

1,838
Cases received

2,568

Issues registered

Cases finalised

1,835 finalised 91% cases finalised in 31 days

Our mission

The mission of the Public Transport Ombudsman (PTO) is to receive, investigate and facilitate the resolution of complaints and disputes between users of public passenger transport services in Victoria and members of the PTO scheme, where the public transport operators have been unable to resolve the complaint in the first instance.

Our mission is founded on principles of independence, natural justice, access, equity, effectiveness, accountability and community awareness

Glossary of terms

ANZOA Australia & New Zealand Ombudsman Association

AO Authorised Officer

AORTA Authorised Officer Regulation,

Training and Accreditation unit

DoT Department of Transport

IDR Internal dispute resolution

PTO Public Transport Ombudsman

RTM Refer to Member

RFIE Refer for Internal Escalation
TTA Transport Ticketing Authority

Complaints investigated and finalised

247 complaints involving **410** issues

95% conciliated / resolved by agreement

3% withdrawn

2% not investigated / further investigated

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From the Chair



The PTO's history since its creation in 2004 reflects Victoria's changing public transport system. 2010 / 2011 has continued to see major developments in the public transport sector; significant alterations to train timetables, a comprehensive review of myki and the announcement of a major restructure of the public transport sector by the new State government.

The appointment of Janine Young as the new Public Transport Ombudsman in August 2010 provided a prime opportunity to review the PTO scheme and ensure its readiness to respond to an evolving industry, as well as to review its performance against the requirements of the PTO Charter and other leading industry ombudsman schemes.

After settling into the role, Janine undertook a comprehensive review of the awareness and accessibility of the PTO. In particular, she met with numerous community groups who take care of those commuters most at risk of being disadvantaged when using public transport. This review and the resulting communication and awareness strategy we developed will advance the PTO significantly closer to our goal of increasing accessibility and awareness to all Victorian public transport users.

We saw some changes to our Board this year, with the retirement of two of our consumer directors, Ms Toni McCormack and Mr Joe Nieuwenhuizen, both of whom have been members of the Board since its formation in 2004. Appointed by the Victorian Minister for Transport, the role of consumer directors is to represent the interests of users of public transport services and both Toni and Joe have made thoughtful and significant contributions. I would like to take this opportunity to thank them both for their excellent performance over the past seven years and to welcome our incoming consumer directors, Ms Wendy Smith and Mr Richard Allsop.

The PTO continued to work proactively with all members of the scheme, with a particular focus on understanding the changes occurring across the public transport sector and identifying any systemic issues. In this way, the PTO can play a part in the development of new and improved systems and processes and contribute to enhanced customer service.

I look forward with anticipation to the coming of age of the PTO scheme. Over the past seven years the Board and Ombudsman have worked together to establish sound governance and operating policies and procedures. We will continue to build upon those foundations and influence best practice complaint handling across the public transport industry. I am confident that, with the cooperation of the Board, the scheme members and the dedication of the Ombudsman and PTO staff, we are in a prime position to do this.

In closing, I am pleased to present this Annual Report for the year ended 30 June 2011 and I would like to express my thanks to all who provided assistance and support for the PTO scheme during this very busy year.

Merran Kelsall

Chair

Public Transport Ombudsman Limited

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From the Ombudsman



Walking the tightrope...

An industry Ombudsman, such as the PTO, has a unique role. Members of our ombudsman scheme, like many others, are drawn from the industry we oversee, and yet we must remain at arm's length from that industry. We are not quite part of the industry we oversight, nor is our role that of a consumer advocate. We are somewhere in the middle - a part of a network of independent dispute resolution bodies governed by the principles of impartiality, accessibility, fairness and accountability. Being a member of this network of dispute resolution bodies gives the PTO staff continual access to dispute resolution expertise and development.

The ombudsman role requires an enormous amount of industry knowledge - in my case, of the public transport sector. It requires close, constructive working relationships with members of the scheme - industry operators - to both learn, and share vital information about public transport to our community.

Like walking a tightrope, balance is essential to meeting the challenge: To build relationships with members of the scheme and other stakeholders, to be accessible to consumers, and to maintain that all-important independence.

My role this year has been to further consolidate these relationships, reinforcing the positive synergies between the independence of my office and the invaluable industry support we must continue to develop.

Awareness and accessibility of the PTO

All ombudsman schemes must effectively engage with consumers to create awareness of the scheme's role and processes. For the PTO, this requires engagement with those most at risk of experiencing public transport access difficulties so that they can seek assistance if they need it. Over the past 12 months, we've been out talking to organisations including Scope, Travellers Aid, Vision Australia, Guide Dogs Victoria and Arthritis Victoria. We've made ourselves accessible through our free call number, meetings with commuters at convenient locations and the use of interpreters or other aids where necessary, to enable effective and independent conversations.

As a result, we have investigated a small number of complaints where access to public transport services has not been effectively facilitated by operators. Outcomes have included operator staff training and increased awareness of disadvantaged commuter needs.

Case activity

Comparing the 1,835 cases received in 2009 / 2010 to this year's 1,838 may give the impression that complaints in public transport are reasonably stable and have followed the same pattern. However, these have been two quite different years.

Cases received in 2009 / 2010 increased by 50% compared with 2008 / 2009, following the introduction of myki from January 2010. The myki contact centre's communication and customer information processes initially required improvement. Although a relatively small number of commuters tested the system in early 2010, there were a number of implementation issues, hence PTO cases increased. By the middle of 2010, myki had improved its systems and processes and complaints to the PTO plateaued.

Across 2010 / 2011 cases about myki increased by around 33% (192 cases), which is not surprising considering myki became available on trams and buses from late July 2010 and commuter usage increased month over month. Since then, the PTO has received myki cases at a steady rate each month from commuters who have experienced problems such as myki card replacement, account transaction report information and conflicting advice or information provision.

Generally speaking, cases received in 2010 / 2011 for the other transport operators were quite similar to the previous year (see page 26).

So while case numbers across the last two years are similar, the drivers have changed and we completed 30% more investigations.

When reflecting on the past year's achievements, the commitment and dedication of PTO staff is demonstrated. This small team continually strives to achieve the PTO's Vision and Mission, and I thank them for their ongoing support.

In closing, this has been a year of huge learning, engagement, reflection and review for me and the PTO team. In 2011 / 2012 I look forward to increasing the close links between the PTO, the Board, scheme members and consumer groups and continuing to build the PTO into a leading ombudsman scheme.

Janine Young

Ombudsman Public Transport Ombudsman Limited

About the PTO scheme

The PTO was established in 2004 as a free, confidential and impartial alternative dispute resolution scheme available to people who use or are affected by the public passenger transport services, or related activities of public transport operators in Victoria.

The members of the scheme are:

- Bus Association Victoria Inc
- Metlink Victoria Pty Ltd
- Metro Trains Melbourne Pty Ltd
- Southern Cross Station Pty Ltd
- Transport Ticketing Authority (myki)
- V/Line Passenger Pty Ltd
- Victoria Rail Track (VicTrack)
- Yarra Trams (KDR Victoria Pty Ltd)



















Corporate governance

The PTO is a company limited by guarantee and operates in accordance with its Constitution and Charter. The PTO is governed by a Board comprising:

- three consumer directors, appointed by the Minister for Public Transport, who represent the interests of public transport users
- three industry directors, appointed by the passenger carrying members of the scheme
- an independent Chairperson appointed by the Minister for Public Transport.

Responsibilities

The Board is primarily responsible for the business affairs and property of the PTO. This includes corporate governance, setting of budgets, risk management, strategic planning, and financial and major policy matters. The Board also has responsibility for appointing, and maintaining the independence of, the Ombudsman.

The Ombudsman is responsible for the day-to-day operation of the scheme. The Board and the Ombudsman work cohesively towards the shared goal of effective governance and management of the scheme.

The PTO Ltd Board

From left to right:

Merran Kelsall, Chair Greg McGann, Industry Director Maree Davidson, Consumer Director Rob Barnett, Industry Director Wendy Smith, Consumer Director Leah Waymark, Industry Director Richard Allsop, Consumer Director Janine Young, Ombudsman Bernard Stute, Company Secretary

Accessing the PTO – how and who

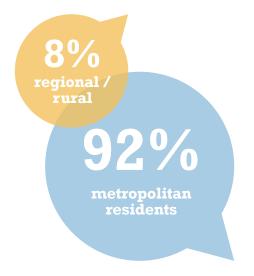
Understanding who contacts the PTO, how they hear about us, how they access our services and where they reside enables us to improve accessibility, analyse the issues raised and tailor PTO outreach activities.

Consumers by gender – collected from 93% of consumers

39% female 61% male

This information assists us to understand if issues such as accessibility and safety, affect people differently. This can lead to service improvements for all.

Where consumers came from



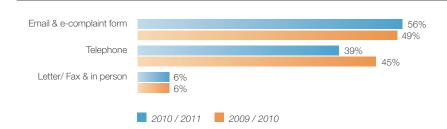
This information was collected from consumers whose complaint we investigated or referred to senior operator staff, about 40% of all cases.

95% of public transport travel occurs in the metropolitan area – although 25% of Victorians reside in regional / rural Victoria

PTO website traffic

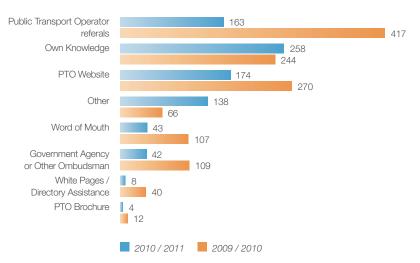
Our website traffic has increased substantially this year, with 4.6% more page loads and 51% more first-time visitors. In line with the increasing importance of information for public transport users, we are re-developing our website with accessibility as a priority.

How consumers contacted us



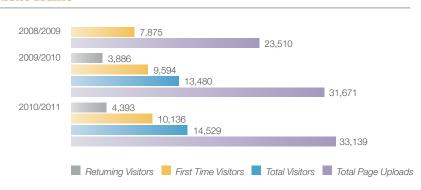
This year has seen an increase in email and e-complaint form contacts (up 7%) and a corresponding decrease in telephone contacts (down 7%). We are receiving an increased number of cases referred from the websites of some operators.

Where consumers heard about us - collected from 830 of 1838 consumers



Public Transport Operator referrals include those who saw the PTO's contact information on operator websites

PTO Website Traffic



Accessibility and awareness of the PTO

A number of groups have been identified as being the most at risk of experiencing difficulties with public transport. Disadvantaged commuters can include parents with prams, people with short or long term mobility impairment, intellectual disabilities, hearing or vision impairments and language or literacy challenges.

In order to achieve the goals set out in the PTO Charter and its Mission of ensuring that Victorians are aware of the PTO and how to access its services, a major awareness and communications strategy was implemented in 2010.

Our major initiatives are:

- to build effective and sustainable relationships with community agencies working with the disadvantaged commuter sector, via a program of agency visits, presentations and workshops
- to carry out annual surveys to monitor awareness levels and to measure the effectiveness of PTO engagement activities
- to identify and analyse the demographics of PTO users for more effective targeting of outreach activities
- to monitor scheme member PTO awareness initiatives to ensure that they are in place and effective.

As a result of the first initiative, we have seen an increase in the number of complaints received from disadvantaged commuters about accessibility and service. Additionally, a number of organisations and commuters have raised issues which have a range of systemic public transport service and accessibility ramifications.



Accessibility survey and results

The first stage involved surveying 79 organisations which had insights into the public transport issues faced by socially, economically, intellectually, or physically disadvantaged people. Positively, 64 organisations responded to the survey.

In summary, the survey results are:

- 74% of respondents said they were aware of the PTO, of these:
 - 23% had become aware as a result of recent PTO contact with their organisation
 - 51% had been aware for some time.

The top four public transport issues raised by this sector were:

- disability access
- poor signage / communication
- disadvantaged commuter treatment.

60% of respondents stated their members would be unable or reluctant to contact the PTO due to:

- fear / lack of trust in authority
- communication impairment
- lack of PTO awareness
- systems or process difficulties.

59% of respondents indicated they would like the PTO to present to their team or organisation.

Suggestions for PTO engagement with disadvantaged commuters included:

- targeted editorials
- greater stakeholder engagement
- targeted advertising
- advertising on public transport
- forums / workshops
- brochures / fliers.

The PTO's work in this area will continue in 2011 / 2012.



myki and the PTO

Delayed myki top-up (P2011 / 0564)

A consumer topped up his myki with \$50, but close to two months later, no top-up had been loaded. In response to his complaint, myki advised that it would be available next touch-on. This did not occur so he again contacted the myki contact centre. Again, he was told it would be available next touch on. When this did not happen, he sought a PTO investigation.

In response, the TTA provided the PTO with a detailed explanation about the consumer's complaint and the way the complaint was handled. TTA loaded the delayed top-up of \$50 and a further \$20 to the myki, recognising the poor customer service provided. TTA also wrote a formal letter of apology to the consumer, acknowledging the delay, inconvenience and poor complaint handling. As well as resolving the complaint, TTA took the time to review what went wrong during the complaints process and implemented process improvements to prevent recurrence of this type of incident.

What is myki?

myki is Victoria's new fully integrated ticketing system for travel on train, tram and bus services. It is a durable, plastic smart card which stores value, and can be used over and over again. Melbourne public transport (including trains, trams and buses), has been progressively making the switch to myki throughout 2010 and 2011. The Transport Ticketing Authority (TTA), is responsible for the implementation of myki, via its contractor, Kamco.

PTO and TTA engagement

The PTO began preparing for the new ticketing system in 2008 / 2009, developing our case management system, training staff and establishing reporting and referral protocols with the TTA. In 2010 / 2011 regular monthly meetings between the PTO and TTA have continued. TTA staff provide updates on the rollout and PTO staff report on consumers and systemic issues.

myki community project

The PTO was approached by the Footscray Community Legal Centre (FCLC) to assist the Burmese refugee community to access the public transport system, specifically with regards to ticketing. As a result the PTO initiated a myki education project involving FCLC, myki (TTA), Burmese community members and PTO staff.

PTO myki case activity 2010 / 2011

2010 / 2011 - 775 myki cases were received. This is an increase of 33% (192 cases) which occurred during a period where myki commuter usage increased from 10% to 25%. 744 cases were registered against the Transport Ticketing Authority (issues purely about buying, using and accessing information about myki accounts) and the others were against transport operators (issues involving interactions with train / tram / bus staff about myki). In total 1,051 complaint issues were received.

Specific myki case issues 775 cases – 1051 issues:	
Issue	No. of Issues
Service Delivery - Account Information / Accuracy	364
Ticketing Refund / Replacement	210
Ticketing Information / Condition	140
Staff - Customer Service	140
Service Delivery - Website Information	86
Trains, Trams or Buses	47
Ticketing - Availability	37
Other	17
Staff - myki Retailer	9
Privacy	1
Total myki issues	1,051

Refer to page 26 for full details of TTA cases.

Importantly, feedback about all myki cases is provided to TTA so it can consider and implement improvements to its communication and customer information processes.

Systemic issues reviewed with TTA during 2010 / 2011

- Usability of the myki travel history report - missing / delayed trip activity reporting "I can't understand my online myki statement and it does not show all my trips."
- Remote unlocking blocked cards needing to be sent to myki to be reactivated "I cancelled my credit card, then my monthly myki top up was dishonoured and my myki card was cancelled. Why can't my card be reactivated online?"
- Bus zone one / zone two charging errors "I only travel in zone 1 but I am receiving zone 1 and zone 2 charges on my myki account, I have to ring the myki contact centre each time this occurs to get an adjustment made."

A major review of the myki implementation followed the change in State government in 2010, and prevented some of the systemic issues identified from being finalised by TTA during the review period.

Looking ahead

Implementation of the myki system and the phasing out of Metcard products is expected to be completed by the end of 2012. Currently myki usage sits at around 25% of commuters. We expect that with the rise in usage, there will be an increase in complaint issues about useability and knowledge of the system.

The PTO is dedicated to maintaining an independent, effective and responsive relationship with TTA during the implementation of myki. We will continue to identify and report systemic issues as a part of our contribution to improving public transport services.



Complaint handling

1. Receive

- 4. Investigate

The PTO received 1,838 cases this year, a similar number to last year's 1,835.

By case category, these included:	
Requests for Information	309
Referred Complaints	
Referred to Other Organisations	271
Referred to Operators	816
Refer for Internal Escalation	189
PTO Investigations	253
Total cases	1,838

Note: The figure of 1,766 cases in the 2009 / 2010 Annual Report excluded complaints where a consumer returned to the PTO when dissatisfied with the operator's response to the initial PTO case referral. The figures above reflect the revised PTO protocol to report all cases received.

Issues raised - 2,568 -up 7.5% (179) on 2009 / 2010

By case type, issues raised were:	
Requests for Information	346
Referred Complaints	
Referred to Other Organisations	295
Referred to Operators	1,181
Refer for Internal Escalation	303
PTO Investigations	443
Total issues	2,568

The total number of cases received represents the number of consumers who contacted the PTO during the year, including those who registered more than one complaint with the PTO. Of equal importance, are the number of issues raised. In many cases, there is more than one issue, of varying complexity. By focusing on each issue, operators can address the actual causes of each complaint.

How we classify complaint issues

The type of complaints that fall into each of our eight complaint issue categories include:

- service delivery punctuality, cancellations, disruptions, timetabling (including changes to timetables) failure to pick up / set down commuters and website information
- staff customer service, information provision, behaviour / demeanour, failure to pick up / set down, safety / security and complaint handling
- ticketing faulty tickets and machines, refunds, replacements, compensation, information and conditions
- · infrastructure and rolling stock vehicles (trains, trams and buses), stations, tracks, toilets, announcements, overcrowding and impacts on residents and others arising from maintenance works and noise
- Authorised Officer behaviour and conduct (intimidation and use of force), communication, the exercise of discretion and safety and security
- infringement notices these issues are out of the PTO's jurisdiction and are referred to the appropriate body after advice is provided about the circumstances which led to the issuing of an infringement notice, such as faulty tickets and ticket machines
- land car parks, rail and tram corridors, fencing and maintenance work
- other requests for general public transport information and other services, which are referred to the most appropriate body.

Complaint handling

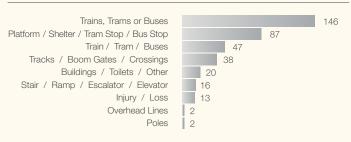
1. Receive

- 4. Investigate

Service delivery - 809 issues



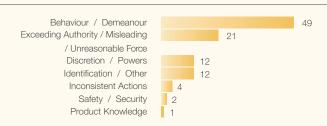
Infrastructure and rolling stock - 371 issues



Ticketing - 519 issues



Authorised Officer - 101 issues



Staff - 494 issues



Land - 26 issues



Infringement notice - 119 issues



Other - 129 issues



- 1. Receive
- 2. Inform
- 4. Investigate
- 5. Resolve

The PTO plays a key role in helping consumers understand their rights and responsibilities when using public transport, providing independent advice and general information about public transport.

The 2010 / 2011 common requests for information were about:	
myki Service Delivery	107
myki Ticketing	85
General Public Transport Information	27
Trains, Trams or Buses	15
Service Delivery / Timetables	9
Driver	9
(behaviour / demeanour, safety / security, failure to pick up / set down)	
Ticketing Information / Conditions	8
Ticketing - Replacement / Refund	7
Platform / Shelter / Tram Stop / Bus Stop	5
myki Staff – Customer Service	5

Tram accessibility query (P2010 / 2152)

A consumer emailed the PTO seeking information about the height of steps on trams. The consumer advised that she used to be able to embark and disembark her usual tram with ease, but since having surgery is unable to do so. The PTO advised the consumer that the Citadis, Combino and Bumblebee trams have lower floors and would be more accessible for her. The PTO advised the consumer that she could find further information on the Yarra Trams website and that she was also welcome to telephone Yarra Trams to discuss the actual dimensions and measurements. Yarra Trams' telephone number and website were provided.

PTO staff provide general information to consumers about public transport operators' services and infrastructure. We also give operators' contact information to consumers so that they may obtain more in-depth advice.

From the 1,838 cases received in 2010 / 2011, we responded to 309 requests for information. In these cases PTO advice is all the consumer requires.

By comparison, in 2009 / 2010 we received 251 requests for information.



Complaint handling

- 3. Refer

We refer complaints to operators if they have not already considered the complaint, or to other organisations where the matter is outside the PTO's jurisdiction.

Operator referrals

In 816 cases, the consumer was referred to the appropriate operator - after being provided with independent information and an overview of their rights and responsibilities. In line with the PTO Charter, the PTO will not undertake an investigation unless the operator has had a reasonable opportunity to resolve the complaint directly with the consumer.

Outside PTO jurisdiction

Some complaints and enquiries fall outside the PTO's jurisdiction, such as transport infringement notices. After providing relevant information to the consumer, 271 referrals were made to the appropriate agency or body, most often the Department of Transport or Ombudsman Victoria.



From 1,838 cases, we referred 1,087 cases to operators or other agencies / bodies

Refer to operator – top complaint issues	
myki Service Delivery	237
myki Ticketing	137
Driver (behaviour / demeanour, safety / security, failure to pick up / set down)	87
Trains / Trams / Buses	80
Service Delivery Punctuality	60
Platforms / Shelters / Tram Stops / Bus Stops	52
myki Staff	44
Staff Station Attendant	42
Authorised Officer Behaviour / Demeanour	40
Staff Customer Service	37

Refer to other agency / body – top complaint issues	
Infringement Notice Fine	64
Non Public Transport Information	47
myki Ticketing	22
Infringement Notice	20
Trains, Trams or Buses	15
Service Delivery Timetable Changes	15
Platform / Shelter / Tram Stop / Bus Stop	12
Service Delivery Insufficient Service	12
General Public Transport Information	9
Driver (behaviour / demeanour, safety / security, failure to pick up / set down)	9

Too many receipts - myki top-up (P2010 / 1925)

Following an online top up, a consumer received three transaction confirmations via email. The consumer called the myki contact centre about the error and the contact centre representative advised that she would escalate the matter and have a myki staff member review the account and advise the consumer of the outcome. The representative suggested that the consumer also lodge a complaint with the PTO.

The PTO advised the consumer about its role and process and provided general information about the myki top-up process. The PTO also advised that myki needed to be given a reasonable opportunity to respond to the complaint and resolve it directly with the consumer. The consumer accepted this, knowing her complaint had been escalated within myki, and was reassured to know that if she was dissatisfied with the response, or did not receive a timely response, she could recontact the PTO to have the matter investigated.

Incorrect infringement notice (P2010 / 1896)

A consumer contacted the PTO requesting a waiver of a ticket infringement notice. The consumer advised that he was waiting in line to buy his ticket when his train arrived, so he boarded the train without a ticket. On arrival at Parliament station he was stopped at the ticket gate by an Authorised Officer for not having a valid ticket. The consumer advised that he gave the Authorised Officer his details and was told he would receive a fine for failure to produce a valid ticket. In addition to this fine, the consumer also received a fine for "moving, interfering or tampering with, or operating equipment or vehicle without permission of an authorised person". The consumer advised that he had no knowledge of that matter.

The PTO advised the consumer that the PTO's jurisdiction did not extend to decisions made by the Department of Transport (DoT) in relation to the issuing of infringement notices. The PTO explained that he could seek a review of the infringements with the DoT and if dissatisfied with the outcome of the DoT's review he could contact Ombudsman Victoria. The contact details of both the DoT and Ombudsman Victoria were provided.

Complaints Referred for Internal Escalation (RFIE)

From the 1,838 cases raised in 2010 / 2011, we referred 189 cases to operator senior complaint staff for investigation and resolution.

Since 2009, where a consumer has had initial dealings with an operator without their complaint being either resolved or escalated to a senior staff member, we offer the consumer a referral to a senior manager at the operator. To ensure the effectiveness of the process we monitor and review the outcomes of these complaints and ensure the consumer knows that they can recontact us if they remain dissatisfied.

2010 / 2011 saw a 14% decrease (30 cases) in RFIE complaints when compared to 2009 / 2010, as more consumers requested an independent PTO investigation rather than the operator referral. Further, 16 consumers, who initially agreed to the RFIE process, recontacted the PTO for an independent investigation of their complaint as they were dissatisfied with the operator's investigation and suggested resolution.

Refer for internal escalation – top complaint issues	
myki Ticketing	92
myki Service Delivery	66
myki Staff	47
Staff Customer Service	18
myki Infrastructure	13
Driver (behaviour / demeanour, safety / security, failure to pick up / set down)	11
Service Delivery Disruption	8
Service Delivery Punctuality	7
Ticketing – Replacement / Refund	6

Redress for RFIE complaints	
Apologies	122
Detailed explanation provided	103
Goodwill gesture	52
Ticket / Monetary Compensation	49
Recommendation for change of policy / procedure	7
Member staff training	5
Member staff disciplined / counselled	4



Where's my bus? Request for additional transport signage (P2011 / 0250)

A consumer telephoned the PTO to advise that as a result of an upcoming local festival, temporary bus diversions were planned. The consumer said that in the past there had not been any signage or timetables advising commuters of bus diversions and with thousands of people relying on these bus services and seeking directions, she felt signage was required. She said that she had telephoned Metlink and was advised it was not possible. The consumer then contacted Metlink to lodge a complaint and was advised that information regarding timetable changes is available on Metlink's website, which she felt was insufficient.

The consumer consented to the complaint being referred to the Metlink senior staff and as a result, was advised that Metlink had acted on feedback from prior festivals and its signage department had arranged for timetables to be installed at the temporary bus stops and directional maps at the temporarily closed bus stops. Metlink invited the consumer to provide feedback following the festival which could be taken into account when planning for future events incorporating public transport diversions.

Complaint handling

- 4. Investigate

In 2010 / 2011 the PTO investigated 253 complaints, up 30% from 2009 / 2010. Our process is informal and we assist consumers who have communication difficulties.

Investigation process

All consumer and operator information is considered objectively and thoroughly to assess what most likely occurred. We focus on what is fair and reasonable in all the circumstances, good industry practice and laws, regulations and guidelines which should be considered. This may require meetings with both parties, site visits, viewing of infrastructure and consultations with regulators and industry experts.

PTO investigations consider a wide range of information, beyond that provided by the consumer and operator, to identify a fair and reasonable outcome.

The PTO's investigation process encourages public transport operators to identify the broader issues which arise from individual complaints and address them through training, staff counselling and improved policies and processes.

Investigations received - most common issues	
Staff Customer Service	52
myki Ticketing	51
myki Staff	50
Driver (behaviour / demeanour, safety / security, failure to pick up / set down)	46
myki Service Delivery	39
Trains, Trams or Buses	32
Ticketing – Replacement / Refund	20
Service Delivery – Disruption	18
Service Delivery – Punctuality	17
Platform / Shelter / Tram Stop / Bus Stop	16

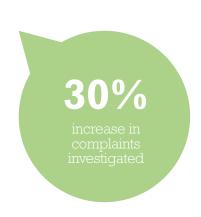
Ticket purchase procedures (P2010 / 1703)

A consumer and her daughter regularly travelled by V / Line to Melbourne and as her local station was unstaffed, her practice was to reserve her return journey ticket by phone and pay on arrival. If approached by a conductor she would quote her booking and seat allocation number.

On the trip in question the conductor insisted that she pay for her tickets on the train. The consumer was reluctant, as she had done this once before and subsequently found her return journey cancelled. The booking office confirmed her arrangements over the phone in the presence of the conductor. The conductor was reluctant to act on phone advice which was inconsistent with his knowledge of ticketing processes and arranged to have the consumer and her daughter removed from the train. The consumer was dissatisfied with V / Line's response to her complaint and sought an independent PTO investigation.

V / Line advised the PTO that the booking process requires upfront payments before travel and that it was the conductor's role to enforce the regulations requiring passengers to purchase a ticket if requested to do so. However, V / Line agreed that as the consumer had an existing arrangement in place, she should have been allowed to continue the journey. V / Line provided a letter of apology, four return tickets and a goodwill payment in recognition of the inconvenience caused and the time taken to resolve the complaint. V / Line also completed additional staff training so that this would not reoccur and enhanced its processes for staff adherence to policies.







1. Receive

- 4. Investigate
- 5. Resolve

In 2010 / 2011 the PTO conciliated 95% of investigations. Helping both the consumer and the operator reach an agreed outcome is the goal of the PTO.

Having a complaint independently investigated by an impartial body helps to achieve conciliated outcomes which satisfy all parties. When a conciliated resolution cannot be achieved, the Ombudsman may make a Binding Decision, which is binding on the operator if the consumer agrees. If the consumer rejects the Ombudsman's decision they may seek a remedy in other ways, i.e legal action. The Ombudsman may also decide a case has insufficient merit and discontinue the investigation, usually when the consumer has been offered a fair and reasonable resolution by the operator. Before a case is finalised on that basis, the consumer is provided an opportunity to present their views.

During 2010 / 2011 there were a small number of cases where the consumer ceased contact with the PTO during the investigation. They may have been satisfied with the operator's response and chose not to continue with the PTO investigation process.

The Ombudsman did not make any Binding Decisions during 2010 / 2011 although 5 cases were finalised with a 'discretion not to further investigate' outcome and in 7 cases, the consumer chose to withdraw their complaint during the investigation process.

Finalised investigations	
PTO Resolution	235
Withdrawn	7
Discretion not to investigate / further investigate	5

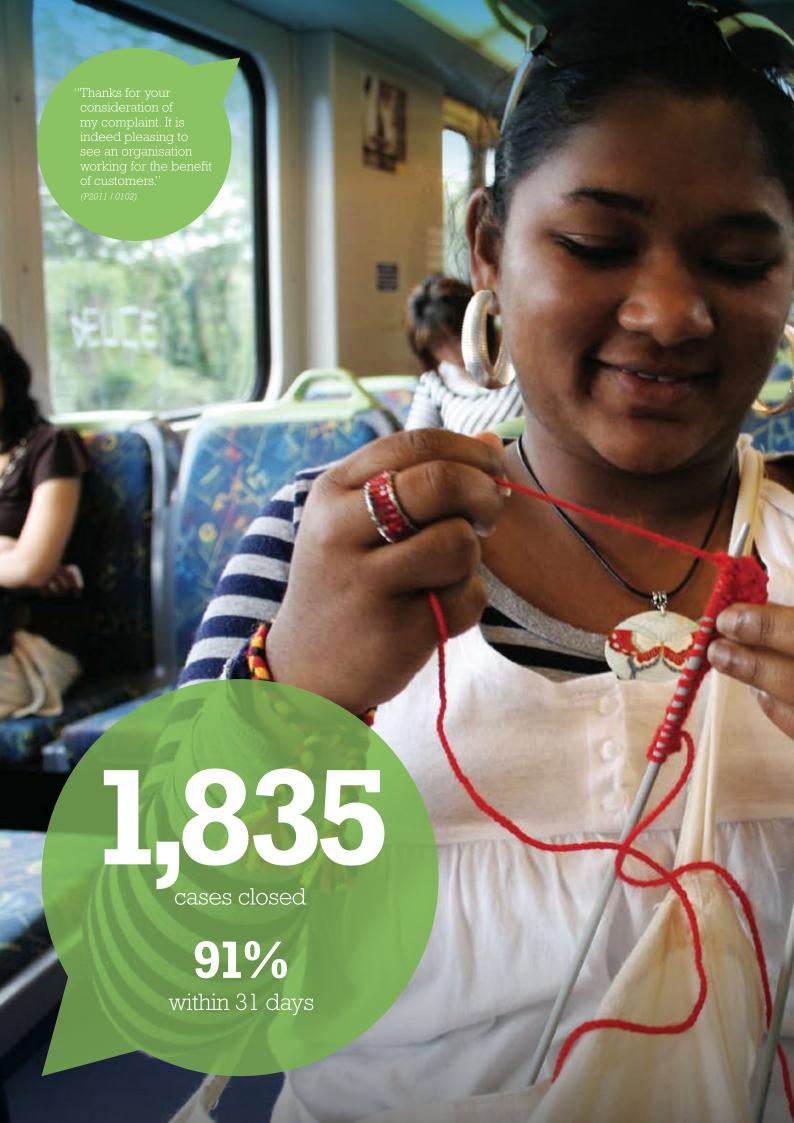
Redress for investigations	
Detailed explanation provided	174
Apologies	132
Goodwill gesture	78
Ticket / Monetary Compensation	63
Member staff disciplined / counselled	27
Member staff training	24
Recommendation for change of policy / procedure	19

Investigations finalised – top 10 issues		
Driver	33	
(behaviour / demeanour, safety / security, failure to pick up / set down)		
myki - Service Delivery	32	
myki - Ticketing	31	
Trains, Trams or Buses	21	
Ticketing - Replacement / Refund	16	
Service Delivery - Disruption	14	
Service Delivery - Punctuality	14	
Staff - Customer Service	8	
myki Infrastructure	6	
Platform / shelter / Tram stop / Bus Stop	6	

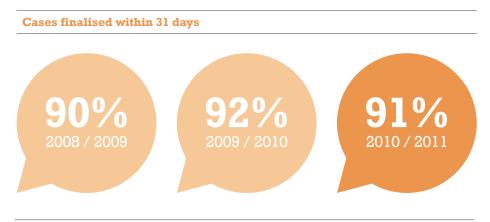
Inappropriate bus driver behaviour (P2011 / 0626)

The consumer advised that she and her 22-month old son were travelling on a bus when her son became very distressed. The bus driver stopped the bus on the side of the road and said that he would not continue driving until her son stopped crying. Embarrassed and unable to quieten the child, they disembarked. Dissatisfied with the bus company's response, she contacted the PTO. As well as an apology for her embarrassment, she stated that she would like the bus company to improve its customer service.

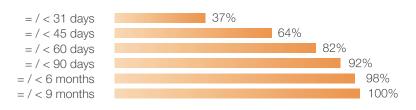
The bus company provided detailed information about its customer-focused policies and procedures, and advised that this serious breach of customer service had been addressed with the bus driver, who then personally apologised to the consumer. The bus company also took the opportunity to deliver further training to all bus drivers about passenger safety and customer service.



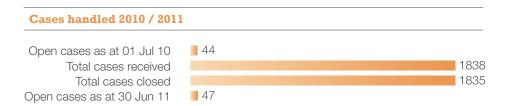
Benchmarking our complaint management



Investigations resolution timeframes



- 16 complex issues took up to 6 months to investigate and resolve
- 3 complex issues took up to 9 months to investigate and resolve



Decisions reviewed

The Ombudsman personally reviews investigations where the person making the complaint is not satisfied with the outcome of the investigation. This year, four reviews were completed by the Ombudsman:

- Two reviews resulted in the Ombudsman upholding the decision not to further investigate
- One review resulted in a further investigation of the matter which resulted in an amended resolution offer being provided to the consumer
- A review of one investigation identified it as being out of the PTO's jurisdiction. This case highlighted the need for the PTO to improve adherence to case handling policies, processes and training.

Compensation for train delays (P2010 / 0393-1)

A consumer contacted the PTO as he was dissatisfied with Metro's offered compensation for delayed train services caused by an extreme weather event. The delay resulted in him missing a flight to Sydney and incurring additional travel expenses. He believed that had he been informed of the extent of the delays, he would have been better able to plan his journey and avoid incurring additional costs. Metro had acknowledged it could have better informed the consumer and offered a goodwill gesture of 8 daily Zone 1 Metcards. The consumer remained dissatisfied and sought compensation for several taxi rides and a Skybus ticket.

The PTO's investigation was extensive and considered information from the Bureau of Meteorology and news services and found that public warnings had been issued on the morning of the incident, including advice of potential interruptions to train services. The investigation also identified that electricity and telecommunication regulators provided customer compensation exemptions in recognition of the extreme weather impacts on consumers. Also a range of flights was found to have been extensively delayed or cancelled, including this consumer's flight - so on time arrival at the airport would not have resulted in air travel. The PTO noted that Metro had acknowledged that its service could have been better and that its offer to resolve the consumer's complaint exceeded the amount the consumer was reasonably able to claim. Following a review of the file, the Ombudsman exercised her discretion to decline to investigate the complaint further on the basis that a fair and reasonable offer had been made.

Better public transport services

As well as resolving individual complaints, the PTO contributes to the improvement of public transport services, by drawing the attention of the operators, regulators or the Minister for Public Transport to complaints raising systemic issues.

Systemic issues

In 2010 / 2011, we reviewed systemic issues arising from the introduction of myki, operator complaint management, call centre processes and information provision, website information, noise emanating from train sidings and train horns and station design.

The case study at top right highlights the importance of clear communications by operators to consumers and the need for transparency in the use of statistics.

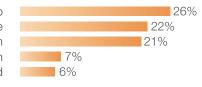
V/Line - service delivery (P2011 / 0020)

A consumer contacted the PTO to complain about a page on the V/Line website which stated that the 7.17am train service from South Geelong is only 97% full. The consumer advised that he boards this train at North Geelong on every working day and did not get a seat on any day in 2010. The consumer stated that he had written to V/Line to advise that their statistic was incorrect. V/Line responded by thanking him for his feedback and stated that capacity on train services is calculated using conductor tally sheet information and the website reflected the monthly average capacity. V/Line further advised that it would be validating its conductor patronage count via a survey. The consumer was not satisfied with this response and contacted the PTO.

As part of the PTO's investigation into the complaint, the systemic impacts were considered and V/Line agreed to make changes to the wording on the relevant page to assist other commuters seeking train capacity information. V/Line changed the term 'seats' to 'average capacity', to further define 'average capacity' as seating and standing capacity and updated its website to include details of its reporting methodology. The PTO monitored V/Line's website until the updates were completed.

Consumer concerns with operators' internal dispute resolution (IDR) processes

Complaint lost / not responded to Complaint response was inadequate / incomplete Dissatisfaction with policy decision Inadequate investigation Conflicting advice / incorrect procedure advised



Operator complaint management

PTO cases represent the experiences of a small percentage of commuters when compared to the volume of issues resolved by operators. However, they do provide a unique insight into the two main aspects that concern the PTO the actual issue of complaint and the effectiveness of the operator's internal complaint handling process.

The above graph details the top five reasons why consumers contacted the PTO in 2010 / 2011 following an unsatisfactory operator IDR experience. Consumers generally are seeking:

- a timely and complete response from the operator
- to be kept informed during the complaint process
- to have all of their issues addressed
- an appropriate resolution
- · completion of agreed actions arising from that resolution.

In 2011 / 2012 we will continue to monitor and review operator internal complaint management and help operators to improve their processes.

Authorised Officer complaints

4% of the PTO's complaint issues in 2010 / 2011 were about Authorised Officers, down from 8% the previous year. This positive trend reflects the training operators are delivering to their AOs which is focused on addressing fare evasion through positive interactions with commuters.

PTO staff have continued to participate in the AO induction programs, talking about the PTO's role, the types of complaints received and the type of record-keeping which assists the PTO to undertake independent, fair and equitable investigations.

This year we formalised our relationship with the Department of Transport's Authorised Officer Regulation, Training and Accreditation (AORTA) unit. Its responsibilities under the Transport (Compliance and Miscellaneous) Act 1983 include:

- · accreditation of operators
- authorisation of AOs
- investigations into the actions of AOs which may result in disciplinary action, including the revocation of authorisation.

Along with the relationship already established between the PTO and Ombudsman Victoria (which also has jurisdiction over the AO statutory role), our relationship with AORTA enables the PTO to ensure that the most appropriate organisation investigates AO complaints.

Operator / public transport industry policies

This year the PTO was asked to provide input to discussions and policy development on matters including:

- Metlink Central Pass Office Manual
- complaint reporting improvements introduced by the Metlink Customer Feedback Industry Roundtable
- the introduction of an Unreasonable Complaint Conduct Procedure for the operators' contact centre
- the introduction of the Public Transport Development Authority.



Authorised Officer Discretion (P2011 / 0146)

A mother contacted the PTO on behalf of her 17 year old daughter, who was approached by three AOs while on board a Metro train. The daughter had her feet resting on the edge of her seat and was asked to produce her ticket, which she did. She was then asked to produce further identification. The AOs reported her for having her feet on the seat. She was then issued with a ticket infringement notice, which was later withdrawn by the Department of Transport and replaced with a warning.

The consumer's mother advised that her daughter felt intimidated and frightened by the incident and she felt that the AOs should have exercised their discretion not to report her as she provided a legitimate health reason for having her foot resting on the seat.

The PTO investigated the incident, including reviewing Metro's internal investigation process for AO complaints. After an extensive investigation which considered both the circumstances of the event and Metro's investigation, the complaint was resolved with a letter of apology from Metro regarding the way in which the complaint was handled. Metro's letter also outlined the improvements they were implementing to customer feedback procedures and AO investigations, including a requirement for call centre staff to ask more probing questions when receiving a complaint, so that complaints could be effectively prioritised and actioned. The consumer was satisfied with this comprehensive response and the actions taken by Metro to improve its processes.

Effective relationships

The key to being a leading, independent and effective industry ombudsman scheme relies on the quality of the relationships we build. Ensuring that relationships are well established and constructive takes hard work - ongoing engagement to continually improve our knowledge and understanding of the needs of both commuters and public transport operators is required.



Community

To ensure that the PTO and its complaint-handling procedures are promoted to the public, we undertake many outreach activities.

This year our community engagement included:

- Glen Waverley Secondary College Public Transport Expo
- 'O week' open days at three universities and the Graduate Careers Fair
- Footscray Community Legal Centre activities involving Burmese, Sudanese and other community groups
- hosting of a Chinese regulatory management delegation
- Arthritis Victoria
- Scope
- Guide Dogs Victoria
- Vision Australia
- Community Information Victoria -Emergency Relief Providers.

Stakeholder feedback

Information must go both ways, and obtaining feedback on how we do our work with the aim of continually improving our services is a key part of our role.

Over the past seven years we have used various methods to gain this knowledge. In 2010 / 2011 our approach included both group and individual consultation, which enabled us to explore the many different perspectives of a variety of stakeholders. We held a PTO Industry Member Forum in September 2010 and conducted individual meetings with:

- Travellers Aid, a support service to the travelling public with special requirements, and to those in emergency situations - this resulted in the development of a referral protocol to identify and address individual complaints and systemic issues
- a number of units within the Department of Transport including; Community and Place, Authorised Officer Regulation, Training and Accreditation, Social Transit, Legal & Commercial, Bus and Regional Services and Franchise Relationships

- Transport Safety Victoria
- Victorian Taxi Directorate
- Victorian Equal Opportunity and Human Rights Commission
- Public Transport Users Association
- representatives from a number of the public transport operators.

The key issues explored were:

- enhancing community access to public transport complaint processes
- using the PTO's complaint information to identify and improve public transport services
- methods of promoting the PTO to disadvantaged commuters.

The PTO's 2011 / 2012 Action Plan incorporates engagement initiatives focused on disadvantaged commuters. Additionally, the PTO's knowledgebase has expanded significantly through exposure to, and liaison with, representatives from all of these stakeholders. Their advice and input is valued and respected.



Public Transport Operators

In 2010 / 2011 we continued to provide specialist training for public transport operators with the aim of improving their complaint management.

Topics covered included:

- complaint handling
- managing unreasonable complainant conduct
- AO training
- From Rage to Reason advanced dispute resolution training.

Operators were also encouraged to attend specialist training facilitated by the Society of Consumer Affairs Professionals.

The Ombudsman met with management and staff from bus companies across Victoria, both individually and through attendance at two Regional Bus Forums. These meetings offer the dual benefit of helping bus operators to better understand the PTO's approach to complaint management and help the PTO to better understand bus operations and the challenges faced by bus operators.

The in-depth insight to the industries we oversight offered by these meetings is invaluable in improving our case management and we will continue to meet in the future with all operators.

Finally, our regular meetings with operators included:

- PTO Chair and Ombudsman discussions with the Chief Executive Officers from each of the operators on emerging issues, relationships between our organisations and changes in the public transport environment
- PTO Conciliation Team quarterly meetings with Complaint Feedback Managers from each of the operators discussing case related issues
- specific complaint review meetings and site visits as part of individual investigations.



Australian and New Zealand Ombudsman Association (ANZOA)

Membership of this peak industry body is only extended to individual Ombudsmen in Australia and New Zealand who meet key criteria associated with independence. impartiality and effectiveness. The Public Transport Ombudsman is a member.

PTO staff have participated in a number of ANZOA interest group forums, focusing on human resources, first contact, learning and development, policy, awareness and promotion, systemic issues and information technology. This invaluable interaction contributes to continual growth in PTO knowledge and process development.

In Melbourne in May 2012, ANZOA will host its third conference. As a member of the conference organising committee, the Ombudsman and PTO staff are looking forward to meeting Ombudsman colleagues at the conference, and involving PTO Directors and industry member executives. It is a great opportunity to learn more about the Ombudsman industry and its important role in Australia's social justice system.



Continual improvement - the new "business as usual"!

To achieve our aim of being a leader in independent dispute resolution, we are continually monitoring and reviewing our performance, policies and procedures.

The initiatives we have undertaken this year relate to case handling, governance, human resource management, professional development and the environment.

Staff learning and development

Having the right staff, with the right skills, experience and knowledge means that we are able to deliver a high quality, effective and efficient service. PTO staff have undertaken ongoing training and professional development throughout the year including:

- Complaint Handling Strategy Workshop
- Equal Opportunity Training
- Mediation and Conciliation Training
- New Manager workshop
- · Managing Mental Health in the Workplace
- Root Cause Analysis
- Disability Awareness
- · Leadership and Creativity.

Human Resources policies

During 2010 / 2011 a number of Board policies have been formally established, concerning employee salary packaging, risk management, cash reserve, remuneration and financial delegation.

Additionally, the PTO Director Manual, General Policy Manual and Human Resource Policy Manual have been revised and a Director Induction Program developed.

Case Handling, Investigation and **Resolution Guidelines (CHIRG)**

These guidelines have been reviewed and revised during 2010 / 2011 and the following changes introduced:

- Cases are now categorised on receipt as requests for information, referrals or investigations.
- Other than PTO investigations, all AO complaint referrals are referred to operator senior staff. This ensures that operators can take appropriate action without delay. This also occurs when the PTO receives cases which appear to be very serious or complex and require prioritisation.
- A set of frequently asked questions for the PTO website was developed.

Professional agreements and memberships

In accordance with the PTO's Charter to engage broadly with stakeholders to raise awareness of our activities and be informed of developments in the industry, we have:

- established referral protocols with Transport Safety Victoria, Travellers Aid Australia and the DoTs AORTA unit
- become a member of the Australian Institute of Management and the Victorian Chamber of Commerce and Industry.

National Privacy Principles (NNP)

With a budget of less than \$3 million, the PTO is not required to adhere to the NPPs, however, as an industry ombudsman and an advocate of best practice privacy governance, PTO adherence to the NPPs is most appropriate. Accordingly, the PTO has 'opted in' and our policies, processes and practices comply with the NPP.

Risk management framework

In 2010 / 2011, the PTO continued to work with Victorian Managed Insurance Authority on the task of automating our risk management framework.

A full revision of all risks, causes and mitigating factors resulted in the reduction of 27 existing risks down to 12. This framework has been approved by the PTO Board and is reviewed internally on a monthly basis, quarterly by the Audit, Risk and Compliance Committee and annually by the Board.

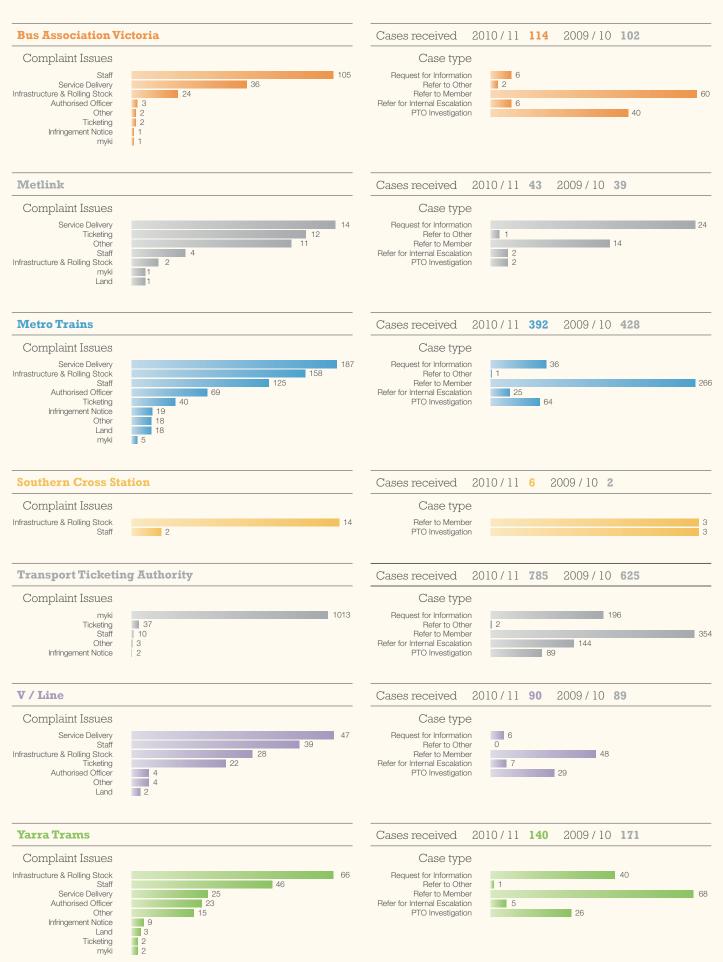
Environmental efficiency and accountability

The PTO team pride ourselves on being aware of our impact on the environment, both as a company and as individuals.

As a result of our focus on reducing our carbon footprint, the PTO was a finalist in the 2010 CitySwitch National Awards. We have since been awarded a five-and-ahalf star accredited NABERS (the National Australian Built Environment Rating System) energy rating, recognising leading performance in energy efficiency.

We continue to promote sustainable behaviour through presentation to other organisations and our target for 2011 / 2012 $\,$ is to achieve the highest rating, six stars.

Scheme member case activity 2010 / 2011



VicTrack: No PTO cases in 2010 / 2011.

As evident in the tables above, some cases include more than one complaint issue. 2009 / 2010 reported cases were adjusted to include sub-cases.

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 2011. 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.

Audited Financial Statements and Directors' Report for the Public Transport Ombudsman Ltd have been lodged with Australian Securities and Investment Commission in accordance with the Corporations Act requirements.

Comprehensive Income Statement

	\$ 2011	\$ 2010
Continuing operations		
Revenue from annual levies	1,406,254	1,344,236
Non-operating activities		
Interest income	28,071	18,952
Other income	201	1,539
Total income	1,434,526	1,364,727
Expenses from ordinary activities		
Depreciation and amortisation expense	32,544	44,536
Employee benefits expense	992,444	889,674
Occupancy Costs	82,524	115,180
Telephone and IT expenses	50,226	84,618
Consultancy expenses	78,148	44,503
Other expenses from ordinary activities	117,099	112,919
Profit from ordinary activities before income tax expense	81,541	73,297
Income tax expense relating to ordinary activities	-	-
Profit for the period from continuing operations	81,541	73,297
Other comprehensive income for the year	-	-
Total comprehensive income for the year	81,541	73,297
Balance Sheet		
Current assets		
Cash and cash equivalents	846,722	820,736
Trade and other receivables	443,534	312,156
Total current assets	1,290,256	1,132,892
Non-current assets		
Plant and equipment	109,306	102,035
Total non-current assets	109,306	102,035
TOTAL ASSETS	1,399,562	1,234,927

	Ψ 2011	Ψ 2010	
Current liabilities			
Trade and Other Payables	965,454	884,901	
Provisions	29,744	26,350	
Total current liabilities	995,198	911,251	
Non-current liabilities			
Provisions	6,961	7,814	
Total non-current liabilities	6,961	7,814	
TOTAL LIABILITIES	1,002,159	919,065	
Net assets	397,403	315,862	
Equity			
Retained profits	397,403	315,862	
TOTAL EQUITY	397,403	315,862	
Statement of Changes in Equity			
Total Equity at the beginning of the financial year	315,862	242,565	
Total comprehensive income for the year	81,541	73,297	
Total Equity at the end of the financial year	397,403	315,862	
Cash Flow Statement			
Cash flows from operating a			
Receipts from customers	1,372,006	1,521,107	
Payments to suppliers and employees	(1,332,077)	(1,185,095)	
Interest received	28,071	18,952	
Net cash inflow / (outflow) from operating activities	68,000	354,964	
Cash flows from investing activities			

Payments for plant

Net cash inflow / (outflow)

from investing activities Net increase / (decrease)

and equipment

in cash held

Cash at beginning

of financial year Cash at the end

of financial year

\$ 2011

\$ 2010

(42,014)

(42,014)

25.986

820,736

846,722

(72,587)

(72,587)

282,377

538,359

820,736



Contacting the Public Transport Ombudsman

The Public Transport Ombudsman provides a fair and independent way to resolve complaints about trains, trams, buses, ticketing and other public transport services.

The Public Transport Ombudsman can help if you cannot solve your complaint with the public transport provider. Our services are free and available to anyone who travels on, or is affected by, public transport in Victoria.

Free Call: 1800 466 865

National Relay Service

Speak and Listen 1300 555 727

Interpreter Service:

Service: 131 450

Fax: 03 8623 2100

Email: enquiries@ptovic.com.au

Website: www.ptovic.com.au

Mail: PO Box 538

Collins St West Melbourne VIC 8007