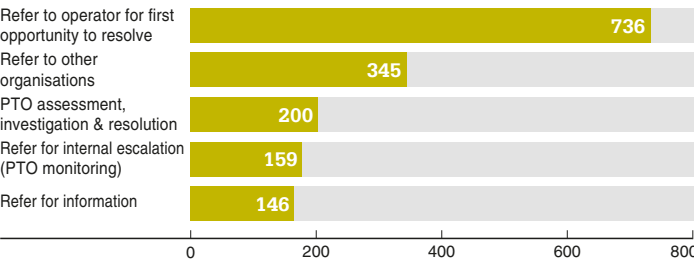
PUBLIC TRANSPORT OMBUDSMAN SUMMARY

This is the fifth edition of OverView, the bi-annual newsletter providing information about the Public Transport Ombudsman (PTO) and our work. The past six months have seen substantial changes in Victoria’s public transport:

- New operators have commenced work on Melbourne’s trains and trams. The PTO can receive complaints about the services of both Metro Trains and Yarra Trams, and we have made sure the change in operators has not impacted on the speedy and just resolution of public transport complaints.
- Myki is now available on some public transport services. As is reported later, this has meant considerable additional work for the PTO as myki users contact us to assist in resolving their complaints.
- To meet these and other challenges, the PTO has continued a program of ongoing review and improvement. To give some examples of changes we have made since our last Annual Report:
  - We have finalised new Case Handling Guidelines, with better instruction for PTO conciliators to ensure prompt, fair, consistent and effective complaint handling. The Guidelines have been complemented by new template correspondence and case workflows to increase our efficiency and accuracy.
  - We have enhanced our PTO Vision, focusing both on leading dispute resolution services, and our role in contributing to improving how public transport services meet the needs of the Victorian community.
  - We now provide a comprehensive information sheet where we investigate a complaint, to assist people to work with us to resolve their concerns. We have also completed a detailed PTO information pack for public transport operators. The pack includes important reminders about how operators can assist us in our work, from handling referrals and escalations to participating in investigations and conciliations.
  - We have arranged training for staff of public transport operators, to better equip them to deal with callers who may have an acquired brain injury. We have also continued to source training about unreasonable complainant conduct.

This OverView also marks a significant change at the PTO. Simon Cohen has left us to take up appointment as the Telecommunications Industry Ombudsman.

GRAPH 3 ISSUE OUTCOMES (July 09 – March 10)



## STAKEHOLDER FORUM – FEBRUARY 2010

An important job for every ombudsman’s office is to obtain the views of key stakeholders about how we do our work, and use their comments to improve our services.

In February 2010, we met with a number of organisations at our first stakeholder forum. Representatives from the Public Transport Users Association, Youthlaw, Travellers Aid, the Department of Transport, Public Transport Safety Victoria and a number of public transport operators, attended to discuss a range of themes, including:

- options to increase community access to public transport complaint mechanisms
- possible solutions to promote access for persons who are reluctant, because of a fear of adverse consequences, to complain
- making better use of the PTO’s services to analyse and resolve public transport issues.

We also used the forum to consult on our proposed Guarantee of Service, resulting in simpler and more direct commitments. The Guarantee will be published on our website, and we will publicly report against the standards.

Everyone who attended agreed it had been a valuable day, and we were encouraged to reconvene the forum in 2011, with an increased range of participants. We have also undertaken to report back on actions taken as a result of the forum.

## MYKI

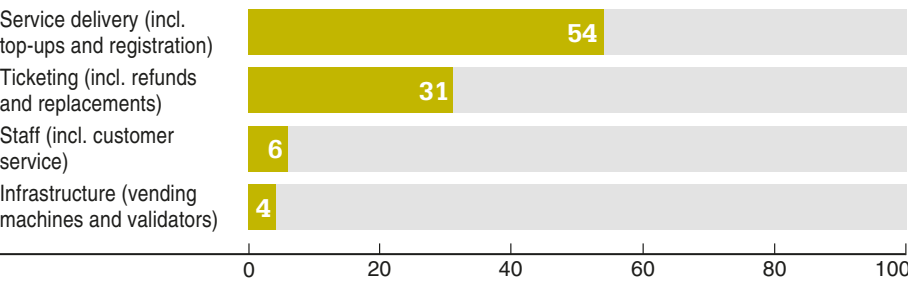
Where a commuter cannot solve a myki complaint the commuter can complain to the Public Transport Ombudsman. Since 1 July 2009, we have received 388 cases about myki. The issues raised in these cases include:

- concerns about service delivery (54 per cent) – such as delays in myki account transactions and top ups, and problems in setting up and registering a myki account
- complaints about ticketing more generally (31 per cent) – such as issues with refunds and replacement myki cards.

It is important, in providing this report, to emphasise that most of the cases we have received are matters where neither the myki call centre nor the Transport Ticketing Authority (TTA), the government agency with responsibility for myki, have had an opportunity to respond:

- In 50 per cent of issues we finalised by 31 March 2010, we referred the person to TTA to provide the first opportunity to respond to a complaint. Generally, for these matters, we required TTA to make direct contact with the person to deal with their concern.
- In a further 22 per cent of matters, the PTO issue was more properly characterised as a request for information rather than a complaint.

GRAPH 4 TOP MYKI ISSUES (%) (July 09 – March 10)



We are concerned, however, that so many people contact us thinking (incorrectly) that they are contacting myki. We have worked with TTA to improve information on the myki website so that people make contact with myki directly in the first place, and only come to the PTO if they cannot solve their complaint. We are also encouraging the TTA to set up a direct email address for myki, something we think will make contact easier.

However, there are many issues where there has been an opportunity to resolve the complaint without success. For 22 per cent of issues, we are escalating matters to more senior TTA officers, to provide for a speedy review. We monitor these cases, in particular to make sure a response is provided. It is pleasing that most of these cases resolve without the need for further PTO involvement. A smaller but increasing proportion of matters which are not initially resolved by TTA are finalised though PTO assessment and investigation processes. And as at April 2010, 19 cases were under PTO investigation.

We have worked to provide timely and detailed information to TTA about cases we receive, and our views about myki’s implementation. For example, shortly after the end of each month we are providing the TTA with a report about cases we have received, the issues raised (including any trends) and PTO outcomes. In a recent report we noted that there were increasing myki customer service complaints being received by the PTO. To demonstrate this, we reported that more than half of the cases we referred for internal escalation included a complaint that the myki customer was passed from person to person at the myki call centre, having to repeatedly explain their story and without resolving their concern. We also reported that when we reviewed the initial case management of these matters by myki, most were found to be unsatisfactory.

Myki’s commencement in metropolitan Melbourne has challenged the PTO, with substantially increased cases, completely new issues and an uncertain roll-out timetable.

To date, actions such as increasing our staffing, participating as myki ‘first users’ to educate PTO officers, and improving our information systems to provide dedicated myki reports, appear to have worked well. The increase in work has, however, meant that some cases – both myki matters and other complaints – are not actioned as quickly as we would like. We will continue to closely assess the impact of myki on the quality and timeliness of all our work.

## CASE STUDIES – MYKI

The Public Transport Ombudsman will investigate cases where commuters cannot solve their myki concerns. Our investigations aim to establish the facts, and seek a resolution which both the commuter and TTA agree is fair. The following are typical examples of cases the PTO has investigated.

*A commuter using myki contacted the myki call centre after his card stopped working. He was advised to return the card, and a new myki would be issued. He had not received a new card after more than one month, despite again contacting the call centre. He therefore complained to the PTO, seeking a full refund.*

*During our investigation, TTA advised that the commuter’s replacement card form had been received but due to a processing error, was not acted upon. An apology was offered to the commuter. TTA also agreed with the commuter’s request that an administration fee should not be charged. However, the commuter remained dissatisfied with the amount of the refund offered by TTA. The PTO also raised concerns that the calculation was wrong. The TTA agreed the amount was miscalculated, and a cheque for the correct and full refund amount was issued, resolving the complaint.*

*A commuter made repeated attempts to have a top-up applied to his myki card. He was eventually offered a replacement card with the top up, which he accepted, but the commuter also sought a small amount of compensation – \$10 – for his time and effort in resolving the complaint.*

*During our investigation, TTA apologised to the commuter for his inconvenience, and explained the reasons for the delay in the top-up. The PTO also asked for a response to the commuter’s request for compensation; we noted our position statement for delayed responses to complaints, which recommends that an explanation and apology be given where complaint responses are delayed, and that a public transport operator also considers a goodwill gesture. TTA agreed to the commuter’s request and paid the compensation as a goodwill gesture to his myki account, resolving the complaint.*

**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:  
Web:

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