

ANNUAL REPORT | 2018

PTO SCHEME MEMBERS

The membership of the PTO is changing to reflect changes in the public transport landscape.

In 2018 Melbourne Metro Rail Authority changed its name to Rail Projects Victoria. Rail Projects Victoria is a state government body responsible for delivery of the Melbourne Metro Tunnel project, Regional Rail Revival, the high speed rail link between Geelong and Melbourne and the future Melbourne Airport Rail Link.

SkyBus joined as a member of the PTO Scheme with effect from 1 July 2018.



ABOUT US

The Public Transport Ombudsman was established in 2004 to receive, investigate and resolve complaints about public transport in Victoria.

We are independent and provide a service that is free, quick and fair.

We also investigate systemic issues and work with members and government to improve public transport for all Victorians.

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.

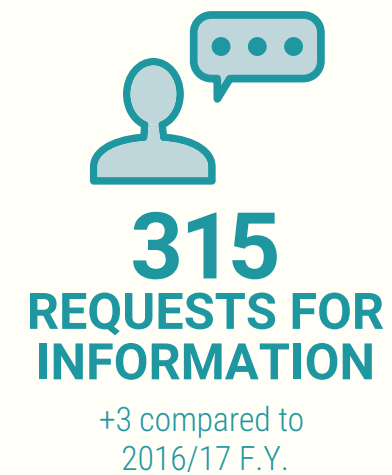
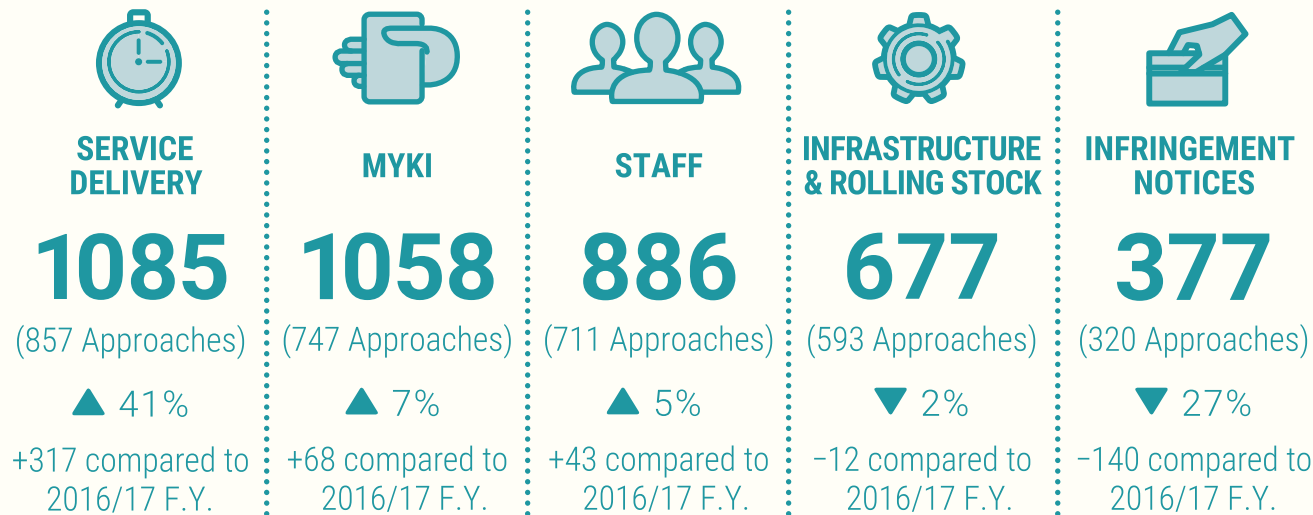
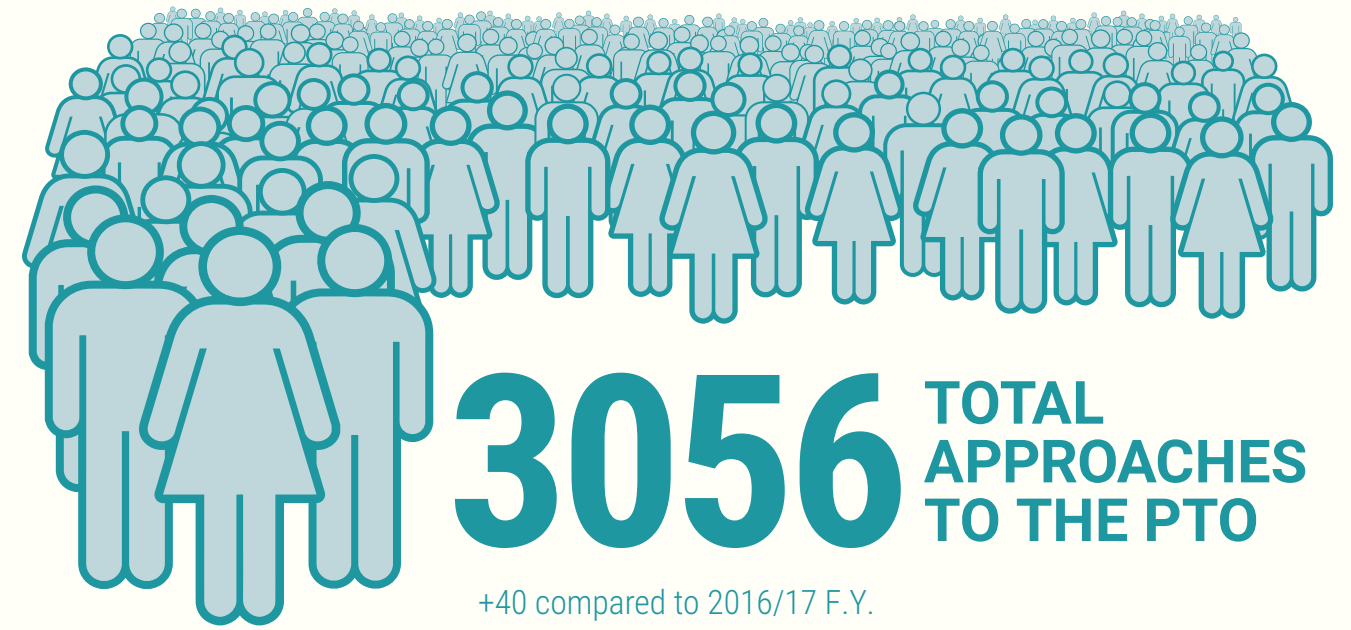
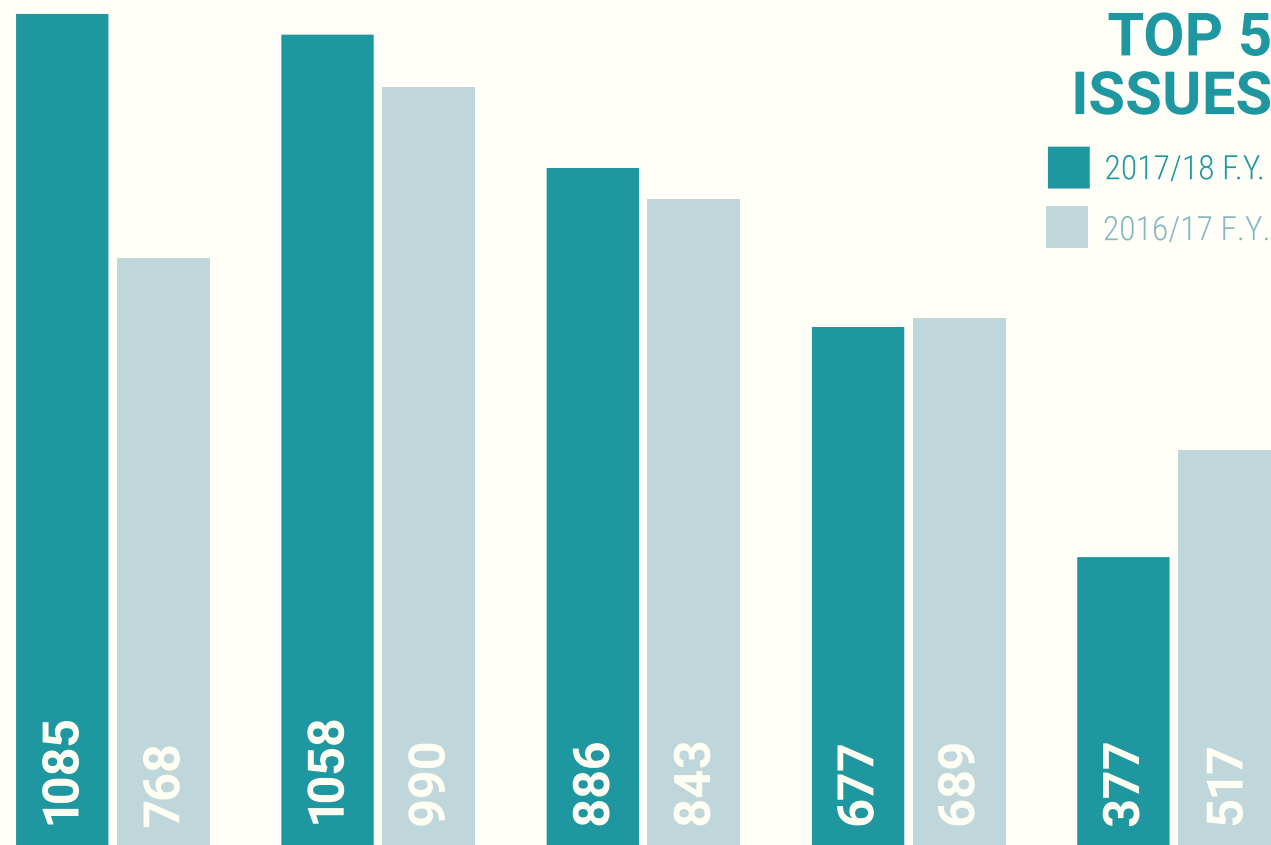
Our performance against the Benchmarks is independently assessed every five years.

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THE YEAR AT A GLANCE

Service delivery issues such as punctuality and reliability of services overtook myki ticketing issues as the most common issue in approaches to the office. Service delivery issues rose 41% compared to last year. Approaches about infringement notices and fines fell by 27%. Infrastructure and rolling stock issues decreased slightly, by 2%, and there were minor increases in myki issues (7%) and staffing issues (5%).



CHAIR'S REPORT



This year marks another 12 months where the complexity of cases increased and the mix of complaints shifted in-line with increasing pressure on the public transport network. Nevertheless, it was a year of stellar performance by Treasure and her team, with all major targets met or exceeded.

The PTO Board continues to recognise the importance of improving community awareness of the PTO scheme and simplifying the pathway to lodging complaints. This year saw the Board seek to have simplified information provided on messaging from Public Transport Victoria (PTV) to consumers regarding their rights to complain to PTO. The change appears to have made it less ambiguous for consumers to seek fair and impartial outcomes to their complaints and the Board acknowledges PTV's cooperation in making these changes.

The PTO also welcomed SkyBus to the membership

of the PTO from 1 July 2018. SkyBus operates an express transit service from Melbourne airport to suburbs across Melbourne.

The survey of our key stakeholders which was commissioned by the PTO Board last year, told us that members believe the PTO is valuable, professional and that we do a good job. However we also learned that broader awareness of PTO services needs to be improved to build on our effectiveness. This sentiment was echoed in an additional survey of public transport users who are seeking more information about us on the network, and more straightforward

pathways to lodge a complaint with the PTO. Using the stakeholder survey, the PTO executive, staff and board have been able to develop the PTO value proposition (VP), which demonstrates how our services and value align with the expectations of all our stakeholders. The PTO's value proposition is outlined on page 14 of this report. Developing the VP was a highly collaborative exercise underpinned by the cohesive working environment of the PTO team and Board.

On a personal note, I would like to thank the industry and consumer directors for their work and in particular, Company

Secretary Bernard Stute for his ongoing dedication and professionalism. I would also like to extend my thanks to Emilie Perrot from Yarra Trams for her highly valuable contributions during the Yarra Trams Director rotation which ends at the end of 2018, and to Dr. Jacques Liebenberg from Metro Trains who resigned earlier this year, replaced by Peter Ryan. Dr. Liebenberg was also a highly skilled and valued member of the board.

This year we also welcomed Glenys Romanes to the Board as a consumer director. I'm also pleased to confirm my reappointment as Chair of the PTO board until 2021 and the extension of consumer directors Mark Davies and Llewellyn Prain for a further two years.

It's with great pleasure that I present the PTO Annual Report for 2017/18.

Kay Rundle
Chair
Public Transport Ombudsman



The survey of our key stakeholders which was commissioned by the PTO Board last year, told us that members believe the PTO is valuable, professional and that we do a good job.

OMBUDSMAN'S REPORT

The intrinsic goal of the PTO is to provide a service which meets the needs of all our stakeholders and this means adapting to changing needs within the environment.



I'm pleased to present my fourth annual report as Public Transport Ombudsman.

Unsurprisingly, complaints to my office over the past year have seen a substantial increase to issues associated with disruptions and congestion as public transport services struggle in some areas due to increases in passenger demand coupled with the disruption due to upgrade works. Overall complaints have increased by 4% from last year and investigations have increased by 38% to 595 from last year's total of 432.

Given the level of scheduled disruptions, these increases are within an expected range and analysis of our data indicates that overall, planned disruptions were reasonably well managed and accepted by the community. However; unplanned disruptions on top of planned replacement services are understandably less well received. Approaches to my office about reliability of services rose 62% from 137 last year to 222, punctuality from 104 to 147 (41%) and disruption complaints were up 106% from 67 to 138.

The intrinsic goal of the PTO is to provide a service which meets the needs of all our stakeholders and this means adapting to changing needs within the environment. We understand that it's just as important for the Scheme to be a conduit for improvement to the public transport system, as an easy to find and easy to use dispute resolution service, and this view is confirmed by feedback we receive from our stakeholders and the community more broadly.

This year we spent time understanding the needs of

our stakeholders and the community and as a result, we have defined our value proposition, which is:

A fair, free and fast service to sort out public transport complaints and help make the system better for everyone.

You can read more about this on page 14.

In particular, a consumer-based complaints Ombudsman, such as the PTO, serves the community by highlighting more widespread concerns to government and helping public transport

operators understand where and how they might improve their service.

Sometimes we do this by identifying concerns from groups of people who may not complain to us in large numbers, but who might be vulnerable. This approach has driven our ongoing work with WEstjustice Community Legal Centre in an effort to think of solutions to the problems associated with vulnerable youth and public transport under an innovative pilot program in Melbourne's west. Our work with WEstjustice falls under a broad interpretation of the role of an Ombudsman and the learnings from the program have generated a number of options for improving the system for young people, be they disadvantaged or not. I'm also pleased to announce that this work has

been recently acknowledged by the Australian Dispute Centre's ADR awards for 2018 as the winner under the category of innovation.

During this work we discovered that the limitations to the myki account system have, at times, made it challenging for schools to participate in the pilot program. The pilot has also highlighted that the PTV-produced *proof of concession entitlement card* can be an administrative and financial challenge for vulnerable youth, and a barrier to compliant travel. Having PTV involved in the pilot program means that we can explore these challenges and ideally find solutions.

I invite you to learn more about the pilot program and some of these challenges and the opportunities we discovered on page 21 of this report.

I'd like to extend my thanks to the Board of the PTO and Chair, Kay Rundle for their commitment to the PTO and their support for me and my team. I'd also like to thank our scheme members and broader stakeholder groups for their cooperation and interest in the PTO and in particular, for their participation in feedback on our services.

In closing I'd like to extend my thanks to the PTO team who, as a group of hardworking and highly skilled individuals, work together to continue to improve our service delivery and value to the community.

Treasure Jennings
Public Transport Ombudsman

THE PTO BOARD

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



Kay Rundle
Chair

Pete Ryan
Industry Director

Edward Thomas
Industry Director

Chris Lowe
Industry Director

Glenyys Romanes
Consumer Director

Mark Davies
Consumer Director

Llewellyn Prain
Consumer Director

Bernard Stute
Company Secretary

SERVICE DELIVERY AND DISRUPTIONS

Service delivery is at the heart of the public transport system. For many people, public transport is a primary means of transport for work, leisure and other vital activities such as medical appointments and access to education, and service disruptions can have a significant impact. Our research has found that service delivery is by far the most significant public transport issue for passengers.

Service delivery was impacted by an unprecedented period of public transport works and disruptions in the 2017/18 financial year. When looking at service delivery complaints we break them down into categories, to understand the causes of the complaints, such as cancellations, replacement services and punctuality.

There were numerous bus replacement programs along metropolitan train lines as level crossing removal work continued. Issues about replacement services increased by 50% – to 66 issues from 44 issues the previous year. This increase is not surprising, given the period of public transport works and planned disruptions in the past year. Complaints about disruptions more generally increased by over 100% – from 67 issues last year to 138 issues this year.

People were not only complaining about the frequency of replacement services, but also about the difficulty of finding their way, inadequate signage and poor announcements. We also heard concerns about safety at temporary bus stops and a lack of adequate crowd management at some temporary stops.

The effects of planned disruptions flow on to other lines and modes of transport, as affected travellers looked for alternative public transport options. There is no doubt that additional pressure is also put on many station and local car parks as consumers drive to alternative bus routes and train and tram lines where the replacement services can be avoided.

Trains had the biggest increase in issues about service delivery, not surprisingly as the majority of planned disruptions involved rail. V/Line issues showed an increase of 75%, Metro an increase of 68%.

Service delivery is often a particular issue for tram and bus services as they largely share the roads with car traffic and are sensitive to traffic pressures. Yarra Trams saw an increase of 29% in service delivery issues, from 75 issues last year to 97 this year. Transdev's service delivery issues went from 154 last year to 232 this year, an increase of 51%. This compares to all other bus companies who are represented by BusVic – 128 service delivery issues this year, an increase of 32%.

More specifically, we received 130 issues around failure to pick up or set down – where someone complains that a particular service failed to stop for them, either to pick them up or let them off at their stop. This is an increase of 49% from the previous year. Complaints about failure to pick up suggest unplanned disruptions, or at least disruptions where the person has not been notified that the service is changed or not running.

Generally, people are fairly resilient and understand that they may need to change their travel plans in response to disruptions to service delivery. However, public transport operators need to be more effective in ensuring that information is provided to consumers promptly and in a targeted manner. There need to be well defined procedures in place to minimise the significant impact of public transport works and disruptions on the community.



THE PTO VALUE PROPOSITION

DEVELOPING A VALUE PROPOSITION

In 2017 we decided to turn the spotlight on ourselves and review how our stakeholders view the PTO and the work we do.

We already knew from our customer satisfaction surveys that consumers who use our services are largely happy with their experiences, but we wanted to hear from a broader range of stakeholders about their perceptions. We sent a detailed survey to a wide range of stakeholders, including community legal centres, disability advocacy groups, public transport operators and government. We were particularly interested in finding out whether there were any misconceptions about what we did, or other issues that may act as barriers to people using our services.

Respondents told us that the values they found most important in a dispute resolution scheme were independence, dispute resolution skills, fairness and effectiveness. They told us that the PTO is valuable, professional and that we do a good job. However they also said that the general awareness of the PTO in the community was not high, and as a result many people did not know about the PTO or how we could help them with their public transport complaints. There was uncertainty about what we did beyond resolving complaints and whether we could resolve systemic issues or impact public transport policy.

We decided that we needed to develop our own value proposition – a clear message for the community about who we are and what we do. Everyone at the PTO including the Board were involved in the development of our value proposition, which is on the facing page.

Our value proposition reflects how we add value to the community and encompasses the obligations we assume under the Commonwealth Government's Benchmarks for Industry-based Customer Dispute Resolution.

More recently, the value proposition was included in a survey of public transport users. Pleasingly it was received very positively, with an overwhelming majority of people finding it informative, easy to understand and clear on the benefits of using our service. The percentage of people who said they were likely to use our service increased after seeing the value proposition.

Our value proposition is part of a larger communication strategy to promote the benefits of the PTO and the service we provide to the community.



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

We're here to listen.

We have the power to act, influence and drive change.

We are highly skilled.

We help people reach agreements.

We're impartial and achieve fair resolutions.

We act on opportunities to improve the system.

We're here for the whole community.

WE'RE HERE TO LISTEN



Listening means being available and ready to hear from anyone in the community with a public transport issue or concern. We make sure we are readily available to people by offering different ways in which they can contact us, being easy to use and offering a service that is free of charge.

We encourage people to contact us if they have an unresolved complaint, no matter how big or small their public transport issue is. When we decide to investigate someone's matter, we begin by having a conversation with them to discuss their complaint and make sure we understand all the issues and how they feel it should be resolved. We also discuss the jurisdiction of our office, and what type of outcomes are possible. If for any reason a complaint falls outside the bounds of our jurisdiction, we can refer them to the right place to help them.

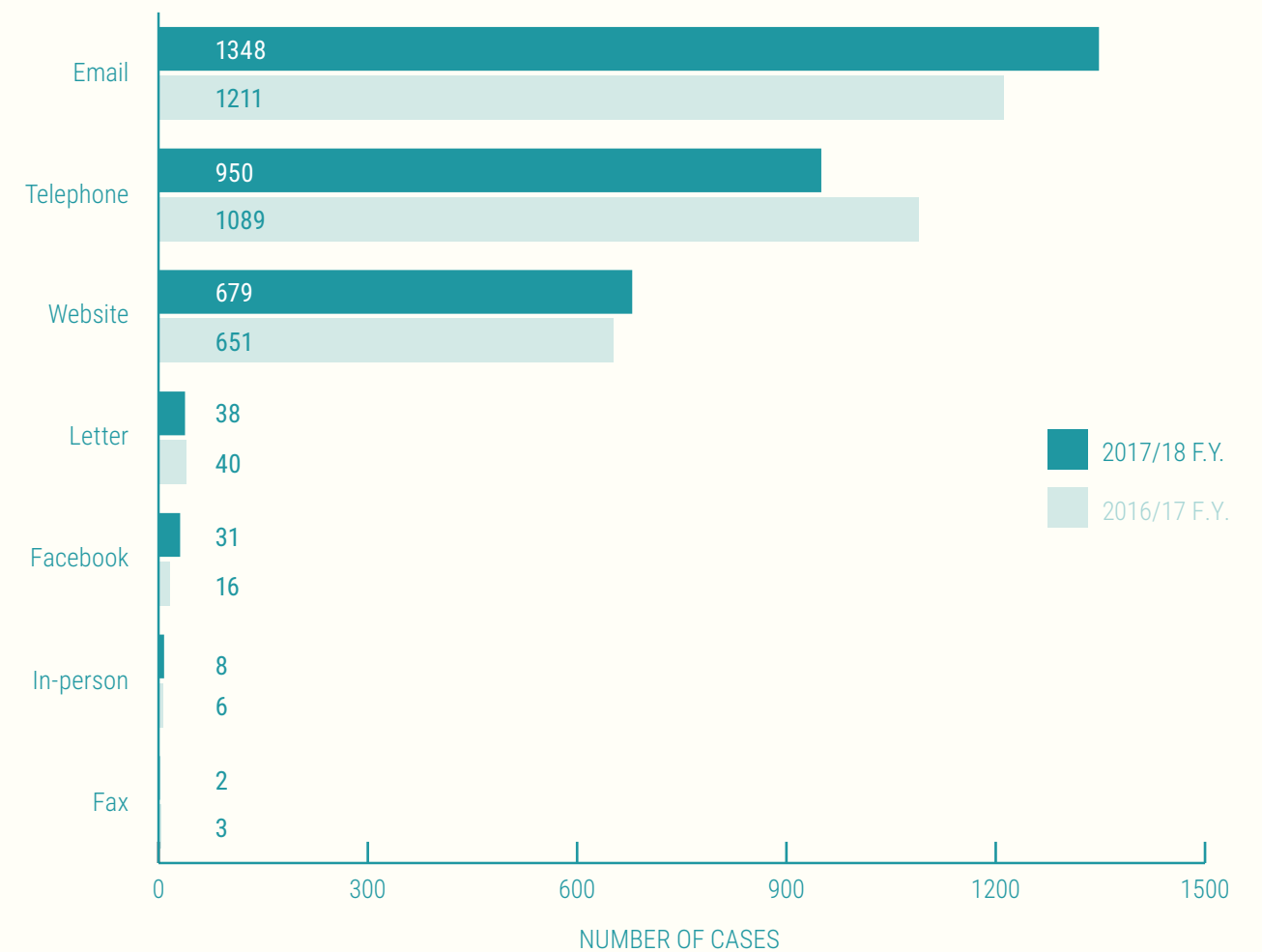
We know that not everyone can easily pick up the phone or send us an email, so we provide flexible ways in which people can make a complaint. We take complaints via Facebook and our online complaint form, and someone making a complaint can nominate another party to act on their behalf, if that makes them more comfortable.

We go out and visit different communities and groups, to hear about the issues that are impacting them and to give them the opportunity to make a complaint in person. You can read more about our outreach activities on page 42.

This year we also undertook two projects to listen to our stakeholders and the community to find out what they think about us and our services. Our stakeholder survey, which we talk about on page 14, gave stakeholders the chance to tell us about their perceptions of our service, and how accessible we are. We also undertook market research to understand what people may do when they have a public transport complaint, and to test our new value proposition.

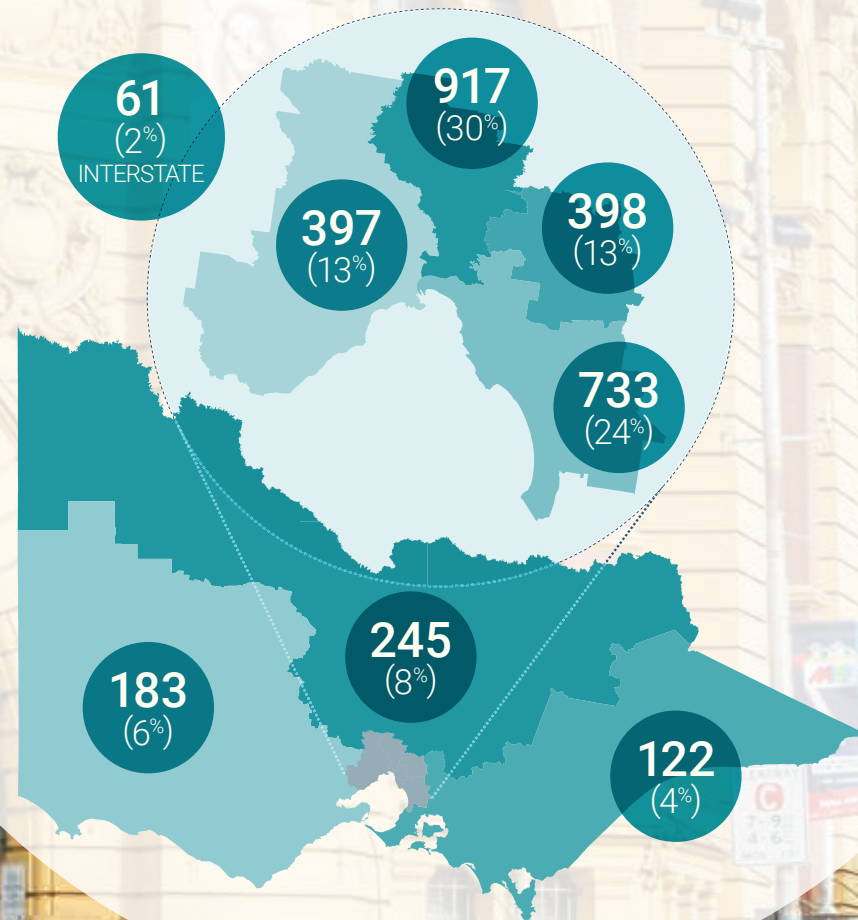
We are always keen to hear from people about their experiences with the PTO. Our Customer Satisfaction Survey is conducted 4 times a year and we listen to and act on the feedback we receive. This year we expanded our survey to include follow up of consumers in our Assisted Referrals process. The feedback we have received from these customers is being considered in the context of an overall review of our complaint handling process.

HOW PEOPLE CONTACT US







APPROACHES BY LOCATION

Based on postcode details provided by customers.



CUSTOMER SATISFACTION SURVEY

How our conciliation service was rated by our customers.

-  **82%** Of consumers were satisfied with their interactions with the PTO
-  **79%** Of consumers thought their complaint was handled fairly and impartially
-  **74%** Of consumers would recommend the PTO to a friend if they had a public transport complaint
-  **61%** Of consumers were satisfied or very satisfied with the outcome of their complaint

WE HAVE THE POWER TO ACT, INFLUENCE & DRIVE CHANGE



The PTO is uniquely positioned to give a voice to consumer grievances and to use data and other information to promote improvements to the public transport system in Victoria.

We do this by making submissions to inquiries and reviews, such as the Commonwealth Government review of the Disability Standards for Accessible Public Transport and the Law Council of Australia's review of access to justice through The Justice Project, and contributing when laws and regulations relating to public transport are under review.

We also meet regularly with public transport operators, Transport for Victoria (TFV) and the Minister for Transport to highlight concerns and share customer experiences. We have input into a wide range of projects, including PTV's Revenue Protection Plan and aspects of the review of public transport operator franchise agreements. We also provide specialised training to Authorised Officers, PTV Complaint handling staff and operator staff more generally.

In our last annual report, we highlighted the V/Line paper ticketing system as an area of particular concern to us, based on complaint to our office as well as feedback from many regional councils. At the BusVic conference in early July 2018 we also heard from a number of regional coach operators about concerns about the current system from their perspective. We understand that V/Line has now foreshadowed improvements to the system, including feasibility studies into an e-ticketing solution and on-board coach ticket machines. We will continue to work with V/Line on this issue through our systemic issues process. You can find more information about our approach to systemic issues on page 36.

WORKING WITH WESTJUSTICE TO HELP YOUNG PEOPLE IN NEED

In 2017 WEstjustice, a community legal centre in the western suburbs of Melbourne, contacted us to discuss the challenges facing high school students in the Wyndham area who were couch surfing. These students were facing major barriers as they dealt with family issues and tried to maintain their connections with school and social contacts. We became involved to look at the problem of students being fined as they travelled on public transport without the money for a myki.

The Wyndham Schools' Couch Surfing myki pilot was developed by WEstjustice and the PTO following extensive consultations with public transport operators and TFV. Students who are identified by the school's wellbeing team as requiring assistance under the program are given a pre-paid myki, to encourage them to engage with wellbeing staff to gain the assistance and referrals they need. This allows them to travel compliantly on public transport and when they no longer need the program, the myki is made available to another student in need. The funding for the pilot was generously provided by a number of public transport operators approached by WEstjustice, and at

the time of writing the State Government had just announced a grant of \$175,000 for an expanded program in 2019. Initial feedback on the pilot indicates that the program is having a positive impact on these young people and helping them stay engaged with school.

The pilot has allowed us to reach out and assist disadvantaged young people with public transport issues who may not otherwise have engaged with our office. It is a more proactive approach to dispute resolution, making our service more accessible and helping us to identify systemic barriers to travel being experienced by the students.

We are passionate about our work in helping these young people, and thrilled that we have been recognised for our work as the winner for *ADR Innovation of the Year*, in the 2018 Australian ADR Awards.



WE ARE HIGHLY SKILLED

The PTO team come from a diverse range of backgrounds and qualifications that includes a mix of lawyers, alternative dispute resolution (ADR) specialists, communications, graphic design, psychology, community development and accounting.

We share a commitment to dispute resolution and continuous improvement, as well as the public transport system more generally. Every person in the office is in touch with public transport and travels to and from work on the public transport system, covering both metropolitan and regional areas. The Ombudsman herself has had first-hand experience of the ongoing disruptions on the network as the train line she uses underwent significant works in the past year.

We continue to support our staff with professional development opportunities to help them to continue to refine their existing skill sets and develop their careers. A number of our Conciliators have undertaken a Diploma of Government (Investigation) through Swinburne University to enhance the practical skills they use every day in investigating and conciliating disputes.

In 2017/18 we began a partnership with Monash University to offer law undergraduates a clinical placement at the PTO. This placement gives students the opportunity to gain practical experience with alternative dispute resolution practice and outcomes, and enables them to participate in special projects and research to develop new skills and networks. Our first placement under this arrangement saw great benefits for the PTO as well, with the positive contribution of our first intern to the work and culture of the PTO. As part of our ongoing commitment to support accessibility, our clinical placement gives preference to students with a disability.

FEEDBACK FROM CONSUMERS WHO HAVE USED OUR SERVICE

'A big thanks to you for your patience and efforts in following up and responding to us in a timely and great manner. You are a person and staff to be proud of and I wish you all the best.'

A consumer called to say she would like to 'give you a hug and send you some chocolates and flowers'. She said you have been 'absolutely wonderful and helpful'.

'My wife and I have been most impressed by your handling of this matter and would be pleased if you could convey our appreciation to the Ombudsman directly.'

'It has been an absolute pleasure to deal with you... I understand that this is your job, but in my experience, some people do their jobs and interact with others in a very superficial, "tick the box" kind of way. You are definitely not one of those people.'

'I appreciate the effort you went to in regard to my case, and while I do not agree with the findings, I accept them and the fact this case will now be closed. Thank you for your prompt management of this issue.'

'Thanks for your efforts and time. Much appreciated. You've done a great job!'

'I am immensely grateful to you for caring and seeing this through properly. It means the world.'

STAFF SPOTLIGHT

Amanda Prins

Conciliator/Technical Specialist

From the land of the All Blacks to the home of myki – this is the journey of Amanda Prins, one of our highly skilled Conciliators and subject matter experts.

For a long time, Amanda's strong sense of justice lead her to consider studying Law, before settling on an Arts degree. Her love of Art History saw her leave her home in New Zealand in the winter of 2011, bound for Melbourne with dreams of working in a museum or an art gallery. It was a leap of faith for Amanda, who in pursuit of her dreams decided to leave behind her family, friends and more importantly, her rescue cat. Nonetheless Amanda jumped on a plane with little knowledge that the world of Alternative Dispute Resolution (ADR) was awaiting her.

As soon as Amanda's feet hit the ground in Melbourne she fell in love with the city, and searched quickly for a new job. Amanda fell into ADR entirely by accident when she landed a temporary role at the office of the Energy and Water Ombudsman of Victoria not long after her arrival. This became an introduction into the world of ADR and Amanda found she really loved the concept saying *"I've always had a strong sense of natural justice and it is important to me that everyone gets an opportunity to have their say."*

Not long after, Amanda took up a role at the PTO. It was on Amanda's first day on the job that she tried to purchase a Metcard on her way to the local train station but found that she had to purchase the new myki card instead. Amanda took this as some kind of sign, and it was at the PTO that she was assigned the role of investigating the significant influx of myki-related complaints at the time. This experience meant that Amanda became the subject expert on many of the more complex aspects surrounding the myki system. As the PTO office brought on new staff members within the Operations team, Amanda assumed a coaching role and helped train new staff in case handling procedures. Amanda is a senior conciliator, the PTO's subject matter expert on myki and ticketing and a member of our systemic issues team.

Six years later, Amanda firmly believes that complaints drive change and says that even before she started at the PTO *"I always encouraged friends and family to speak out or make a complaint when they feel they've been wronged and I still do."*

Amanda now calls Melbourne home and is a proud supporter of the Richmond Tigers. Her rescue cat from New Zealand now lives with her north side, where she spends the weekends catching up with friends and searching for Melbourne's best burgers and pubs that show rugby.





WE HELP PEOPLE REACH AGREEMENTS

The PTO is here for people who have not been able to resolve their dispute with a public transport operator. We provide a timely and simple procedure while at the same time looking for lasting outcomes, so that the disputes are effectively resolved and people can be confident that they have been heard.

Our process is informal and straightforward, so that people using our service can do so confidently and without the need for legal representation.

Unlike Parliamentary Ombudsman schemes, the Public Transport Ombudsman has the power to make a binding decision. This means that a public transport operator must comply with a decision of the Ombudsman.

We use a range of ADR methods to help people reach agreements, including conciliation, mediation and where necessary, arbitration. Our conciliators are highly skilled in investigating disputes and finding fair and practical outcomes.

HOW WE INVESTIGATE

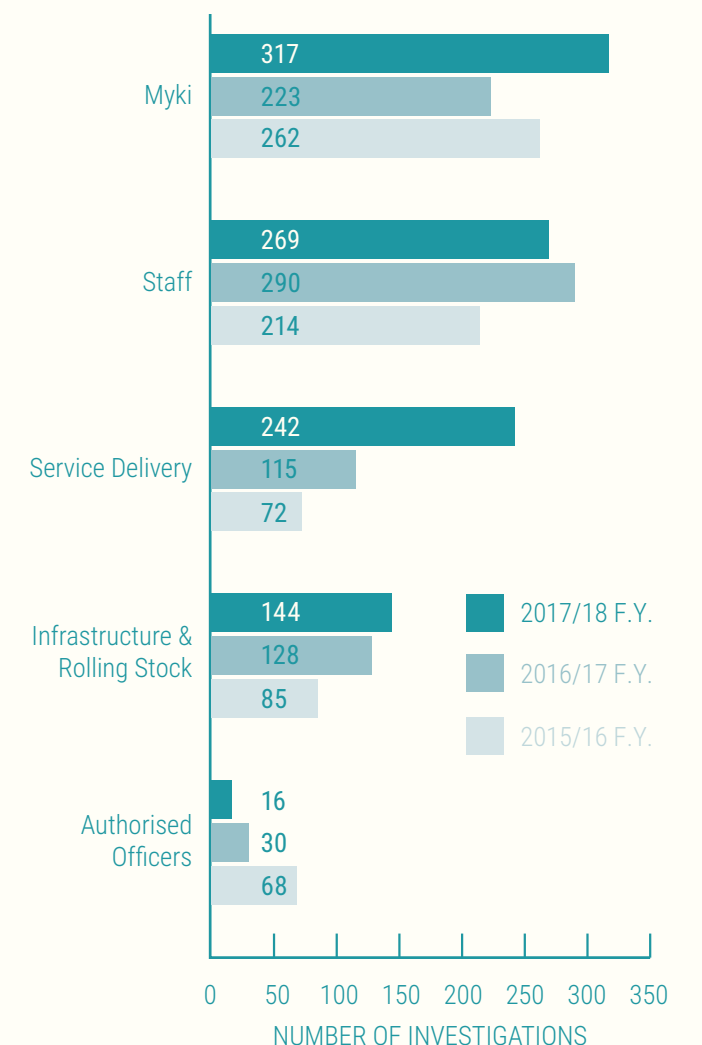
We can investigate a complaint where someone has complained to the relevant public transport operator but the complaint has not been resolved. The first thing we do when we begin an investigation is contact the person making the complaint, to make sure we understand all aspects of their complaint and what outcome they are looking for. We will discuss what outcomes may be possible and how we will investigate their complaint. During our investigation both parties, being the person who made the complaint and the public transport operator, are given enough information to understand each other's arguments. Both parties have the chance to challenge or rebut the other party's arguments, and we will consider all submissions when we look at a fair outcome to the complaint.

We are not advocates for either party in the dispute. However we recognise that some consumers, because of their personal circumstances, are more vulnerable and need additional assistance from our staff when pursuing their complaint.

INVESTIGATION TRENDS

In 2017/2018 there was an increase of 38% in investigations undertaken by our office. This increase reflects an increasing complexity in complaints and the changing public transport landscape. The PTO has responded to this by increasing the resourcing for investigations, looking for efficiencies in our processes and the creation of a subject matter expert role to provide expertise and guidance around myki and ticketing.

Myki has overtaken issues around staff as the largest category of issues to be investigated by our office. We investigated 317 myki issues in 2017/18, an increase of 42%. At the same time, 269 staff issues were investigated, slightly down from 290 the previous year. We investigated 12% more issues with infrastructure and rolling stock. However the biggest increase in investigations was not surprisingly, in the area of service delivery. Investigations of service delivery issues more than doubled – from 115 in 2016/17 to 242 this year. Investigations into issues involving Authorised Officers continued to fall – from a high of 68 in 2015/16 to 16 this year.



CASE STUDY

Nala's Story

SUMMARY

Problem:

Customer refused entry to tram with assistance animal

Outcome:

Operator conducted second review of case, approved Assistance Animal Pass and provided an apology to the customer.

Nala has a mental illness and relies on her psychiatric service dog who is accredited with mindDog to get around on public transport. Nala's dog had passed a public access test and was wearing a vest identifying her as an assistance animal when a tram driver seemingly refused Nala and her dog entry onto a tram. Nala felt that she should have been let on the tram because she had identification from mindDog and felt the driver had treated her unfairly by closing the doors on her. Nala decided to contact our office and felt more comfortable having her friend speak to us on her behalf.

After Nala's friend explained the problem to us, we decided to open an investigation. We found that Nala had understood from mindDog that their accreditation was all she needed to travel on the tram with her dog. We looked at the Disability Discrimination Act in combination with PTV's requirements and advised Nala that she would be allowed to travel with her dog on the tram if she qualified for an Assistance Animal Pass from PTV.

In light of Nala's understanding that all she needed was mindDog accreditation, we also spoke to mindDog to make them aware of PTV's requirement for an Assistance Animal Pass.

Nala had some privacy concerns that details of her condition could be passed onto Yarra Trams. We were able to assure her that details of her condition would only be provided to PTV and encouraged her to apply so that she could travel freely with her dog.

Nala contacted us again after PTV declined her application for the Assistance Animal Pass, so we asked PTV to have another look at her complaint based on Nala's specific circumstances. PTV reviewed Nala's case and subsequently approved her application for an Assistance Animal Pass. PTV also apologised for the inconvenience the matter had caused both Nala and her friend who acted on her behalf. Nala's friend told us that Nala was very happy with the outcome and our case was closed.

P2018/0470,1591



WE'RE IMPARTIAL AND ACHIEVE FAIR RESOLUTIONS

Being independent and delivering fair outcomes is at the heart of what we do every day. We comply with the Benchmarks for Industry-based Customer Dispute Resolution and the associated Key Practices, which set out key practices to ensure that a scheme such as ours is both independent and seen as independent.

These include some fundamental structural and systemic safeguards to ensure our decisions are objective and unbiased, such as:

- The Board of the PTO is comprised of a balance of industry and consumer representatives, with an independent chair;
- The appointment and tenure of the Ombudsman is determined independently by the PTO Board;
- The decision making process and administration of the PTO is independent from scheme members; and
- There are processes in place to manage any actual or perceived conflicts of interest.

FAIR OUTCOMES

When we make decisions we need to take into account the law and good practice, but also what is fair for both parties.

This means that as well as looking at the facts of a case, we take into account the circumstances of the person and what a fair and reasonable outcome for them looks like.

Sometimes there will be a clear financial cost to someone that represents a fair outcome to their complaint. However sometimes the best resolution is an apology and an explanation, or an undertaking from the operator that steps have been taken to prevent the circumstances giving rise to the complaint arising again.

Outcomes achieved by people complaining to our office over the past year include:

- Financial payments
- Apologies
- Explanations
- Changes to operator practices or policies
- Disciplinary action against operator staff

The total value of financial resolutions over the past year was \$33,918.

In 489 cases, the person making the complaint was satisfied with an offer containing an apology from the operator. In 66 cases the complaint was resolved with the operator taking development action with their staff. In 11 cases, the complaint was resolved with a recommendation for a change to operator policy and/or procedure.



CASE STUDY

Miriam's Story

SUMMARY

Problem:

Bus service ran late or was cancelled.
Music on bus was too loud.

Outcome:

Operator provided customer service training to drivers and an apology and goodwill gesture to the customer.

Miriam contacted our office after the Transdev operated bus she catches to work ran late several times and at times failed to show up at all. Additionally, she often felt the volume of music being played on the bus radio was too loud. Despite checking PTV's website, she was unable to find any information about the disruptions she was experiencing on her bus line. Miriam contacted our office after she spoke to Transdev and did not feel their response resolved her complaint.

She told us that she tried to talk to bus drivers to find out why the buses were late or didn't show up at all but she said that they were not helpful and told her to put in a complaint. When she asked them if they could turn down the volume of the radio, she said they told her that the volume level was controlled by head office and that there was nothing they could do about it.

We contacted Transdev to understand why the service had been disrupted so often and to find out about the rules around radios on buses.

Our investigation found that the Transdev service on her line had been cancelled 14 times in a month due to driver or bus shortages. In addition, information about the cancellations and disruptions was not always made public in a timely manner. Transdev told us that the volume of the radio on the bus was not controlled by head office. Bus drivers were able to change the volume and were in fact required to turn the volume down or radio off when reasonably requested by passengers to do so.

Transdev apologised to Miriam for the inconvenience caused by the disruptions in their service. They advised that the arrival of new buses would see a more reliable fleet resulting in less cancellations and a more reliable service. They also told us that they were reviewing their policy on radio on the bus, and would be implementing this into driver induction training. As a result of our investigation, Transdev offered Miriam a goodwill gesture which she accepted in addition to the information as resolution of her complaint.

P2018/0303-1



WE ACT ON OPPORTUNITIES TO IMPROVE THE SYSTEM



Systemic issues are one way in which we work with public transport operators to address systemic failings and bring about improvements in the public transport system. A systemic issue is an issue identified through consideration of a single or series of individual complaints, where the effect of the issue may extend beyond the parties involved. The PTO has the power to investigate, refer and report on systemic issues.

We also identify and refer improvement opportunities to operators and work with them to find lasting solutions. An unresolved improvement opportunity may be escalated to a systemic issue and addressed through that process.

The Ombudsman is required by the PTO Charter and the Benchmarks to identify and investigate systemic issues and ensure they are raised appropriately. 2018 has seen some changes in the way our systemic investigation function operates which has been accompanied by the creation of a new team overseeing all systemic issues.

Traditionally, identification of improvement opportunities and potential systemic issues were driven primarily by the data we held about consumer complaints. While our case files still form the most important source of potential opportunities and issues, we supplement

that approach by looking to input from key stakeholders and advocates to inform our work. We review the information we receive during Ombudsman visits to industry stakeholders, staff outreach visits with community organisations, major events taking place within the industry, media coverage of public transport issues and staff input about events or practices in the industry. Feedback from our members on this new approach has been positive, indicating that it helps them identify ways to improve passenger experience, or in the case of our members involved in major construction, gain feedback on their engagement with the public.

When systemic matters are identified, we work closely with members to alert them to the issue and outline why we consider the matter systemic. We allow members a reasonable time to look at what opportunities are available to improve systems or processes.

The PTO is currently working on a systemic matter with Metro regarding the information it provides passengers through information displays and announcements at Southern Cross Station (SCS). Consumers have raised concerns that when boarding a train at SCS the train service may change destination without any warning. This has the potential to leave passengers on board a service heading to a different destination than they had intended. This practice is referred to as transposing services.

In responding to the systemic investigation, Metro have explained some of the reasoning for this practice and discussed mitigation options such as the current implementation of updated communication and decision making protocols. The PTO is in the process of assessing Metro's response to this investigation.

Another systemic investigation we undertook was in relation to problems with intercom facilities on trams. In response to the consumer complaint we received, Yarra Trams advised us about a proposed system fix to address the issue, which occurred when passengers were leaning on or holding down the intercom button located in the disability area of a tram.

This impacted the intercom's functionality. Specifically, when this occurred, drivers were unable to make announcements and CCTV would switch to the area of the activated button. We decided to look at this via a systemic improvement opportunity. Yarra Trams responded to the improvement opportunity advising the issue appeared to extend beyond the intercom button in a tram's disability area; the issue existed for any button that was pushed.

Yarra Trams advised us that it was escalating the matter with its third party partner who managed the hardware and software compliance of a trams button and intercom system. The third party partner was briefed on the importance of the issue and requirement for a fix to be found. Yarra Trams are continuing to work with the third party partner to come up with a suitable resolution. We closed the matter after being satisfied that Yarra Trams were addressing the issue internally and a commitment made by Yarra Trams to update us once a fix had been implemented. We will continue to monitor this issue until it is resolved.

SYSTEMIC IMPROVEMENT OPPORTUNITIES

These are the systemic issues and improvement opportunities that we looked at over the past year. An improvement opportunity is an issue that we have identified that has the potential to affect multiple consumers, but is not necessarily systemic. However, the process is very similar in that we work with members to raise improvement opportunities and find lasting solutions.

SYSTEMIC IMPROVEMENT OPPORTUNITIES

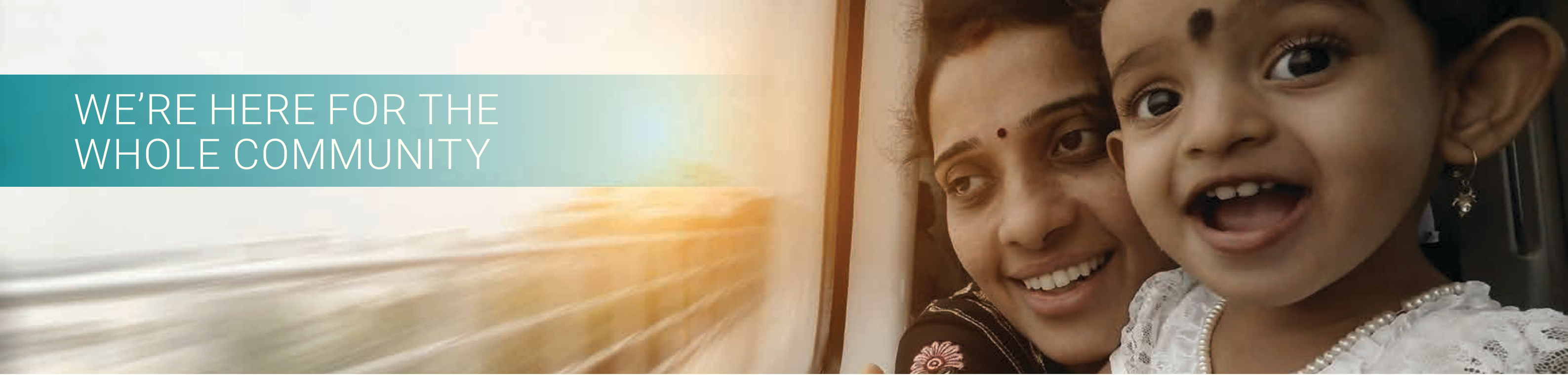
- PTV Journey Planner
- Accessing refunds via myki money
- Refunds following 13 July 2017 disruption
- Unclear advice to consumers about travelling with motorised scooter
- Myki pass purchase online
- Messaging to consumers about purchasing mykis from authorised outlets
- Multiple account holders (business accounts)

SYSTEMIC ENQUIRIES

- V/Line paper ticketing
- Disability Support Pension myki cards about to expire or already expired when received
- Accessibility and Yarra Trams' decision making when short-shunting
- Extended Hurstbridge line works reimbursement
- Metro bus replacement services on Pakenham/Cranbourne lines
- High cancellation rate of 3:37pm service from Southern Cross Station to Melton
- Southern Cross Station access to toilets
- Access to locked toilets at Metro stations
- Lift access at Southern Cross Station
- Lift access at Metro stations
- Height of handholds on trams
- Height of hand holds on trains
- Network Disruptions – planned and unplanned announcements
- Bus ramps cannot be lowered
- Myki renewal emails not containing specific information
- Disability access to Transdev buses



WE'RE HERE FOR THE WHOLE COMMUNITY



In accordance with the Benchmarks, the PTO strives to ensure its services are available to everyone with a complaint about public transport in Victoria, by promoting what we do in a way that is easily and freely accessible to everyone.

It is important that consumers find out about us at the time they need us, that is, when they have a complaint about public transport. All our members are required to have information and contact details for the PTO on their websites. In addition, they are required to tell consumers that they can complain to the PTO if the member has not satisfactorily resolved their complaint. So it is not surprising that public transport operator referrals make up the largest group of where people heard about the PTO.

...we are aware that we need to be proactive in reaching out to the community and promoting our service to people and groups who may be less likely to know about us.

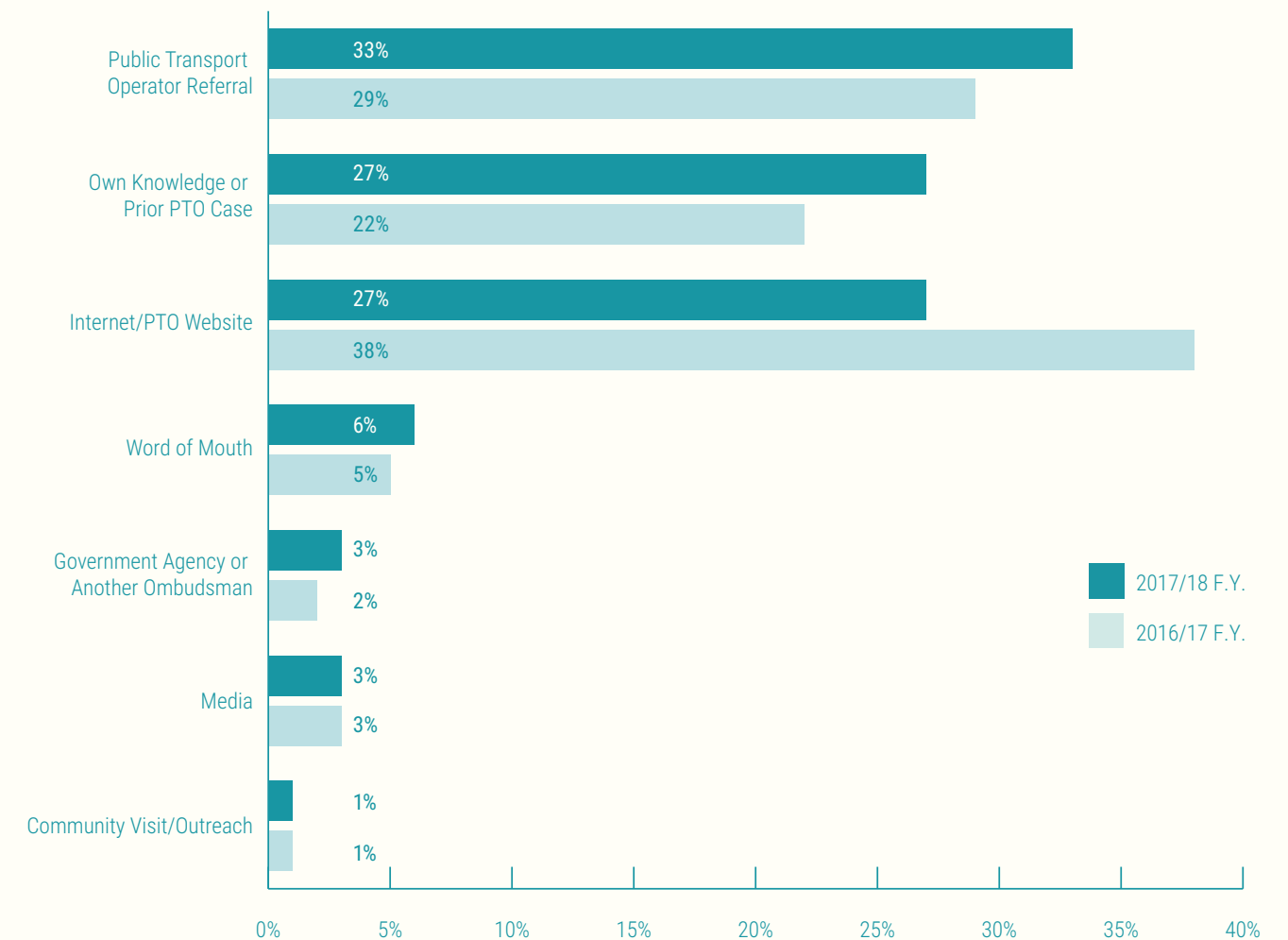


We work to ensure that everyone who might need us knows how to access us, especially those who face barriers of disadvantage through an impairment, language or cultural difference. We continually work to make our presence known throughout the community by building relationships with local media and on social media to ensure people know they have the right to complain.

We produce a brochure about the PTO in a number of different community languages and promote our use of the telephone interpreter service. However we are aware that we need to be proactive in reaching out to the community and promoting our service to people and groups who may be less likely to know about us. One of the ways we do this is by making connections with support and advocacy groups in the community.

You can read about our outreach work over the page.

WHERE PEOPLE HEARD ABOUT THE PTO





WE'RE HERE FOR THE
WHOLE COMMUNITY
CONTINUED

MAKING CONNECTIONS

Disability Outreach

Our relationship with Valid Inc. – an organisation committed to empowering adults with an intellectual disability – has gone from strength to strength. What started as a few visits to Valid's disability expos across Victoria last year has extended to more targeted network meetings. Over the last year we've been able to get out to several of Valid's expos as well as network meetings around Melbourne and speak to those who have disabilities about our office and their right to complain. Valid also promoted a series of specially tailored infographics about our office with their followers on Facebook.

Whilst we've done a lot of work connecting with those with disabilities in Victoria, one of the other areas we're beginning to focus more on is reaching those from culturally and linguistically diverse (CALD) backgrounds.

Reaching CALD Communities

Refuge of Hope is a not-for-profit organisation providing resources and support to Latin American migrants settling in Melbourne. In May, we attended their Community and Food Donation Day and our Media & Communications Officer held a talk about the PTO in Spanish for newly arrived migrants. We also designed a tailored web tile for Refuge of Hope which they promoted to almost 7000 of their followers on Facebook.

Over the next year we will increase our reach to other organisations supporting members of the CALD community, and look at producing more information about the PTO in a range of community languages.

O-Week

As the new calendar year kicked off, our team headed out to universities across Melbourne during O-Week in February to spread the word about the PTO. In our experience, young people are particularly reliant on public transport for their study, work and leisure activities. It is important that they are aware that they have recourse when things go wrong.

We talked to many students about their right to complain at La Trobe in Bundoora, RMIT City and the University of Melbourne. Common complaint issues raised by students include interactions with Authorised Officers, travel concession entitlements for post graduate students and applying for the iUse myki for overseas students.

Council updates

Local councils are often the first port of call for residents with public transport complaints, and we are working with councils to make sure people are aware of all available options to have their complaints resolved. We are continuing the dialogue that began when the Ombudsman visited metropolitan and regional councils in 2017 with targeted updates and content for councils to share on their websites and Facebook pages.

Sleep at the 'G

Every year, a team from the PTO joins hundreds of others to spend a chilly night sleeping at the MCG to support Melbourne City Mission. Melbourne City Mission provides an incredibly important service, supporting young people who are homeless. This year the funds raised by over 1000 people sleeping at the MCG are going towards the creation of a youth crisis accommodation unit in the Melbourne CBD. The PTO Sleepers raised over \$1800 in support of Melbourne City Mission and we continue to be inspired by the excellent work they do.

APPROACHES AND COMPLAINTS BY PTO MEMBER

BUSVIC	FY 2016-2017	FY 2017-2018
Investigation	58	55
Member Complaint	89	101
Member Enquiry	9	8
RFIE	39	27
Total Approaches Received	195	191
Top Issues		
Staff	185	151
Service Delivery	97	128
Infrastructure and Rolling Stock	44	38

LEVEL CROSSING REMOVAL AUTHORITY	FY 2016-2017	FY 2017-2018
Investigation	11	16
Member - Complaint	7	20
Member - Enquiry	2	1
RFIE	5	13
Total Approaches Received	25	50
Top Issues		
Infrastructure and Rolling Stock	15	34
Staff	13	18
Land	5	9

METRO TRAINS	FY 2016-2017	FY 2017-2018
Investigation	52	75
Member - Complaint	212	281
Member - Enquiry	34	44
RFIE	91	107
Total Approaches Received	389	507
Top Issues		
Service Delivery	175	294
Infrastructure and Rolling Stock	174	199
Staff	127	154

PUBLIC TRANSPORT VICTORIA	FY 2016-2017	FY 2017-2018
Investigation	165	215
Member - Complaint	466	409
Member - Enquiry	177	194
RFIE	312	208
Total Approaches Received	1120	1026
Top Issues		
myki	961	1031
Service Delivery	159	144
Staff	122	130

RAIL PROJECTS VICTORIA	FY 2016-2017	FY 2017-2018
Investigation	1	7
Member - Complaint	9	19
Member - Enquiry	1	2
RFIE	2	6
Total Approaches Received	13	34
Top Issues		
Infrastructure and Rolling Stock	6	22
Staff	4	12
Land	3	6

SOUTHERN CROSS STATION	FY 2016-2017	FY 2017-2018
Investigation	2	1
Member - Complaint	3	2
Member - Enquiry	1	2
RFIE	1	1
Total Approaches Received	7	6
Top Issues		
Infrastructure and Rolling Stock	5	4
Staff	1	2
Service Delivery	2	1

TRANSDEV	FY 2016-2017	FY 2017-2018
Investigation	42	84
Member - Complaint	99	119
Member - Enquiry	2	9
RFIE	23	31
Total Approaches Received	166	243
Top Issues		
Service Delivery	154	232
Staff	105	137
Infrastructure and Rolling Stock	62	40

VICTRACK	FY 2016-2017	FY 2017-2018
Investigation	0	4
Member - Complaint	4	2
Member - Enquiry	0	3
RFIE	4	3
Total Approaches Received	8	12
Top Issues		
Land	5	14
Service Delivery	0	4
Staff	2	4

V/LINE	FY 2016-2017	FY 2017-2018
Investigation	51	83
Member - Complaint	109	99
Member - Enquiry	19	11
RFIE	49	49
Total Approaches Received	228	242
Top Issues		
Service Delivery	97	168
Staff	128	111
Infrastructure and Rolling Stock	84	92

YARRA TRAMS	FY 2016-2017	FY 2017-2018
Investigation	50	55
Member - Complaint	137	142
Member - Enquiry	66	41
RFIE	60	59
Total Approaches Received	313	297
Top Issues		
Staff	141	155
Infrastructure and Rolling Stock	148	145
Service Delivery	75	97

SUMMARY FINANCIAL REPORT

The following is a concise version of the Financial Report for the Public Transport Ombudsman Ltd. for the year ending 30 June 2018. 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 2018 was \$1,933,672. This was derived from three sources:

- Annual Levies from Members: \$1,915,696
- Interest Income: \$13,881; and
- Other Income: \$4,095

OPERATING EXPENSES

Operating Expenses for the period ending 30 June 2018 were \$1,925,555. The majority of operating expenses were employee benefits (\$1,415,740), occupancy expenses (\$132,563) and telephone and IT expenses (\$131,668).

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 \$398,392 during the period due primarily to a decrease in total current assets of (\$349,101) and a decrease in non-current assets of (\$49,291).

TOTAL LIABILITIES

Total Liabilities decreased by \$406,509 during the period. This is due to a decrease in total current liabilities of \$376,914 and decrease in non-current liabilities of \$29,595.

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 \$953,858. This was derived from:

- Cash inflow from operating activities \$285,825
- Cash outflow from investing activities (\$14,848); and
- Cash and cash equivalents at the beginning of financial year \$682,881.

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 2018

	2018 \$	2017 \$
REVENUE	1,933,672	1,704,589
Employee benefits expense	1,415,740	1,311,974
Depreciation and amortisation expense	61,794	69,255
Occupancy costs	132,563	121,908
Telephone and IT expenses	131,668	129,241
Consultancy expenses	32,161	29,655
Other expenses from ordinary activities	151,629	142,476
(Loss) / Surplus before income tax expense	8,117	(99,920)
Income tax expense	-	-
Total Comprehensive (Loss) / Income for the year	8,117	(99,920)

BALANCE SHEET

As at 30 June 2018

	2018 \$	2017 \$
CURRENT ASSETS		
Cash and cash equivalents	953,858	682,881
Trade and other receivables	322,800	947,599
Other Assets	19,426	14,705
Total Current Assets	1,296,084	1,645,185
NON-CURRENT ASSETS		
Property, plant and equipment	67,272	100,239
Intangible Assets	20,050	36,374
Total Non-Current Assets	87,322	136,613
Total Assets	1,383,406	1,781,798
CURRENT LIABILITIES		
Trade and other payables	175,527	241,097
Provisions	28,158	-
Employee benefit liability	71,166	50,323
Other liabilities	597,503	957,848
Total Current Liabilities	872,354	1,249,268
NON-CURRENT LIABILITIES		
Provisions	-	28,158
Employee benefit liability	29,930	25,926
Trade and other payables	-	5441
Total Non-Current Liabilities	29,930	59,525
Total Liabilities	902,284	1,308,793
NET ASSETS	481,122	473,005
EQUITY		
Retained surplus	481,122	473,005
Total equity	481,122	473,005

STATEMENT OF CHANGES IN EQUITY

For the year ended 30 June 2018

	2018 \$	2017 \$
Total Equity at the beginning of the financial year	473,005	572,925
Total comprehensive income for the year	8,117	(99,920)
Total Equity at the end of the financial year	481,122	473,005

STATEMENT OF CASH FLOW

For the year ended 30 June 2018

	2018 \$	2017 \$
CASH FLOWS FROM OPERATING ACTIVITIES		
Receipts from Members	2,179,524	937,598
Payments to suppliers and employees	(1,907,580)	(1,704,506)
Interest received	13,881	17,138
Net cash inflow from operating activities	285,825	(749,770)
CASH FLOWS FROM INVESTING ACTIVITIES		
Payments for office equipment	(14,848)	(43,333)
Proceeds from office equipment	-	38
New cash (outflow) from investing activities	(14,848)	(43,295)
Net increase in cash and cash equivalents	270,977	(793,065)
Cash and cash equivalents at the beginning of financial year	682,881	1,475,946
Cash and cash equivalents at the end of financial year	953,858	682,881

CONTACT US

TELEPHONE

Free Call* 1800 466 865

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

Administration (03) 8623 2111

Fax (03) 8623 2100

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>

Telephone Interpreter Service (TIS) 131 450

EMAIL

enquiries@ptovic.com.au

ONLINE COMPLAINT FORM

ptovic.com.au/complaints/our-complaint-form

MAIL ADDRESS

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

FACEBOOK

[Facebook/PublicTransportOmbudsman](https://www.facebook.com/PublicTransportOmbudsman)