A network diagram background consisting of a dark blue field with a complex web of thin, light blue lines connecting various circular nodes. The nodes vary in size and are arranged in a non-uniform, interconnected pattern. Some nodes are larger and more prominent, while others are smaller and less noticeable. The overall effect is a sense of connectivity and complexity.

PUBLIC
TRANSPORT
OMBUDSMAN
ANNUAL REPORT
2016

PUBLIC
TRANSPORT
OMBUDSMAN



PUBLIC TRANSPORT OMBUDSMAN Scheme Members



BEING **ACCESSIBLE,** **INDEPENDENT AND FAIR**

The Public Transport Ombudsman (PTO) is a not-for-profit independent dispute resolution body which provides a free, fair and informal service for the resolution of complaints about Victorian public transport, where the operator is a member of the PTO scheme.

BEING **ACCOUNTABLE**

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.

Our Charter requires us to have our performance independently reviewed against the Benchmarks every five years. You can read about our last two independent reviews on our website. Our next independent review is scheduled to take place in 2019.

We undertake regular customer satisfaction surveys of consumers who use our service. See our report on customer satisfaction surveys on page 40.

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

CONTENTS

6	Chair's report	30	Passengers complaints are only one part of our story
8	Ombudsman's report	31	Working with our members to improve the system
11	Board	32	Improvement opportunities
12	Our process	34	Systemic issues
14	Top 5 major issue categories	36	Demographics
15	Specific issues	40	Customer satisfaction survey
16	Investigations and referrals	41	How we performed
18	Exploring the growing issues	42	The future of penalty fares and fines
20	Approaches and complaints by PTO member	43	Working with the community
22	Myki	44	Our people
24	Case studies	46	Financial report
29	New members		

OUR VISION

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

OUR VALUES

**Excellence
Integrity
Leadership
Respect
Independence**

NUMBER OF APPROACHES TO THE PTO

3,412
TOTAL
APPROACHES

738 RELATED TO
NON MEMBERS

471 REQUESTS FOR
INFORMATION

1126 COMPLAINTS

719 CONSUMERS
HELPED by the PTO to escalate their complaint with the member

358 INVESTIGATIONS
CONDUCTED BY PTO

360 INVESTIGATIONS
FINALISED

CHAIR'S REPORT

I AM DELIGHTED TO PRESENT MY FIRST ANNUAL REPORT AS CHAIR OF THE PUBLIC TRANSPORT OMBUDSMAN.

I feel very privileged to be the Chair of the PTO, which has been providing fair, impartial and efficient dispute resolution for over 12 years, handling over 28,500 approaches and conducting over 3500 investigations.

Throughout this past financial year the PTO has worked hard to provide high quality dispute resolution services to both the community and the scheme members. This hard work has paid off and the PTO continues to receive high levels of satisfaction from consumers and strong engagement from our members and broader stakeholders. As someone who relies on public transport it's particularly comforting to know that the PTO also uses consumer's complaints to help operators improve their services and resolve underlying systemic problems.

The Ombudsman and her team have delivered these services efficiently and all performance targets were met. Another positive feature is the sound financial management of the organisation with the 2015/16 year delivering a budget surplus of \$123,877 which is consistent with a reduced volume of work during the past financial year.

There is an enormous focus on public transport in the media, in relation to

both significant infrastructure projects and the pressure on service delivery resulting from population growth. While we have seen a reduction in approaches in 2015/16, I also envisage a more complex complaint environment until these major public transport initiatives are delivered. To that end, both the Level Crossing Removal Authority and the Melbourne Metro Rail Authority are now scheme members and the Ombudsman will be able to take complaints in relation to these activities. Because of the challenging nature of infrastructure related work on the lives of public transport users and the community where the work is undertaken, the Board is united in ensuring that the PTO is easily accessible to consumers who have unresolved complaints.

I'd like to acknowledge the significant contribution to the PTO made by the former Chair, Richard Allsop. Richard was an extremely strong advocate of the scheme during his four years as both Chair and Consumer Director and I'm grateful to step into the role after Richard's sound governance.

I would also like to acknowledge the efforts of former Consumer Directors Caroline Elliot and Lawrence Seyers who have both resigned from the

PTO Board after a number of years of dedicated service. For a variety of reasons all Industry nominated Directors changed during the past 12 months and while this doesn't represent anything particularly uncommon, it is not always the case that the same Industry Directors remains on the Board for almost three years; Graham Fryer of PTV is that exception and I would also like to acknowledge his commitment and efforts in support of the scheme. To all other former industry directors and the current board members, thank you for your professionalism and hard work.

Finally, to the Ombudsman and her team, congratulations on another year of sound performance. The PTO is staffed by a small team who demonstrate a great commitment and passion for their work. Their commitment to continuous improvement, collaborating with stakeholders and working through challenging issues to deliver impartial and fair resolutions is to be applauded.



Kay Rundle
Chair
Public Transport Ombudsman



**...the Board
is united in
ensuring
that the PTO
is easily
accessible to
consumers
who have
unresolved
complaints.**

OMBUDSMAN'S REPORT

THE YEAR IN REVIEW

I'm pleased to present my second annual report as Victoria's Public Transport Ombudsman. The 2015/16 financial year has been marked by significant activity in both policy decisions and infrastructure projects that supports Victoria's public transport system; with varying degrees of success and impact. On a positive note, the number of complaints to my office regarding myki has continued to drop. In particular my office has conducted far fewer investigations relating to myki refunds and I believe this is largely related to the improvements made by Public Transport Victoria (PTV). The PTO continues to work collaboratively with PTV in raising potential improvement opportunities for the myki system, more details are provided on page 23 of this report.

Last year I reported that the penalty fare option and the way it was administered had room for improvement if it was to remain. Pleasingly, the State Government accepted consumers' concerns about the fairness of the system and a broad review into the infringements and enforcement regime was conducted, with the decision made to scrap the penalty fare by 2017. Complaints to my office relating to infringement notices began to decrease after this announcement and this may be related to the State Government's decision to broaden the use of official warnings in certain circumstances.

Unfortunately, issues relating to the behaviour of Authorised Officers (AOs) have increased by 16% and consumers continue to express concern over the processes used by AOs and the nature of the AO role in enforcement, with 282 cases containing issues regarding AOs, an increase of 31 from last year. It's an area that I encourage transport operators to continue to review. AO behaviour has been the subject of three Victorian Ombudsman investigations in 2010, 2014 and 2015 and recent negative media reports and even a Facebook page tracking their whereabouts and another highlighting AO conduct. Given that the recent review of the enforcement regime states that only around 1.7% of the population deliberately fare evade*, it seems incongruous to have this level of negativity in the community.

I expand on some of the concerns expressed by consumers on pages 18-19 of this report.

V/Line customers faced a very difficult start to the 2016 year with significant disruptions as a result of the operational response to an unexpected degree of wheel wear detected on VLocity carriages. In an unprecedented response, V/Line replaced hundreds of train services with coach replacements while the problems were addressed. This resulted in an increase in complaints to my office by V/Line customers containing issues about cancellations, disruption and punctuality compared to the same period previous year. The PTO received 153 approaches about V/Line from January to June 2016 compared with 90 approaches from July to December 2015. My office commenced 8 investigations into V/Line responses to individual consumers affected by the issue. Two continuous improvement opportunities were identified by the PTO relating to V/Line's communication with customers and administration of claims for compensation over this period.

Given the number of V/Line customers impacted, this is a relatively low number of escalated matters and I believe the decisions made regarding compensation and internal complaint handling by V/Line and PTV considerably reduced the negative impact of this issue. Consumers on the whole appear to have placed a great deal of value on the openness of communication regarding the wheel wear issue and it seems there was general acceptance that the compensation offered was reasonable and straightforward. More information about the results of technical investigations into the issue is available in the *VLocity Wheel Wear Investigation For V/Line Pty Ltd* published by the Institute of Railway Technology.

Engaging with the community

Through my conversations with many community justice providers and educational bodies it became apparent to me that young people can find it difficult to manage aspects of Victoria's public transport system. This could be due to a number of factors including family or personal economic

reasons including homelessness or confusion about the rules relating to fares, in particular the student concession requirements. In an effort to highlight some of the issues facing younger people using public transport I hosted a Youth and Public Transport roundtable discussion in November 2015 which was attended by representatives from public transport operators, public transport policy development and youth advocacy groups. Many ideas surfaced from this discussion and I produced a report which has been provided to the Minister for Public Transport. Details of the report are outlined on page 43.

Accessibility to the PTO

It's important that consumers know about my office and have an unambiguous pathway to escalate their issue. Surveys conducted on general PTO awareness indicate that much of the community is still unaware of the PTO and what we do. The government's review into transport ticketing compliance and enforcement agreed with my recommendations that consumers be made aware of the PTO if they accept a Penalty Fare. Complaints to my office suggest this has not occurred in every case.

While good internal complaint escalation processes are essential, consumers need to be given clear advice from members about the role of the PTO as the single independent and impartial resolution pathway should they remain dissatisfied. I will be working with the PTO Board to ensure that our members are providing clear and unambiguous information to consumers about the PTO early on in the complaint process.

In addition to information provided by members, over 21,000 consumers visited our website. As part of continuing to improve access to our services, the PTO website was redeveloped this year along with the launch of our Facebook page. The PTO will continue to develop our social media and on-line strategy as part of a broader outreach program to take place in 2017.

Non-passenger complaints

Not everyone who contacts the PTO is complaining about their experience using public transport, the PTO also receives complaints from people who are impacted by public transport and I have outlined examples of non-passenger complaints on page 30. Big projects such as removing level crossings or the Melbourne Metro tunnel can have a significant impact on residents, road users and businesses. In addition, works to tram stops or bus shelters can cause issues to arise around relocation, noise, access restrictions or community consultation. The PTO is able to look into most complaints around these types of issues and will continue to ensure local communities are informed about the services of the PTO.



Consumers on the whole appear to have placed a great deal of value on the openness of communication regarding the wheel wear issue

OMBUDSMAN'S REPORT

THE YEAR IN REVIEW (cont)

I'm pleased to announce that the Level Crossing Removal Authority (LXRA) became a member of the PTO from January 1 this year. The Melbourne Metro Rail Authority (MMRA), the Victorian Government body responsible for delivery of the Melbourne Metro Rail Project has become a member of the PTO as of 1 June 2016. The Melbourne Metro Rail Project will deliver two new underground rail tunnels and five new underground stations and is expected to be completed by 2026. Consumers who are seeking information, advice or are adversely affected by the works and can't resolve their complaint are now able to access independent advice and dispute resolution through our office. Given the scale and impact of this project on the community and public transport users during construction it just made sense for these two authorities to join the Scheme.

A few final words

Consumers have continued to express satisfaction with the PTO services even though not all customers achieved the outcome they had sought. This reflects the independent and impartial nature of the service. Additionally we continued to provide a timely service with 96% of investigated complaints resolved within 90 days and the average time for an investigation being 38 days.

This year we welcomed a new Chair of the PTO Board, Kay Rundle after the significant contribution of former Chair Richard Allsop. Kay brings with her a wealth of board and governance experience and I'd like to acknowledge Kay for her support since her appointment in December 2015. The membership of the PTO board has also undergone a number of changes and I wish to thank all past and present members for their ongoing commitment to the PTO, especially PTO Company Secretary Bernard Stute who has been an invaluable support to the PTO since its inception in 2004.

The PTO is served by a small dedicated team of highly professional people. To all staff of the PTO, thank you for another productive and impactful year. The work of the PTO continues to contribute to positive improvements to Victoria's public transport and this is due to the commitment and skill of the PTO team and the genuinely collaborative approach by scheme members, who must also be thanked for their ongoing support.



Treasure Jennings
Ombudsman,
Public Transport Ombudsman

*Victorian Government Department of Economic Development, Jobs, Transport and Resources, Report of the Review Into Public Transport Ticketing Compliance and Enforcement May 2016, p.42

MEMBERS OF THE PTO BOARD*

* As at 30 June 2016



Kay Rundle
Chair



Bernard Stute
Company Secretary



Dianne Rule
Consumer Director



Llewellyn Prain
Consumer Director



Caroline Elliot
Consumer Director



Brendan Geary
Industry Director



Emilie Perrot
Industry Director



Graham Fryer
Industry Director

...consumers need to be given clear advice from members about the role of the PTO as the single independent and impartial resolution pathway should they remain dissatisfied.

The PTO uses a conciliation model when determining the appropriate outcome for the consumer.

This means we try and work towards **AN AGREED OUTCOME** between the member and the consumer. We consider laws and codes as a minimum standard and also consider what would be **FAIR AND REASONABLE** in the circumstances.

We take into consideration **PREVIOUS CASES**, the **OPINION OF OTHER OPERATORS** and the **CIRCUMSTANCES OF THE CONSUMER**, and we try to **GATHER EVIDENCE** such as CCTV footage or myki records.

If the parties don't agree we then **DETERMINE AN OUTCOME**. The Ombudsman can bind a member to her decision up to the value of \$5000 or \$10,000 by agreement with the member.

The Ombudsman can also discontinue an investigation if the consumer's claim is **UNREASONABLE** or **UNSUBSTANTIATED**.

OUR PROCESS

The PTO has six different processes depending upon the reason a consumer has approached us.

1

Information requests

General enquiries about public transport or the role of the PTO which are handled by PTO staff on a case by case basis.

2

Refer to Member Enquiries

Consumer information requests about a member service which are referred to the operator for response.

3

Refer to Public Transport Victoria, Department of Transport or other bodies

Enquiries or complaints that are outside the PTO's jurisdiction; usually about ticket infringements or high level public transport policy.

4

Refer to Member Complaints

Complaints about operator service where the consumer is seeking resolution but hasn't first given the operator the opportunity to resolve the complaint. The consumer is referred back to the member.

5

Refer for Internal Escalation (RFIE)

Complaints about operator service where a consumer has spoken to a member at least once and hasn't received a satisfactory response, but is happy to keep dealing directly with the operator, rather than have the PTO investigate.

Complaints are documented and then referred to an operator's Customer Service Team for response and resolution.

The operator must contact the consumer within one business day to acknowledge the referral. They must investigate the complaint and provide the consumer with a thorough response within seven business days.

The PTO might escalate a complaint where the consumer has not contacted the operator if the complaint contains complex issues, is about Authorised Officers or where the consumer might need assistance outlining their complaint.

6

PTO Investigations

The PTO registers and investigates where the consumer has raised concerns with the operator without resolution or when the PTO exercises its discretion to investigate because of the circumstances of the complaint or the consumer.

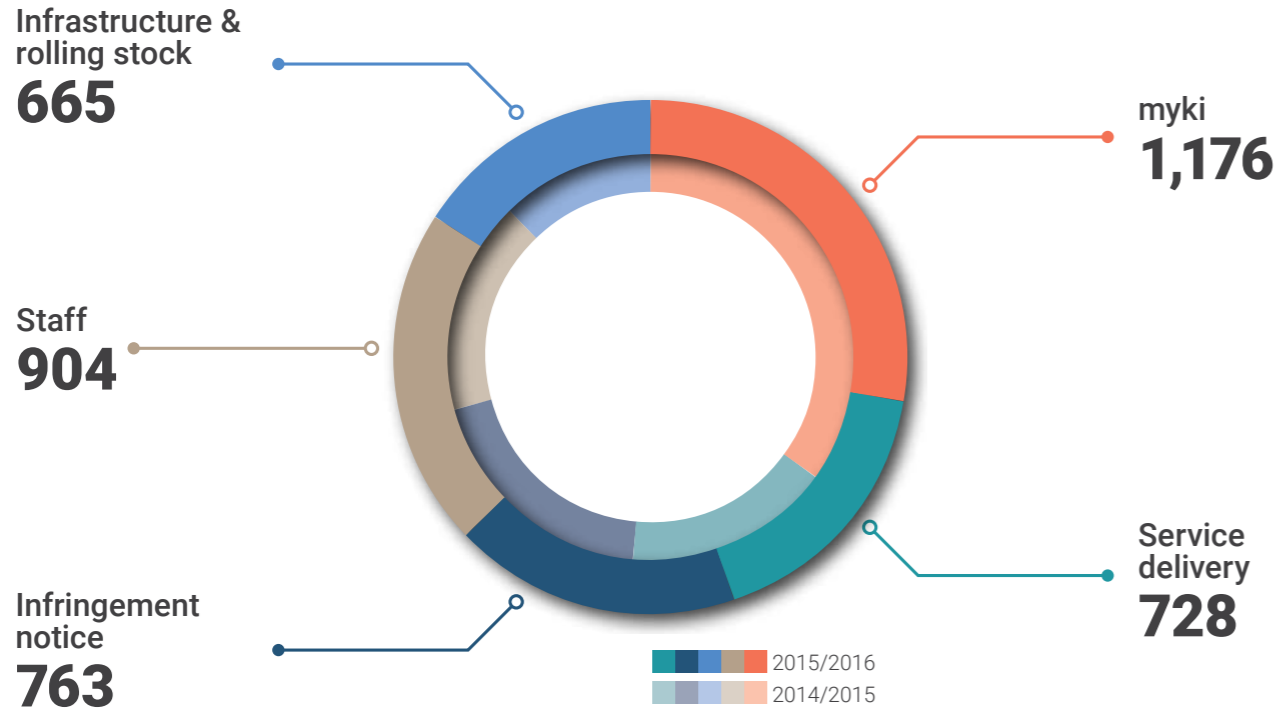
Complaint issues and the consumer's proposed resolution are documented and then the operator's Customer Service Team is asked for a response and supporting documentation. The response must be provided to the PTO within 14 days.

The PTO will then assess the response and conciliate an agreed resolution to the complaint if possible.

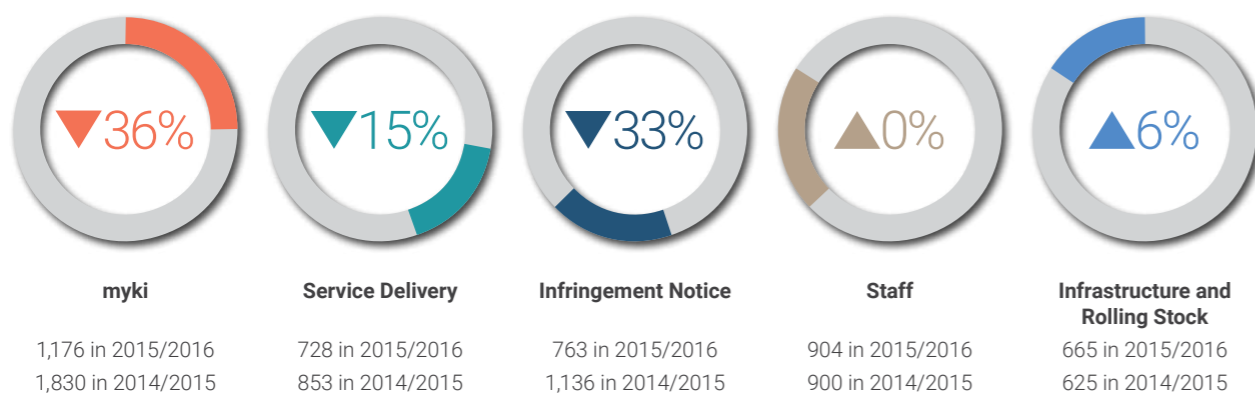
Complaints may be escalated or ultimately determined by the Ombudsman if no agreed resolution is reached.

TOP 5 MAJOR ISSUE CATEGORIES

The top five major issues categories remained the same as last year, with myki issues still the main reason consumers contact the PTO. However, complaints about staff has replaced complaints about infringement notices as the second biggest issue.



CHANGE WITHIN MAJOR ISSUES CATEGORIES 2015/16



SPECIFIC ISSUES

Approaches to our office can contain more than one issue. This year, we had a total of **3,412 approaches** containing **5,320 issues**. Total issues fell by **13%** from 2014/2015. Our biggest specific issue for the year was customer service.

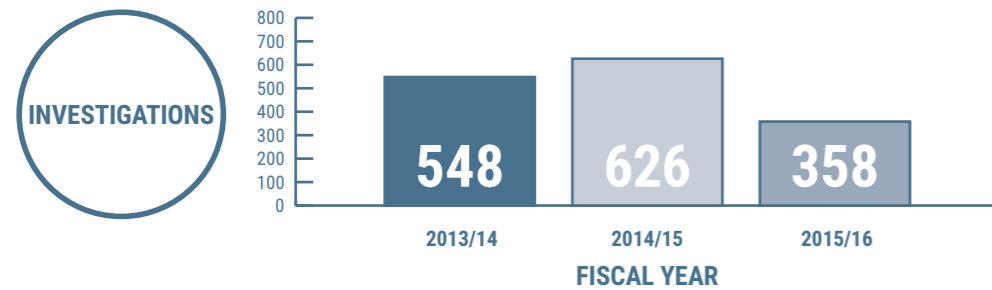
This table represents the **25 most common specific issues** recorded when people approached the PTO. The specific issues are grouped by major category

MAJOR ISSUE CATEGORY Specific Issue	2014/2015	2015/2016	CHANGE	% CHANGE	ISSUE CATEGORY TOTAL	APPROACHES
myki					1176	780
Refund / Reimbursement	463	262	-201	-43%		
Staff	415	193	-222	-53%		
Account	357	191	-166	-46%		
Terms and Conditions	127	107	-20	-16%		
myki Card	79	91	12	15%		
myki Product	63	78	15	24%		
Equipment Trains	106	72	-34	-32%		
Staff					904	708
Customer Service	530	519	-11	-2%		
Driver	261	268	7	3%		
Station Attendant	75	71	-4	-5%		
Infringement Notice					763	576
Fine	484	315	-169	-35%		
Ticket	285	235	-50	-18%		
Appeals Process	314	187	-127	-40%		
Service Delivery					728	608
Punctuality	103	110	7	7%		
Disruption	74	90	16	22%		
Timetables	104	88	-16	-15%		
Cancellation	65	70	5	8%		
Insufficient Service	68	69	1	1%		
Property	66	69	3	5%		
Timetable Changes	146	66	-80	-55%		
Infrastructure & Rolling Stock					665	565
Trams/Trains/Buses	300	303	3	1%		
Platform / Shelter / Tram Stop / Bus Stop	211	219	7	3%		
Tracks	59	88	29	49%		
Authorised Officer					364	282
Behaviour / Approach	196	228	32	16%		
Penalty Fare					258	255
Accepted / Purchased	163	209	46	28%		

INVESTIGATIONS AND REFERRALS

358 Investigations were conducted by the PTO, a significant **43% reduction** from 626 in 2014/2015.

This movement is largely due to fewer consumers feeling the need to approach the PTO about their myki accounts or the progress of their refund applications. We investigated **170** complaints against PTV in 2015/2016, **down from 407** in 2014/2015.



Operator Share Of Investigations

OPERATOR	# OF INVESTIGATIONS	
	2014/2015	2015/2016
Public Transport Victoria	407	170
Metro	60	56
Yarra Trams	49	38
V/Line	40	42
Transdev	29	23
BusVic	41	28
Southern Cross Station	0	1

Investigations into other members also fell overall, the only exception being V/Line.

The PTO investigated more complaints about V/Line's service delivery and the payment of compensation as measures taken to address wheel wear and track maintenance flowed onto performance and compensation claims by consumers. Investigation into V/Line complaints rose from **40** to **42** compared with total investigations decreasing by **43%**.

Investigation Issue Breakdown (Top 5)

ISSUE LEVEL 1 CATEGORY	2014/2015	2015/2016
myki	648	262
Staff	325	214
Infrastructure and Rolling Stock	112	85
Service Delivery	87	72
Authorised Officer	56	68

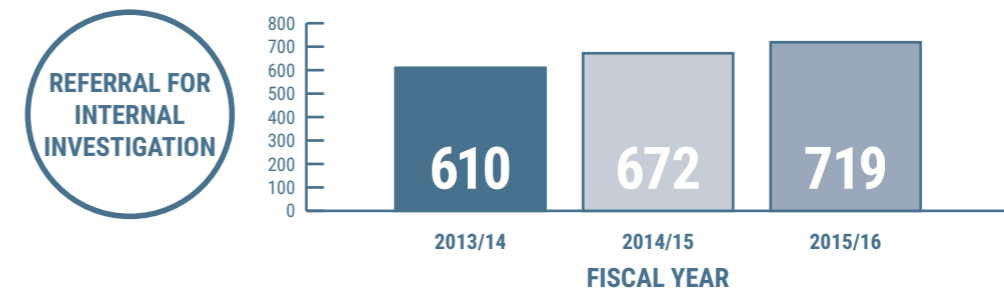
The PTO recorded 777 issues contained within the 358 investigations commenced during 2015/2016.

An average of 2.2 Issues per investigated complaint, up from 2.1 In 2014/2015.

Referral for Internal Escalation (RFIE)

The PTO works collaboratively with its members to encourage informal, speedy resolution of matters.

Where a consumer is happy to keep working directly with the operator to resolve their complaint the PTO may assist by referring a matter in writing to a senior member of staff at the operator without investigating. The consumer then has the option to accept the resolution proposed by the operator or proceed to investigation by the PTO.



Operator Share Of Referrals

OPERATOR	# OF RFIEs	
	2014/2015	2015/2016
Public Transport Victoria	413	374
Metro	113	128
Yarra Trams	50	82
V/Line	44	72
Transdev	26	27
BusVic	23	30
Level Crossing Removal Authority	-	2
Southern Cross Station	1	2
VicTrack	0	2

The PTO referred 719 matters for internal escalation in 2015/2016 compared to 672 in 2014/2015.

With the exception of PTV, all of our members had an increased number of referrals. This coincides with the PTO's ongoing commitment to providing operator training about complaint handling, complex issues and the PTO's processes.

Referral Issue Breakdown (Top 5)

ISSUE LEVEL 1 CATEGORY	2014/2015	2015/2016
myki	457	340
Staff	222	293
Penalty Fare	108	159
Service Delivery	115	155
Authorised Officer	97	148

Focussing on the issues contained within assisted referrals, **there is a clear rise in the number of consumer complaints about penalty fares, staff and authorised officer conduct** driving the increase in referrals overall.

EXPLORING THE GROWING ISSUES

Staff and Authorised Officers

Complaints about operator staff remained static last year. However in an environment of falling approaches, this represents a larger proportion of complaint issues overall.

Complaints containing issues relating to AOs increased by 16% as consumers continue to express concern over the processes used by AOs and the nature of the AO role in enforcement.

The overwhelming majority of complaints about AOs are about interactions where a consumer is reported for a fine or pays a penalty fare. This can be a confronting experience for anyone, particularly if they believe they have taken all reasonable steps to travel with a valid ticket.

Of the 50 complaints to our office that described an AO interaction as intimidating, **64% came from women.**

It seems that women in particular are discomforted by the current approach to fare enforcement. Of the 50 complaints to our office that described an AO interaction as intimidating, 64% came from women.

The Government's 2016 report into fare enforcement acknowledges that most people want to do the right thing and do not deliberately fare evade. However under the current system, accidental and deliberate fare evaders are treated the same. We are hopeful that the official warning system to be introduced on 1 January 2017 will support AOs in having an educative role and being more customer service focussed when it comes to fare enforcement.

Helen's Story*

Helen was approached by an AO on a tram and advised that she didn't have a valid ticket for travel. Helen didn't think this was right, because she had taken steps to make sure she had sufficient credit on her myki. She described the interaction as humiliating and intimidating. She told us that ultimately she paid the penalty fare because she did not want to provide her personal details to the AO in front of fellow travellers, and was not given the option of getting off the tram to provide her details.

P2016/1593

Rina's Story*

Rina believed she had touched on her myki successfully, but when the AO boarded the tram and checked her ticket on the handheld device, he immediately told her she had two options to pay her fine. She tried to explain, but the AO cut her off and told her that if she was refusing to provide identification she would be arrested. Rina says she was very shocked by that, as she had not been asked for identification. Because she felt she had done nothing wrong she told the AO to arrest her. Police were called and she provided her identification to them. She received two fines in the mail – one for travelling without a valid ticket and one for failing to provide identification.

P2015/2689

Sylvia's Story*

Sylvia believed she had touched on her myki, but was approached by an AO at the end of her journey and told that she did not have a valid ticket for travel. Sylvia told us that the interaction made her very upset. She said that when a bystander tried to help her, the AO told the bystander that he could be arrested if he intervened. Sylvia received two fines – one for travelling without a valid ticket and one for failing to provide identification.

P2015/3304

*This is the customer's account of the interaction.

Approaches and Complaints with Issues by PTO Member

BUSVIC	2014/15	2015/16
Member - Enquiry	8	6
Member - Complaint	101	91
RFIE	23	30
Investigation	40	28
Total Approaches Received	172	155
Top Issues		
Staff	154	163
Service Delivery	82	80
Infrastructure and Rolling Stock	40	38



LEVEL CROSSING REMOVAL AUTHORITY	2014/15	2015/16
Member - Enquiry	-	0
Member - Complaint	-	2
RFIE	-	2
Investigation	-	0
Total Approaches Received	-	4



METRO TRAINS	2014/15	2015/16
Member - Enquiry	42	49
Member - Complaint	340	222
RFIE	113	128
Investigation	60	56
Total Approaches Received	555	455
Top Issues		
Service Delivery	279	190
Staff	177	181
Infrastructure and Rolling Stock	206	164
Authorised Officer	136	136



PUBLIC TRANSPORT VICTORIA	2014/15	2015/16
Member - Enquiry	315	293
Member - Complaint	598*	469
RFIE	413*	374
Investigation	407*	170
Total Approaches Received	1,733	1,306
Top Issues		
myki	1,782	1,137
Service Delivery	244	166
Staff	179	146
Infrastructure and Rolling Stock	130	132



*Data from 2014/15 PTO Annual Report has been corrected

SOUTHERN CROSS STATION	2014/15	2015/16
Member - Enquiry	2	1
Member - Complaint	1	3
RFIE	1	2
Investigation	0	1
Total Approaches Received	4	7



TRANSDEV	2014/15	2015/16
Member - Enquiry	8	6
Member - Complaint	58	52
RFIE	26	27
Investigation	29	23
Total Approaches Received	121	108
Top Issues		
Staff	103	95
Service Delivery	66	68
Infrastructure and Rolling Stock	32	35



VICTRACK	2014/15	2015/16
Member - Enquiry	0	7
Member - Complaint	1	1
RFIE	0	2
Investigation	0	0
Total Approaches Received	1	10



V/LINE	2014/15	2015/16
Member - Enquiry	20	25
Member - Complaint	94	105
RFIE	44	72
Investigation	40	42
Total Approaches Received	198	244
Top Issues		
Service Delivery	99	136
Staff	123	134
Infrastructure and Rolling Stock	72	84
Ticketing	15	36



YARRA TRAMS	2014/15	2015/16
Member - Enquiry	78	82
Member - Complaint	136	175
RFIE	50	82
Investigation	49	38
Total Approaches Received	313	377
Top Issues		
Infrastructure and Rolling Stock	132	189
Staff	156	168
Authorised Officer	69	97
Service Delivery	75	80



myki complaints

Myki is the public transport ticketing system for metropolitan public transport and some regional services. For the third year in a row, the number of myki complaints to the PTO has fallen. We believe this is a sign that consumers are more comfortable with myki and how it works, and is also a reflection of improvements to the system, such as the introduction of an online process for myki refunds and reimbursements.

However there are aspects of the myki smart card system that continue to be challenging for consumers, and the resulting confusion can lead to incorrect charging or travelling without a valid ticket, despite a consumer's best intentions.

Myki requires consumers to touch on and touch off their smartcards when travelling and different rules apply according to the mode of transport, time of travel and even where the consumer is travelling.

For example, tram passengers must touch on their mykis when entering a tram but do not need to touch off. If they're travelling exclusively within the free tram zone in the Melbourne CBD, they should not touch on at all, otherwise they will be charged and need to apply to PTV for a refund. And consumers who travel on trams exclusively in zone 2 should ensure they touch off otherwise they will be charged a default fare, which is in excess of the zone 2 fare.

And as Nick discovered, in the following case study, using a myki pass is not as simple as touching on once and then being valid for travel for the period of the pass.

case study

Nick was approached by AOs on a tram and advised that he did not have a valid ticket. He showed the AO a copy of his myki transaction record which showed that he had a weekly pass and said that he had touched on. The AO told Nick that the handheld myki device did not show this, and Nick was reported for not having a valid ticket. Nick also complained that he was not offered the option of taking a penalty fare, and the AOs did not identify themselves when he asked.

As Nick had already contacted Yarra Trams and the complaint involved AO behaviour, we decided to investigate. We asked for clarification of the AO's advice to Nick that he should have touched on his myki twice to activate the pass.

Yarra Trams advised us that if a passenger purchases a pass and only touches on once, the pass is not activated. At the first touch on, the myki system will create a 2 hour default product with an expiry time, no matter what product is on the myki. The system calculates the best product at the touch off, or when the myki next interacts with the system. At that point,

the system will recognise that there is a pass on the myki. Yarra Trams said that Nick had touched on the previous day, but had not touched off, or touched on the second day, which is why his pass had not activated. Nick told us that he had touched on the second day.

Yarra Trams says that when the myki was checked by the AO, the handheld reader showed that there was no valid product on the myki. The AO could have found evidence of the pass, however the AO would need to check 3 different screens to detect this.

Yarra Trams apologised to Nick for his poor customer service experience and wrote to the Department to have the fine withdrawn. Yarra Trams also advised that the AO will be provided additional training and they will implement a process whereby the AO team manager will, as a matter of routine, review all such cases. Nick was offered family tickets to Melbourne Star and IMAX as a gesture of goodwill, he was happy to accept these and the matter was resolved.

P2016/1129-1

myki issues register

The myki issues register is how we manage systemic problems with myki, and we work proactively with PTV to identify, investigate and resolve myki issues.

SHORT TITLE	DESCRIPTION	OUTCOME AND STATUS
Refunds to overseas consumers	Refunds to overseas consumers can only be done by cheque and there is a very convoluted process for sending a cheque to an overseas address.	The PTO is satisfied with PTV's advice that this measure was part of its fraud mitigation policy. CLOSED.
Expiry of unused myki pass after 12 months	Consumer complained that they were not aware that a pass expires when it has not been activated within 12 months.	PTV amended its website clarifying that consumers have 12 months from the date of top up in which to activate the pass. CLOSED. <i>(Reported as open improvement opportunity in 2014/2015 Annual Report)</i>
Accuracy of information to consumers about the myki refund process	Consumer was advised by the call centre that his refund had been approved, although it had only been partially approved. It turned out it was only part-way through the approvals process.	PTV confirmed that a refund approval is a two stage process and that the consumer had been incorrectly advised. PTV has instructed call centre staff not to advise consumers about the outcome until the approval process has been completed. CLOSED.
V/Line free travel and reimbursement for replacement coaches (from 8 February 2016)	The PTO asks whether PTV should develop guidance internally which allows PTV to consider individual circumstances when consumers make claims for reimbursement of pass days where they did not travel on a replacement coach.	The PTO sought clarification from PTV regarding the consideration of special circumstances to complaints for reimbursement relating to the V/Line free travel period. The PTO is satisfied that PTV has a process in place for consideration of special circumstances. CLOSED.
Loss of deposits made to blocked mykis	A consumer's \$50 top up was accepted by a customer vending machine even though the myki had been blocked. The consumer followed up but PTV could not locate any record of the transaction.	PTV confirmed to the PTO that their initial investigation into the consumer's top up did not make reference to a report which showed the consumer's \$50 had been accepted by the machine. PTV then confirmed that it has changed its investigation practices and will routinely request this report when verifying transactions on blocked cards. CLOSED.
Auto top ups not working on some domestic credit cards	The PTO received a complaint from a consumer that their domestic credit card cannot be used for an auto top on their myki.	PTV advised that there are no blanket exclusions other than diners and Amex. NO FURTHER ACTION.
myki refund process	PTO received a large number of complaints relating to myki refunds and reimbursements including delays. PTO asked for clarification. During this enquiry PTV introduced online refund and reimbursement options.	PTV's data showed that the introduction of online refunds is improving refund timeliness. CLOSED. PTO TO CONTINUE TO MONITOR CASES.
Posting of bank statements	A consumer was told that she could only provide information to PTV by email.	PTV confirmed that information is able to be provided by post and was isolated misinformation. NO FURTHER ACTION.
Replacement cards and auto top ups	Consumer received replacement myki and letter advised that it was 'ready to use'. Consumer believed this meant that his existing auto top up had been transferred to the new card. Other consumers complained that myki and myki pass balances took longer to transfer onto new card.	PTV took corrective action and amended its letter to consumers. PTO is now seeking clarification from PTV regarding the time it takes to process balance transfers. OPEN.
Activation time of myki passes is unclear	PTV information on activating myki passes is unclear. One consumer was advised to allow "at least 24 hours" for pass to top up, but then pass was activated early when she used her myki.	PTV agreed that its information to consumers was not always clear and instructed staff to remind consumers to check their passes before using their mykis. CLOSED. <i>(Opened in 2014/2015 and reported as improvement opportunity in 2014/2015 AR)</i>



Case Study

Metro

Alia was waiting on the platform at Brighton Beach station to travel into the city. She was with 4 other adults, her young daughter and an empty pram. The train was stationary long enough for one adult to board the train with her daughter. Alia was immediately behind with the pram, but the doors closed before she could get on the train, trapping a pram wheel in the door. She needed help to pull the pram out of the door. This was made more difficult because of the gap between the train and the platform.

Alia said that she was approached by a station staff member who told her that she had been at fault, that her group should have used two doors to board. Alia says this would not have made a difference as a group of people at the next door had also been left behind. She made a formal complaint to Metro and then contacted our office.

Alia had not yet heard from Metro when she contacted us. However, given the serious nature of her complaint, we decided to refer the matter immediately to Metro Customer Relations as an assisted referral. Under this process, we ask Metro to contact the customer directly to resolve her complaint, and to provide us with a copy of the response. Alia was advised of the process, and told that she could contact us again if Metro's response did not resolve her complaint.

Metro advised us that they contacted Alia and apologised to her for her family's experience. Using CCTV footage, Metro confirmed Alia's version of events and said that the train doors had only been open for 9 seconds. Given the curve of the platform at that station and a pram waiting, this could not be considered long enough. The report had been referred to the Train Driver manager to take up with the individual driver, so he could learn from the incident. Metro also followed up with the Customer Service Manager to address the customer service issue with station staff. Metro advised us that Alia accepted the explanation and the apology to address her complaint. Alia did not contact us again, so we considered the matter resolved.

P2015/3588



Case Study

Yarra Trams

Jamie complained to us about issues on the route 57 tram. He said that he catches this tram to the city and back every day, and on 8 July he was left waiting 30 minutes for a tram, even though they are scheduled to arrive every 6 to 8 minutes.

Jamie also complained that on the following day, he was travelling on the 57 tram when the driver opened the doors on the wrong side. The consumer was standing in the door well on that side and almost fell out of the tram. When he complained to Yarra Trams he did not get a response.

As Jamie had been unable to resolve his complaint directly with Yarra Trams we commenced an investigation. As part of our investigation we looked at Yarra Tram's case handling as well as the issues that led to the customer's complaint.

In relation to the delayed service, Yarra Trams explained that a traffic incident on another road pushed traffic onto route 57. Yarra Trams used a block car – a tram that is taken out of service to adjust services and restore on-time running – to help manage late running trams on the route. This tram route is very susceptible to delays caused by road traffic. During traffic incidents Yarra Trams works with VicRoads to adjust traffic light priority to restore services to schedule.

In relation to the doors opening on the wrong side, Yarra Trams said that the driver opened the doors while resetting circuit breakers to get the tram moving again. Yarra Trams followed up with the tram driver to remind them of appropriate action during fault-finding procedures to ensure passenger safety.

Yarra Trams acknowledged that the consumer's complaint was poorly handled. They apologised to the consumer and advised that the matter had been addressed with the staff member involved.

Jamie accepted Yarra Trams' explanation and apology and considered the matter resolved.

P2015/2558



Case Study

V/Line

Ruben and his partner were travelling from Melbourne to Swan Hill, a five hour trip. They were travelling in reserved seats and the carriage was getting hotter and hotter, and Ruben's partner almost passed out. The conductor suggested they move to another carriage, and there was also an announcement encouraging passengers to move to another carriage.

Ruben complained to the conductor who did not report the fault. He tried to complain at Swan Hill station but there were no staff available. He also made a complaint to the PTV call centre. On the return trip to Melbourne two days later, the same thing happened. Ruben and his partner again had to move seats. He believes the issue poses a serious health risk to passengers. Ruben wanted the air conditioning problem fixed and a goodwill gesture in recognition of the inconvenience he and his partner suffered.

We decided to investigate because he had several contacts with V/Line and PTV and his complaint remained unresolved.

V/Line confirmed that when the fault was first reported to them by Ruben, there were no reports showing a mechanical fault with the air conditioning. In response to our investigation, the V/Line service team examined the air conditioning and found a damaged pipe which had caused the problem. The problem was fixed. V/Line acknowledged the impact on Ruben and wrote to him to apologise. They also offered a goodwill gesture of two complimentary return vouchers for economy class V/Line travel anywhere in Victoria. Ruben was satisfied with this outcome and the case was closed.

P2016/0267



Case Study

Transdev

Marco bought tickets to see a film on New Year's Eve. When he went to catch the bus, it did not turn up. There was no information at the bus stop or on PTV's website about this. He missed the movie and lodged a complaint with Transdev the same day. He contacted us in March to say that the matter had not been resolved and as he understood it, Transdev and PTV were assigning responsibility to each other for the problem. Marco wanted reimbursement of \$52 for the cost of his IMAX tickets.

We commenced an investigation. Transdev advised us that the bus service had been diverted due to a traffic accident earlier that day. There was no information at the bus stop because it was not a planned event. Transdev initially believed that PTV had been fully informed of the diversion; however they advised us during the PTO investigation that PTV had only been advised of the diversion in the morning but not informed that the diversion was still on in the afternoon, which is when the customer was waiting for the bus.

Transdev initially responded by saying that as the cause of the diversion was out of their control they should not have to reimburse the customer for the fact that there was no bus. However due to their failure to properly inform PTV of the diversion, they decided to offer the consumer a \$20 voucher as goodwill gesture.

Transdev's response did not resolve Marco's complaint and the investigation was upgraded. Our preliminary view was that while the traffic disruption was outside Transdev's control, Transdev did not meet its responsibility to update PTV about the disruption and so was responsible for reimbursing Marco. We also identified issues with Transdev's handling of the complaint.

Transdev agreed to increase its offer to \$52 to cover the cost of the movie tickets as a good will gesture. Marco was happy to accept this offer in resolution of his complaint and we closed the case.

P2016/0891



Case Study

BusVic Member

Martin complained to our office that his mother's glasses were damaged when the doors of a bus closed on her. His mother Marion had taken a bus to the local shopping centre. As she was alighting via the front door of the bus, the driver shut the door. She was hit on the shoulder and head and her glasses fell. Marion was shocked but luckily not injured, however her glasses were damaged. The bus driver took Marion's details and advised her that he would report the incident.

Martin called the bus company to complain and make a claim for the cost of Marion's new glasses. He says the bus company advised him to contact the Transport Accident Commission (TAC) but he was advised by the TAC that they could not assist because the claim was less than the TAC excess. Martin contacted our office after he did not hear back from the bus company.

Because Martin had had between 3 and 5 contacts with the bus company, we decided to open an investigation into his complaint. We wrote to the bus company and asked them to provide us with information for our investigation. We did not receive a response from the bus company within the designated time, so the matter was upgraded to a level 2 investigation. The bus company subsequently provided the requested information, including CCTV footage of the incident, for our investigation.

The bus company acknowledged the incident as described by the consumer and said that the bus driver was new and had closed the front door of the bus in error. The bus company confirmed that the driver had filled out an incident report at the end of his shift. The bus company apologised to the consumer and also agreed to pay the claim of \$576.20 for Marion's new glasses. Martin advised us that he was satisfied with the outcome and considered the matter resolved.

P2015/2961

OUR NEW MEMBERS

On the first of January 2016 we welcomed a new member to the PTO – the Level Crossing Removal Authority (LXRA). LXRA is tasked with overseeing the removal of 50 level crossings across Melbourne over the next eight years, with work well underway on several train lines. We have received minimal complaints about LXRA, and our observation is that the disruptions appear so far to have been handled well, in terms of providing information to the public and providing consumers with alternative public transport.

Our other new member as of 1 June 2016 is the Melbourne Metro Rail Authority (MMRA), the Victorian Government body responsible for delivery of the Melbourne Metro Rail Project. The Melbourne Metro Rail Project will deliver two new underground rail tunnels in the CBD and five new underground stations. The Melbourne Metro Rail Project is scheduled to be completed by 2026.

Given the scale and impact of these two projects on the community and public transport users, it is important that consumers have an independent avenue of complaint through the PTO.



PASSENGER COMPLAINTS ARE **ONLY ONE** PART OF OUR **STORY**

Under the PTO Charter, we look at complaints from consumers who are affected by public transport, as well as those who are provided with public transport goods and services.

Consumers seeking our help now regularly include residents, traders, road users and advocates. They complain to us about a range of issues arising from public transport including noise, inconvenience, traffic incidents and compromised access to their property. We hear from people who complain that their home or property is impacted by neighbouring public transport land or infrastructure. For example, a tree on public transport land may be causing a hazard to a private property or a common fence may need fixing or replacing.

With an increase in major infrastructure projects, we expect to hear from more people who are looking to make sense of the disruption caused by major works and exploring access to information, consultation and the resolution of complaints. It is important that the public is made aware of the options available to them to mitigate the effects of intrusive works or activities, such as alternative forms of transport, or financial assistance if it becomes necessary to temporarily move out of home while works take place. We expect our members to be proactive in informing the public about works or activities that may affect them, as well as being responsive to the needs of people who approach them with enquiries or grievances.

Case Snapshot

Jenny was unhappy about broken glass at her local tram stop. Yarra Trams advised that the glass was not from the tram shelter, but came from broken bottles and was possibly related to a nearby take away alcohol shop. Although the glass was not being smashed on Yarra Trams property, Yarra Trams increased its cleaning schedule for the tram stop and contacted the local council to ask for a rubbish bin to be placed nearby.

P2015/3585-1

Case Snapshot

Nathan complained to us about dust from a level crossing removal works site. He says that following completion of the works, he paid to have the inside of his house cleaned. He thought the project should pay for external cleaning. He tried a number of times to get in touch with the LXRA project team. After we became involved, LXRA were advised of the matter and were able to contact Nathan, apologising for the inconvenience and confirming that they would cover the cost of cleaning the outside of his house.

P2016/0202

WORKING WITH OUR MEMBERS TO IMPROVE THE SYSTEM

We work collaboratively with operators to address improvement opportunities that are identified through complaints to our office. Improvement opportunities are problems that affect or could affect more than one person, but fall short of being systemic issues. They provide operators with the chance to improve their processes or policies without the need for a formal investigation by our office. Operators report the outcomes to us, and we assess whether the issue is satisfactorily addressed. The goal of the continuous improvement process is to see ongoing and real improvements in our public transport system.

Case Study V/Line wheel wear, free travel and compensation

V/Line is required to pay compensation to pass holders if performance targets for punctuality or reliability are not met each month. In January V/Line detected unusually high levels of wheel wear on some VLocity carriages. V/Line's response included a reduced number of services and replacement coaches to allow inspections and maintenance to address safety concerns.

From 23 January to 3 February travel on V/Line services was offered free to consumers in recognition of the inconvenience caused by the disruption.

The PTO received a number of complaints from consumers about disruptions, cancellations and compensation claims. As the PTO examined the consumers' experiences it identified that V/Line consumers using myki were being told that there was no requirement to touch on during the free travel period. This advice was intended to help consumers avoid being charged for journeys they were entitled to take for free.

We identified that consumers who followed this instruction and then applied for compensation, may fail to satisfy eligibility rules which require a consumer's travel history to include 10 touch-on/touch-offs in the month. We referred the issue to V/Line as an improvement opportunity.

V/Line reviewed its communication to consumers and acknowledged that there was the potential for consumers following the instructions to be disadvantaged. V/Line extended eligibility for compensation in January and February to any pass holder who had touched on at least once. V/Line included reference to the adjusted rules when it released performance results with instructions on how to apply for compensation.

We monitored complaints to our office until the time limit for February compensation applications had passed then advised V/Line that we were satisfied with the measures taken.

No formal investigation was deemed necessary and the matter was closed.

S2016/0001

Improvement Opportunities

SHORT TITLE	DESCRIPTION	OUTCOME AND STATUS
Bus complaints – complaint handling about staff conduct	In some PTO cases the person who was the subject of the complaint also managed the subsequent investigation of that complaint.	The subject of the complaint cannot be the case handler. Bus Association of Victoria accepted this. CLOSED.
Metro staff not retaining CCTV footage when investigating complaints	PTVs Public Transport Industry Complaint Handling Procedure requires Metro to retain all information used in making their decision on the complaint file but in two PTO cases, footage was not retained.	The PTO is satisfied there is a process in place that required investigators to retain footage and this was not being adhered to. CLOSED. PTO WILL CONTINUE TO MONITOR CASES.
Authorised Officer procedures regarding customer ID documents	A consumer who was in a hurry gave his ID to an Authorised Officer and made arrangements for the ID to be dropped off somewhere he could pick it up. PTO raised privacy concerns about Authorised Officer's offering to retain and then return documents such as licence and health care card in ad hoc fashion.	The PTO is satisfied with Metro's confirmation that it was an isolated incident. Privacy training was provided to Authorised Officers. NO FURTHER ACTION.
Issuing of penalty fares during the free Early Bird travel period	A consumer received a penalty fare for travelling without a myki during the free travel period.	Metro advised that Early Bird fare customers must still carry a myki and touch on/off. Authorised Officers follow PTV directions to offer consumers the option of either a Penalty Fare or a Report of Non Compliance. CLOSED. PTO WILL CONTINUE TO MONITOR CASES.
Use of Google translator by Authorised Officer	In one PTO case, Metro stated that Google translator had been used when cautioning a passenger (in Vietnamese).	The PTO is satisfied with Metro's confirmation that it was an isolated incident and not standard practice. There was no evidence that this was a systemic issue. NO FURTHER ACTION.
Mismatch between Metro and PTV's complaint handling systems	A consumer received a letter from Metro inviting her to respond via the PTV 1800 number. It provided her with a Metro specific reference number and a Metro email address. Consumer then called PTV and quoted Metro's reference number. PTV wasn't able to link the Metro reference number to a case.	Metro has implemented a practice to ensure that all correspondence received directly from consumers are forwarded to the call centre for registering on the PTV system. CLOSED. PTO WILL CONTINUE TO MONITOR CASES.
Consumers claim they were sold a used myki at a Metro station	PTO identified several cases where consumers reported that they had been sold a used myki from a Metro station.	Metro confirmed that there was no evidence that this was a systemic issue. It has implemented a range of card handling processes for all station staff handling mykis. CLOSED.
Incorrect advice to consumers about Penalty Fare cases	The PTV call centre incorrectly advised consumers that they cannot make a complaint about a penalty fare because there is no appeal process for penalty fares.	PTV accepts complaints about Penalty Fares which can also be escalated to the PTO. PTV amended its work instructions to call centre staff. CLOSED. PTO WILL CONTINUE TO MONITOR CASES.
Ineffective contact procedures for escalated complaints	Consumers who have escalated their complaint with PTV are advised to contact their case managers via the PTV call centre.	PTV advised that it is not possible to provide direct contact with case managers. CLOSED. PTO WILL CONTINUE TO MONITOR TO SEE IF THIS DRIVES COMPLAINTS.

Improvement Opportunities

SHORT TITLE	DESCRIPTION	OUTCOME AND STATUS
PTV app providing incorrect train timetable information	The PTV app 'next 5' function has been showing express trains on the Frankston line after express trains were discontinued (due to work on the line). For example, on the evening of 30 November 2015, the next 5 option showed trains running express Flinders Street to Caulfield, Caulfield to Cheltenham even though the trains were stopping all stations.	PTV advised that there was incorrect information provided between 19 November – 2 December due to a technical fault. CLOSED. PTO WILL CONTINUE TO MONITOR CASES.
Operator responsiveness to personal injury claims	PTO cases indicate that consumers were not provided with clear advice regarding a personal injury claim.	PTV is arranging to supplement the complaint handling procedure (CHP) with a practice note to give guidance on the handling of personal injury compensation claims which will then be shared across the industry. OPEN.
V/Line Compensation – No Requirement to Touch On During Free Travel	During the free travel days, notices were placed on myki readers advising V/Line consumers that there was no requirement to touch on or off. This had the potential to conflict with pre-existing policy and practice surrounding compensation claims by myki pass holders.	V/Line implemented a policy change to ensure that compensation would still be available to V/Line passengers. The PTO is satisfied with the updated information made available to passengers about performance compensation during this period. CLOSED.
V/Line Compensation – Communication of Normal Compensation Process	The PTO asked V/Line to review its communication to customers about free travel and compensation.	The PTO is satisfied that the steps taken by V/Line to communicate the compensation claims process resulted in a clear and accessible pathway for consumers. CLOSED.
V/Line's monthly performance target compensation process	Consumers reported excessive delays in processing compensation requests and payments.	V/Line increased the frequency of payment processing which resulted in reduced waiting times for consumers. CLOSED.
Too late to top up on trams	Consumers claimed that after unsuccessfully validating their myki on a tram, they were fined before being given a reasonable opportunity to exit the tram to top up their myki.	Yarra Trams advised that Authorised Officers are instructed to allow consumers reasonable time (one stop) to validate their myki and exit the tram if unsuccessful. CLOSED. PTO WILL CONTINUE TO MONITOR COMPLAINTS.
Complaint handling about staff conduct – Yarra Trams	In some PTO cases, the person who was the subject of the complaint also managed the subsequent investigation of that complaint.	Yarra Trams acknowledged this issue and has revised its complaint handling procedures. CLOSED.
Complaint handling – driver statements – Yarra Trams	There is no procedure in place for interviewing staff such as drivers and Authorised Officers about incidents that are relevant to consumer complaints.	Yarra Trams acknowledged this issue and will be amending its complaint handling procedure. OPEN.
Relocation requests during tram works	There are inconsistencies in the way Yarra Trams accepts requests for relocation during tram works.	The PTO is seeking advice from operators about best practice. OPEN.

Systemic Issues

Some issues may be more systemic and require deeper investigation. This year we found four issues to be potentially systemic in nature.

SHORT TITLE	DESCRIPTION	OUTCOME AND STATUS
Emergency response procedure	A complaint was raised with the PTO about Yarra Trams' response to an incident involving an ill passenger.	Yarra Trams has initiated several changes to the way staff are trained and respond to emergencies involving ill passengers. CLOSED.
Accuracy of information on hand held devices	PTO received a complaint where an Authorised Officer's handheld device may have malfunctioned. During the investigation, the PTO obtained footage of the consumer touching on his myki.	PTV provided an explanation and the PTO is satisfied with the accuracy of handheld devices on this occasion. CLOSED. PTO WILL CONTINUE TO MONITOR. <i>(Reported as open myki issue in 2014/2015 Annual Report.)</i>
PTV ban on touching on with a negative myki balance	A myki cannot be touched on unless the balance is \$0.00 or more. Therefore a consumer who has reached the daily cap and paid for the day's travel, cannot touch on again that day if the balance of their myki has gone below 0. Similarly, a consumer with a valid myki pass for travel cannot touch on if their myki money is less than 0.	PTV advised that the issue is a matter of government policy. Whilst the PTO does not have jurisdiction over government policy decisions, the PTO will continue to monitor and highlight consumer impacts of this policy approach. CLOSED. <i>(Reported as open in 2014/2015 Annual Report. Also included a case study.)</i>
Point of sale information about conditions of concessional travel	PTO cases showed that inadequate information was being provided at the point of sale about the requirement that students over 17 years of age need a Victorian Public Transport (VPT) concession card to travel on a concession myki. Many believe that their school issued student card is sufficient.	PTV took corrective action and produced a concession eligibility poster and brochures for distribution across all Metro stations. The PTO understands that concession requirements are currently being reviewed by the Victorian Government CLOSED. PTO WILL CONTINUE TO MONITOR. <i>(Reported as open improvement opportunity in 2014/2015 Annual Report. Also included a case study.)</i>

Systemic Issues

Case Study – Yarra Trams

Mark's father suffered a cardiac arrest at a CBD tram stop during peak hour traffic. A member of the public witnessed him struggling and called 000. Under their guidance he assisted Mark's father including commencing CPR until emergency services arrived. His Dad was resuscitated but died in hospital 12 days later.

The person assisting Mark's father described the conduct of a Yarra Trams' Customer Service Officer (CSO) who was stationed at the tram stop at the time of the incident as unhelpful and frustrating. The CSO had called Yarra Trams Operations Centre and explained that there was an ill passenger, but the Operations Centre did not request an ambulance. Instead they decided to dispatch someone from the operations centre. There was confusion at Yarra Trams about the location of the incident, and staff were dispatched to the wrong tram stop.

Mark contacted Yarra Trams whilst his Dad was still in hospital seeking an explanation about what had happened at the tram stop, and what assistance was provided by Yarra Trams' staff. Initially, Yarra Trams said it had no record of the incident and that it was unable to investigate without more information to identify the staff member. It took Mark several attempts to get Yarra Trams to investigate and he was deeply dissatisfied with the lack of information and the manner in which his enquiry was handled by Yarra Trams. He then contacted the PTO and asked the PTO to investigate the incident itself and the handling of his enquiries.

The PTO's investigation established many errors and systematic failings by Yarra Trams which impacted its response to Mark's father. As a result of this Yarra Trams agreed to review a number of its policies and practices, including:

- Its current process for handling emergency situations.
- Training for tram drivers and CSOs in emergency situations.
- The role of the Operations Centre in responding to emergencies.
- Existing first aid guidelines and formalise a process to be embedded across the business as a whole.
- Training effectiveness.

Yarra Trams also acknowledged poor customer service when dealing with Mark's enquiries. Yarra Trams agreed to implement a new process for handling complaints and to monitor priority complaints to make sure appropriate customer contact is made and early investigation conducted. Yarra Trams staff involved on the day and in handling Mark's enquiries had a performance discussion with their Manager and this was noted on their case file.

Yarra Trams' CEO wrote to Mark in February 2016 to update him on the reviews and what changes were made as a result of this incident and Yarra Trams' handling of this complaint.

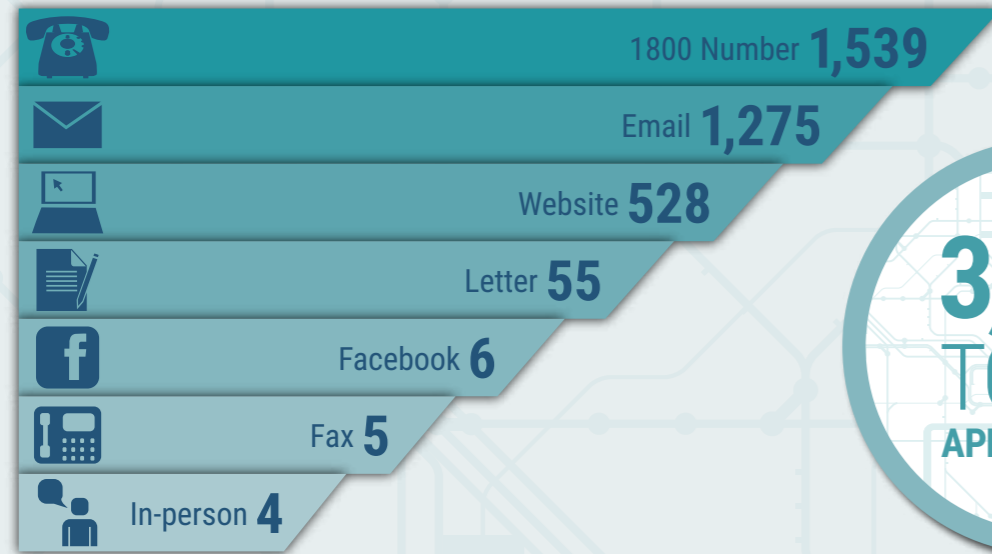
We decided to raise a systemic enquiry due to the systemic nature of the issues raised, and to check in with Yarra Trams as it completed its reviews. It had been quite some time since Yarra Trams had reviewed the relevant policies and procedures. We asked Yarra Trams to report back to us when they completed their review of current process for handling emergency situations in the context of industry good practice. We also asked them to report back to us on the completion of their review of current policies, practices and training as detailed in their response to our investigation.

In May 2016, Yarra Trams confirmed that it had finalised the review of its emergency response procedures. It provided a copy of the report to the PTO which contained a detailed risk analysis of its current approach and identified a suite of recommendations, including procedural changes to the way staff are trained and respond to emergencies both on board trams and at other locations includes tram stops. We were satisfied that Yarra Trams approached the systemic nature of the issue in an appropriate manner, and we will continue to monitor the issue through complaints to our office.

S2016/2003
P2015/2618

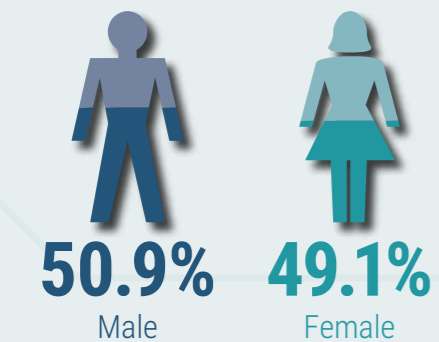
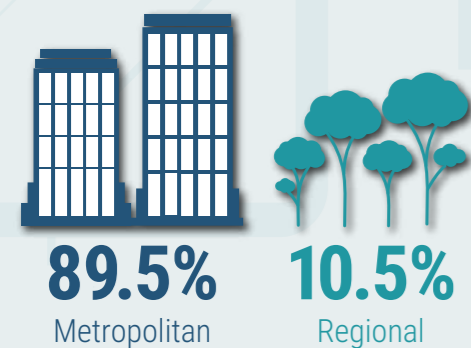
HOW

PEOPLE GOT IN TOUCH



WHO

CONTACTED US



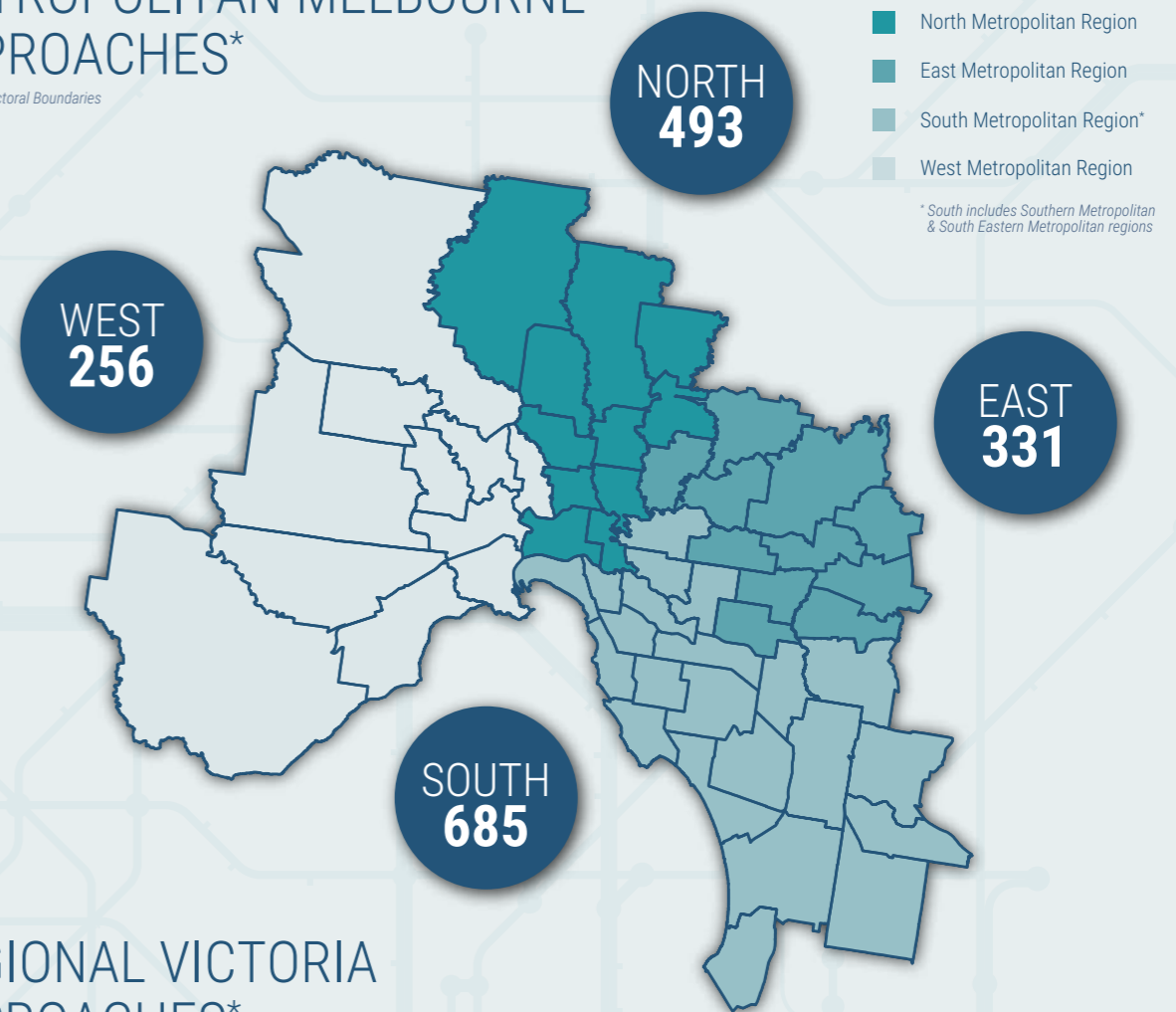
TOP 25 CONTACTS BY POSTCODE*					
Metropolitan			Regional		
Metro Postcode	Number of Approaches	Indicative Locality	Regional Postcode	Number of Approaches	Indicative Locality
3000	82	Melbourne	3220	18	Geelong
3029	35	Hoppers Crossing	3216	16	Grovedale
3163	29	Carnegie	3550	15	Bendigo
3182	27	St Kilda	3214	14	Corio
3072	27	Preston	3350	14	Ballarat
3056	24	Brunswick	3608	9	Nagambie
3073	24	Reservoir	3219	8	Whittington
3030	23	Werribee	3825	8	Narracan
3122	22	Hawthorn	3226	7	Ocean Grove
3150	21	Glen Waverley	3818	7	Drouin
3021	21	St Albans	3215	6	Druncondra
3147	21	Ashburton	3660	6	Seymour
3146	19	Glen Iris	3820	6	Warragul
3058	18	Coburg	3840	6	Hazelwood
3053	18	Carlton	3909	6	Lakes Entrance
3183	18	Balaclava	3228	5	Torquay
3220	18	Geelong	3352	5	Wallace
3174	18	Noble Park	3555	5	Kangaroo Flat
3805	18	Narre Warren	3799	5	McMahon's Creek
3162	17	Caulfield	3218	4	Fyansford
3977	16	Cranbourne	3223	4	Portarlington
3195	16	Mordialloc	3465	4	Timor
3044	16	Pascoe Vale	3472	4	Dunolly
3024	16	Wyndham Vale	3783	4	Emerald
3216	16	Belmont	3844	4	Traralgon

* Postcodes as supplied by consumers

WHERE

METROPOLITAN MELBOURNE APPROACHES*

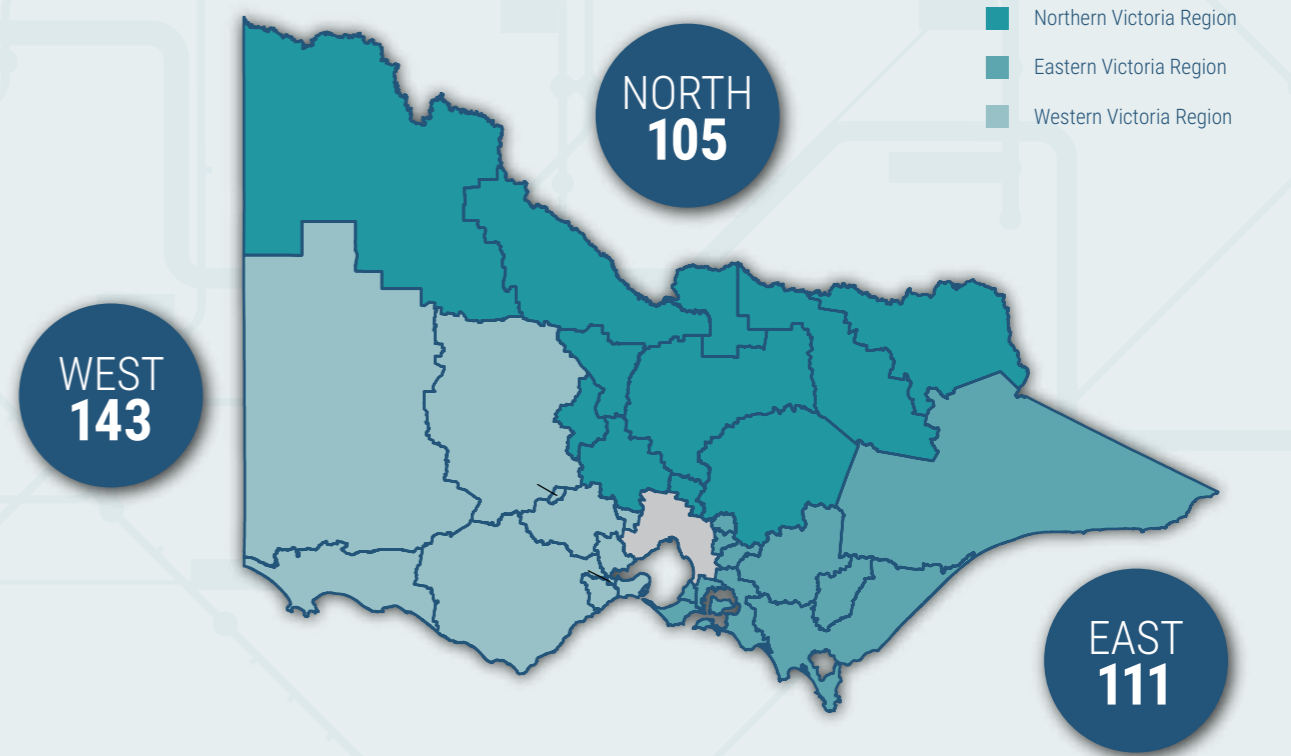
*Based on Electoral Boundaries



- North Metropolitan Region
 - East Metropolitan Region
 - South Metropolitan Region*
 - West Metropolitan Region
- * South includes Southern Metropolitan & South Eastern Metropolitan regions

REGIONAL VICTORIA APPROACHES*

*Based on Electoral Regions



- Northern Victoria Region
- Eastern Victoria Region
- Western Victoria Region

PTO WEBSITE VISITORS

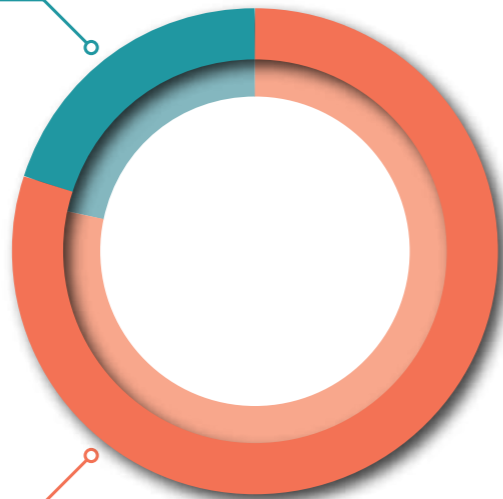
In June 2016, the PTO introduced an updated website with a refreshed look and feel. The new website is designed to be easy to use and provides consumers with helpful information that is presented in a concise and clear format that is easy to navigate.

A PTO information video was also created, along with a PTO Youtube channel. The new PTO website integrates the PTO Youtube channel and Facebook page as part of our accessibility and awareness approach and our ongoing commitment to engage new audiences.



Returning Visitors
4,350

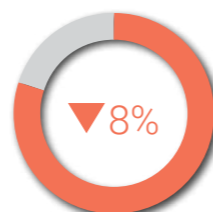
2015/2016
2014/2015



New Visitors
17,468

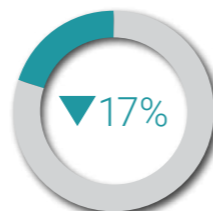
21,818
WEBSITE VISITS

WEBSITE VISITORS PERCENTAGE CHANGE OF QUANTITY



New Visitors

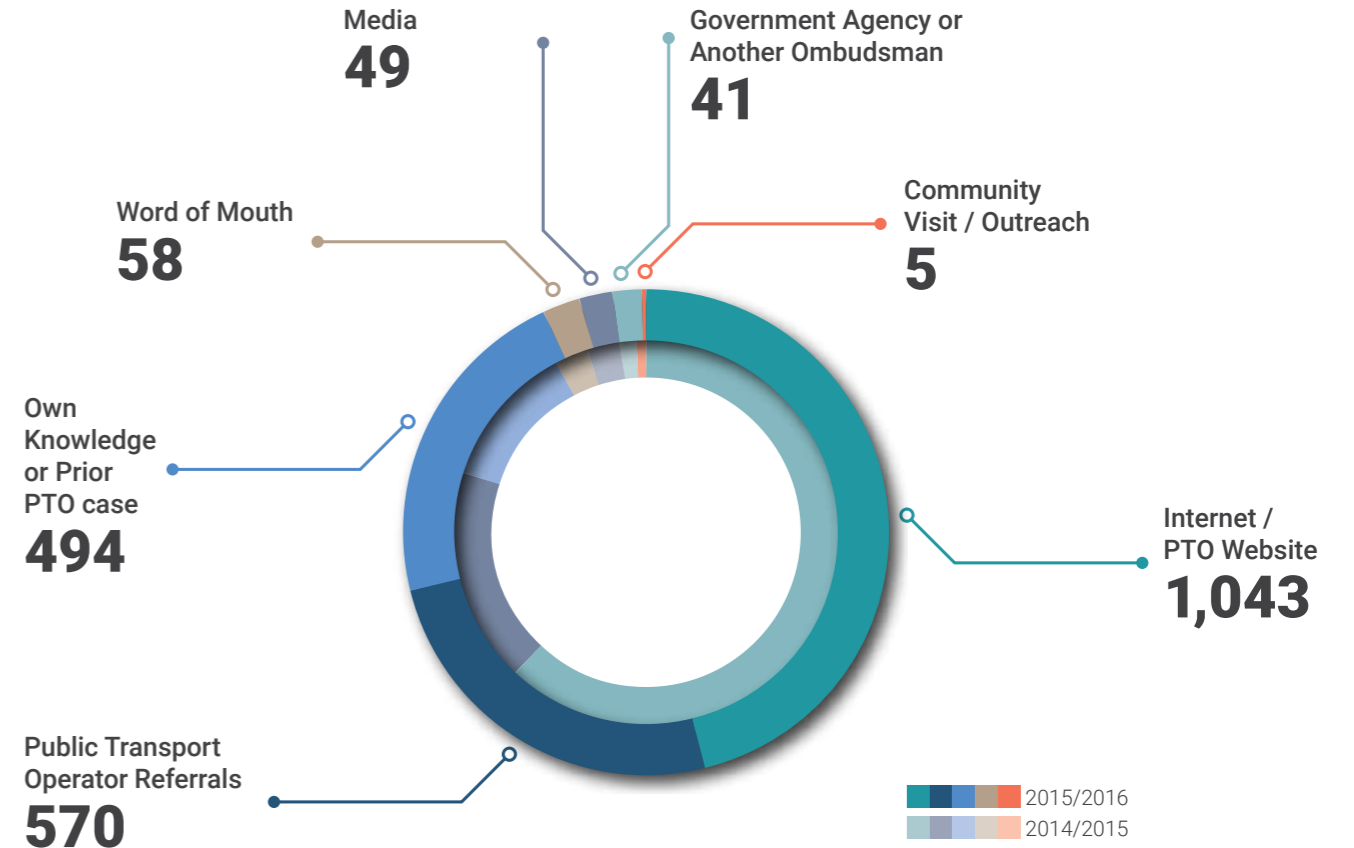
1,7468 Visits in 2015/2016
1,8967 Visits in 2014/2015



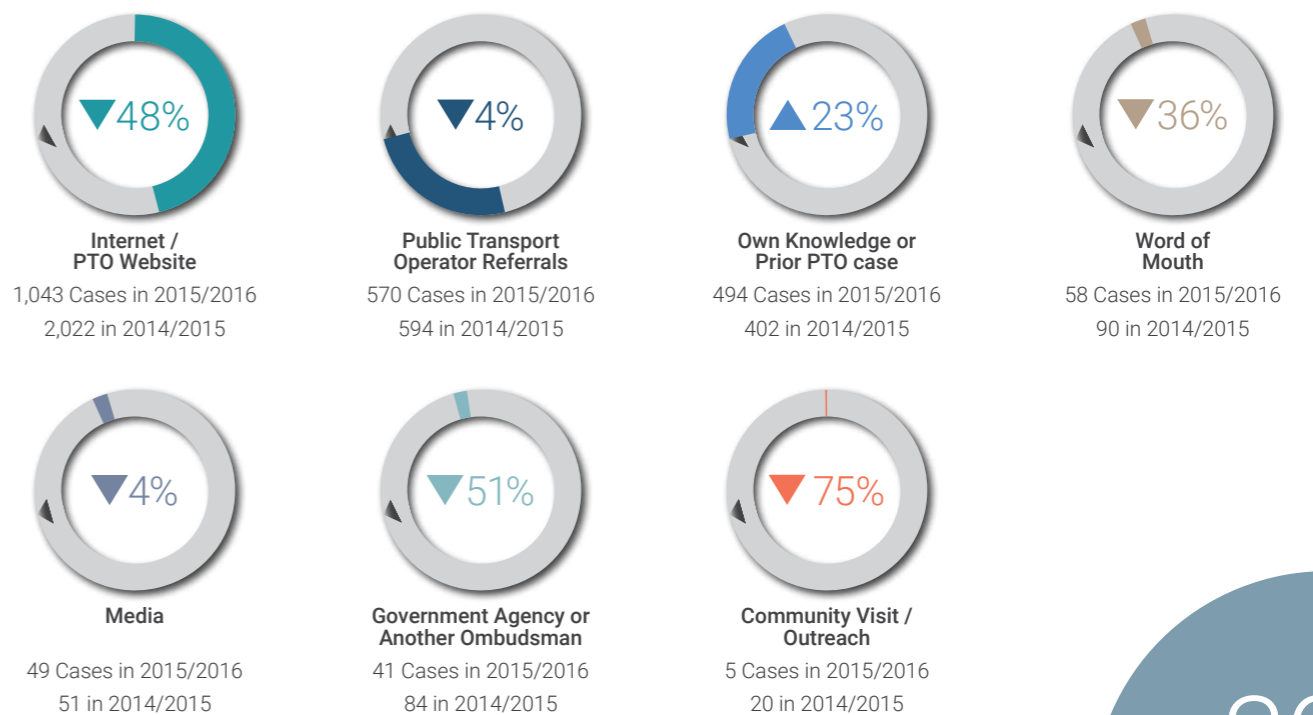
Returning Visitors

4,350 Visits in 2015/2016
5,236 Visits in 2014/2015

WHERE PEOPLE HEARD ABOUT THE PTO



CONSUMER CONTACT PERCENTAGE CHANGE OF QUANTITY



CUSTOMER SATISFACTION SURVEY

How our service was rated by the consumers who used our services.



FAIR & IMPARTIAL

80%

80% of respondents said their complaint was handled fairly and impartially.

HOW WE PERFORMED

We received a total of **3,412** approaches and closed **3,432** with **46** open investigations as at 30 June 2016

DAYS TO FINALISE INVESTIGATIONS

Investigation	2014/15	2015/16
≤ 45 Days	59%	76%
≤ 60 Days	79%	86%
≤ 90 Days	93%	96%
≤ 6 Months	99%	99%
≥ 6 months	1%	1%

The PTO has continued to ensure investigated matters are handled efficiently however the lower numbers of early closures is indicative of the increased complexity of the investigations, particularly when we may need to obtain evidence such as CCTV footage or myki data.

THE FUTURE OF PENALTY FARES AND FINES

In December 2015 the Victorian Government announced that it would hold a review into the fare enforcement regime following concerns raised by the PTO about the penalties for ticketing offences.

In the 2014/2015 year over 25% of approaches to our office related to enforcement measures, including the behaviour of Authorised Officers (AOs) and we stated in our 2015 Annual Report that if penalty fares were to remain, there would need to be changes to the way they operated, particularly in relation to the requirements around on the spot decision making. In our submission to the Government review, we suggested that a new system was needed which educates consumers and accepts that honest mistakes do happen, while at the same time appropriately targeting recidivists.

In releasing the outcome of the review in May 2016, the Minister for Public Transport Jacinta Allan acknowledged that most passengers want to do the right thing and only a very small percentage of passengers deliberately fare evade. Minister Allan said that the proposed changes to the fare enforcement regime will make it easier for passengers to do the right thing.

Proposed changes include:

- Removing penalty fares from 1 January 2017. Until then, anyone who opts for a penalty fare will be given printed information about their right to complain.
- A single fine process, with a formal warning system as an educative step, which will allow consumers to make an honest mistake and learn from it.

- Better training and resources for AOs and other staff in the infringements process.
- Reviewing concessions and concession ID to make the system less confusing.
- Measures to improve myki, such as reducing the time for online top ups from 24 hours to 90 minutes, and trialling fast top up devices at tram stops and train stations.

We welcome all measures that will make the fare enforcement regime fairer and easier for consumers.

However we continue to be concerned that consumers who receive an infringement notice are limited in their option for disputing their fine. Consumers who are not happy with the outcome of a departmental review of their fine must go to the Magistrate's Court as the next step. We believe that there is an opportunity for the process to include an alternative dispute resolution option such as recourse to the PTO, to make it less onerous for consumers.

We also welcome the Government's decision to undertake a separate review of the public transport concession requirements. Through complaints to our office and our Youth and Industry Roundtable in November 2015, we have identified concessions as a particularly problematic issue for young people.

WORKING WITH THE COMMUNITY

Youth and Industry Roundtable

In November 2015, the PTO hosted a Youth and Industry Roundtable to look at issues around young people and public transport. The Roundtable was conceived by us in response to concerns that young people are often challenged or disadvantaged by public transport policy and processes. Young people can have difficulty engaging with aspects of the system such as myki, provision of information and authority figures such as Authorised Officers and Protective Services Officers. Vulnerable youth, such as those with health issues or those who are homeless, have additional challenges in navigating the system. Many young people have no alternative to public transport when travelling to work, study or for social activities.

We invited a wide range of organisations and industry members to contribute to the Roundtable. Participants included representatives of Youthlaw, Victorian Council of Social Services, Melbourne City Mission as well as representatives from the public transport operators. Through the Roundtable, relationships have been established to facilitate direct consultation between industry members and advocacy groups.

There was agreement among the participants that youth have unique qualities and should be considered a special interest group with specific strategies aimed at improving their public transport experience and interactions. Through facilitated discussions, we identified areas of public transport that appear to be failing to meet the needs of young people, as well as those areas that were working well. Working groups were established to examine five key areas of interest:

1. Ways of improving the public transport experience for young people
2. Penalties and behaviour change
3. Safety for youth and others
4. Engaging youth – increased patronage and interest key public transport messages
5. Obtaining concession fares and proof of entitlement identification

The working groups identified issues and strategies for short to medium term and longer term consideration.

There is considerable enthusiasm for ongoing dialogue and action. The way forward involves a strategy for development of:

- Products and services that address the needs of young people
- Whole of industry training
- Communications which engage young people
- Policies and processes that enhance the accessibility of complaint mechanisms for young people

The report of the Roundtable was provided to Victorian Government, which referred to it in its Report of the Review into Public Transport Ticketing Compliance and Enforcement, released in May 2016. (For more on the outcome of the Government's Ticketing Enforcement Review, see previous page). Public transport concessions are the subject of a separate review by the Victorian Government.

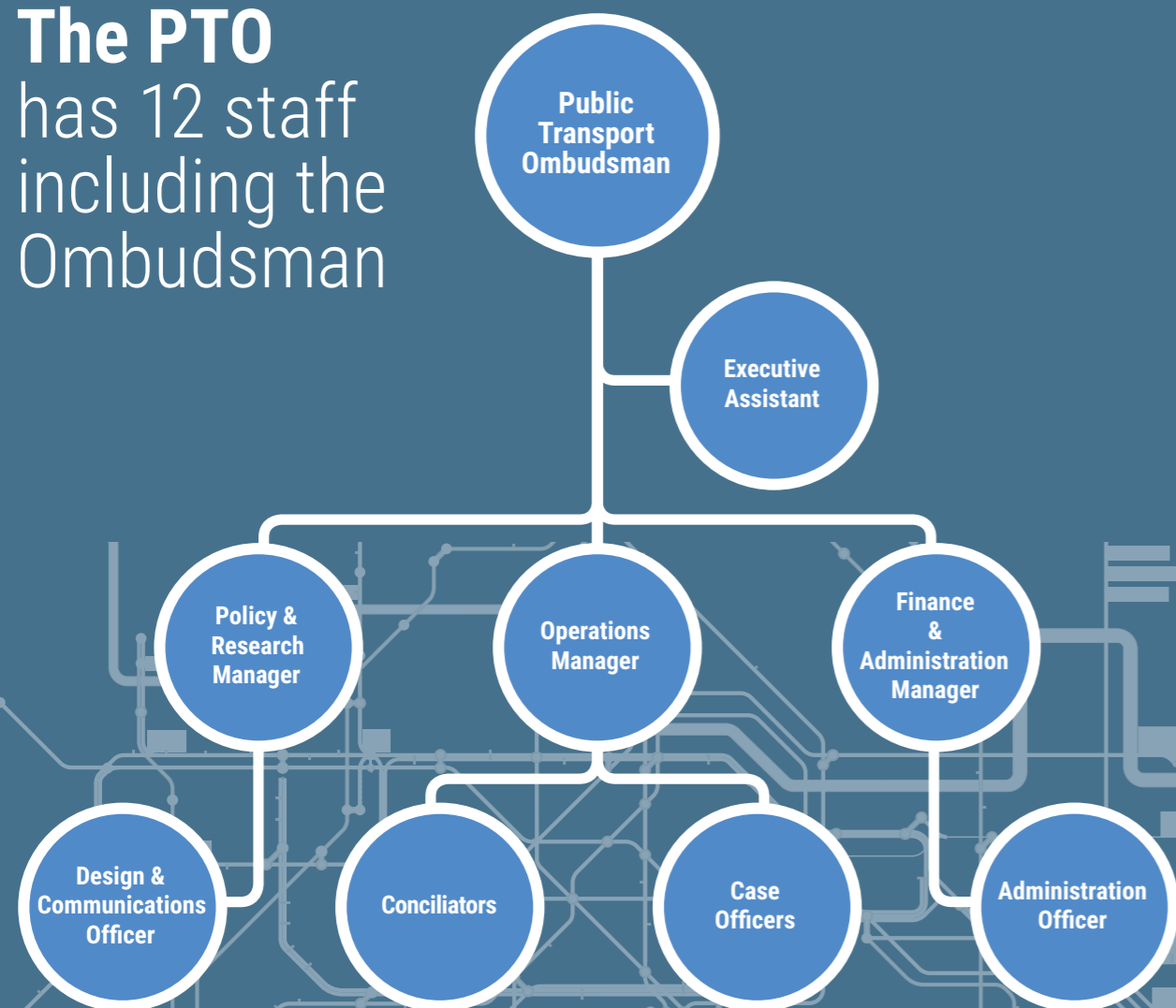
There was consensus at the Roundtable about the need to explore ways that young people can be directly involved in ongoing discussions and the development of an industry-wide youth strategy.

OUR PEOPLE

Our organisation is staffed by dedicated and professional people who have a mix of backgrounds, including law, customer service and social services. Some of the team are undertaking study, which is something the PTO is very supportive of. This year we have focused training and

development activities on improving our conciliation skills and being more efficient in our processes. We have also spent time learning more about our members' businesses and providing members with training on our processes as well as techniques for effective dispute resolution.

The PTO has 12 staff including the Ombudsman



The **PTO** has been operating since 2004. We have handled over **28,500** approaches and conducted over **3,500** investigations.

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 2016. 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 2016 was \$1,852,618. This was derived from three sources:

- Annual Levies from Members: \$1,833,692.
- Interest Income: \$16,926; and
- Other Income: \$2,000

Operating Expenses

Operating Expenses for the period ending 30 June 2016 were \$1,728,741. The majority of operating expenses were employee benefits (\$1,264,408), Telephone and IT expenses (\$119,488) and occupancy expenses (\$114,642).

Income Tax

The Australian Taxation Office ("ATO") issued a private tax ruling during 2004/05 financial year declaring that the company is deemed exempt from income tax and has an FBT rebateable status. The private ruling has been extended to 30 June 2018.

Discussion and analysis of the Statement of Financial Position

Total Assets

Total assets increased by \$67,867 during the period due primarily to an increase in total current assets of \$99,845 and a decrease in non-current assets of (\$31,978).

Total Liabilities

Total Liabilities decreased by \$(56,009) during the period. This is due to an decrease in total current liabilities of \$(64,285) and increase in non-current liabilities of \$8,276.

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 \$1,475,946. This was derived from:

- Cash inflow from operating activities \$271,233;
- Cash outflow from investing activities (\$24,002); and
- Cash and cash equivalents at the beginning of financial year \$1,228,715.

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

Comprehensive Income Statement

For the year ended 30 June 2016

	2016 \$	2015 \$
Continuing operations		
Revenue from annual levies	1,833,692	1,845,269
Non-operating activities		
Interest income	16,926	24,508
Other income	2,000	3,400
Total income	1,852,618	1,873,177
Expenses from ordinary activities		
Depreciation and amortisation expense	55,981	60,099
Employee benefits expense	1,264,408	1,341,231
Occupancy costs	114,642	109,979
Telephone and IT expenses	119,488	115,040
Consultancy expenses	36,714	69,589
Other expenses from ordinary activities	137,508	127,644
Surplus/(Deficit) from ordinary activities before income tax expense	123,877	49,595
Income tax expense relating to ordinary activities	-	-
Surplus/(Deficit) for the period from continuing operations	123,877	49,595
Other comprehensive income for the year	-	-
Total comprehensive income for the year	123,877	49,595

Statement of Financial Position

As at 30 June 2016

	2016 \$	2015 \$
Current assets		
Cash and cash equivalents	1,475,946	1,228,715
Trade and other receivables	180,498	327,883
Total current assets	1,656,444	1,556,598
Non-current assets		
Office equipment	162,535	194,513
Total non-current assets	162,535	194,513
Total assets	1,818,978	1,751,111
Current liabilities		
Trade and other payables	1,188,131	1,245,662
Provisions	26,398	33,152
Total current liabilities	1,214,529	1,278,814
Non-current liabilities		
Trade and other payables	9,685	13,493
Provisions	21,840	9,756
Total non-current liabilities	31,525	23,249
Total liabilities	1,246,054	1,302,063
Net assets	572,925	449,048
Equity		
Retained surplus	572,925	449,048
Total equity	572,925	449,048

Statement of Changes in Equity

For the year ended 30 June 2016

	2016 \$	2015 \$
Total Equity at the beginning of the financial year	449,048	399,453
Total comprehensive income for the year	123,877	49,545
Total Equity at the end of the financial year	572,925	449,048

Statement of Cash Flow

For the year ended 30 June 2016

	2016 \$	2015 \$
CASH FLOWS FROM OPERATING ACTIVITIES		
Receipts from Members	1,992,125	1,793,956
Payments to suppliers and employees	(1,737,819)	(1,731,037)
Interest received	16,926	24,508
Net cash inflow from operating activities	271,233	87,427
CASH FLOWS FROM INVESTING ACTIVITIES		
Payments office equipment	(3,846)	(26,633)
Proceeds from office equipment	-	590
Purchase of Intangible assets	(20,156)	(11,100)
Net cash (outflow) from investing activities	(24,002)	(37,143)
Net increase in cash and cash equivalents	247,230	50,284
Cash and cash equivalents at the beginning of financial year	1,228,715	1,178,431
Cash and cash equivalents at the end of financial year	1,475,946	1,228,715

Call Us

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.

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

Administration (03) 8623 2111

Fax (03) 8623 2100

Mail Address

Public Transport Ombudsman

PO Box 538
Collins Street West
MELBOURNE VIC 8007