



## **Consultation response**

**To: Options for strengthening bus passenger representation**

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## 1. Introduction

**pteg** represents the six Passenger Transport Executives of England and Scotland which between them serve more than eleven million people in Tyne and Wear (Nexus), West Yorkshire (Metro), South Yorkshire, Greater Manchester, Merseyside (Merseytravel) and the West Midlands (Centro). Strathclyde Partnership for Transport (SPT) and Transport for London are associate members. This response is on behalf of the six English PTEs only.

Britain's PTEs are the driving force behind the development of public transport in some of Britain's largest City Regions. Their responsibilities include:

- producing the strategies for the development of local public transport networks;
- developing local rail services;
- planning and funding socially necessary bus routes;
- working in partnership with private operators to improve bus services—for example through bus priority schemes;
- running concessionary travel schemes—including those for older, disabled and young people;
- investing in local public transport networks—including new rail and bus stations;
- developing and promoting new public transport schemes—like light rail and guided bus networks;
- providing comprehensive and impartial information;
- manage and maintain bus shelters, stops and interchanges.

In some cases PTEs are the operators of public transport, such as the Tyne and Wear Metro, Glasgow Subway and some ferry services. However, most public transport in PTE areas is operated by private companies

The PTEs have a combined budget of more than a billion pounds a year, and are funded by a combination of local council tax and grants from national government. They are responsible to Passenger Transport Authorities (PTAs); made up of representatives of local councils in the areas they serve.

## 2. Questions on the overall objectives and role of the passenger body

***Do you agree with the aim of our proposal as outlined in paragraph 11 above?***

***Do you feel that the body should cover any items not included in the suggested remit in paragraph 15 above?***

***Do you think that there are any items covered in paragraph 15 above that shouldn't be included?***

We support the objective of strengthening bus passenger representation outside London. It is an anomaly that rail passengers everywhere, and all transport users in London, have statutory representation, whereas bus passengers outside London do not.

There is a particularly strong case for better bus passenger representation given that:

- The most socially excluded groups are most reliant on the bus (for example most bus users in the Met areas do not have access to a car). These groups also tend to be less able to exert influence over provision and policy than rail users and motorists who are generally more likely to be in a higher social group. This is reflected in the relative media and political attention given to the bus when compared with rail.
- There are significant challenges on performance, vehicle standards and service quality in the bus sector. For example around 16% of buses spot checked by VOSA are subject to prohibition orders and there are significant problems of late and early running on bus networks.
- Unlike public transport in London, and rail services nationally, there are minimal entry standards for operating commercial bus services outside London, and there is limited external enforcement of punctuality and reliability, customer service and vehicle quality.
- Outside London publicly available information on the performance and standard of bus services varies considerably – and in some areas is non-existent except at a highly aggregated level.
- Unlike in London, and for rail users everywhere, there are a number of bodies which currently have a overlapping (and in some cases, poorly advertised roles) in representing bus passengers and/or handling complaints on bus services. The powers and duties of those bodies also vary – causing confusion for passengers.

We agree that the objectives of the watchdog should include:

- championing improvements in bus and scheduled coach service provision founded on robust research and analysis;
- working with passengers, operators, government, local authorities and other key stakeholders to ensure that the passenger's voice is heard when key decisions are being made;
- and making suggestions about the future direction of bus provision.

The consultation paper also proposes that:

- it should not have a complaints role;
- the new body should be national rather than have a regional dimension;
- should not replicate or replace the role already played by Local Transport Authorities.

We comment on these proposals below.

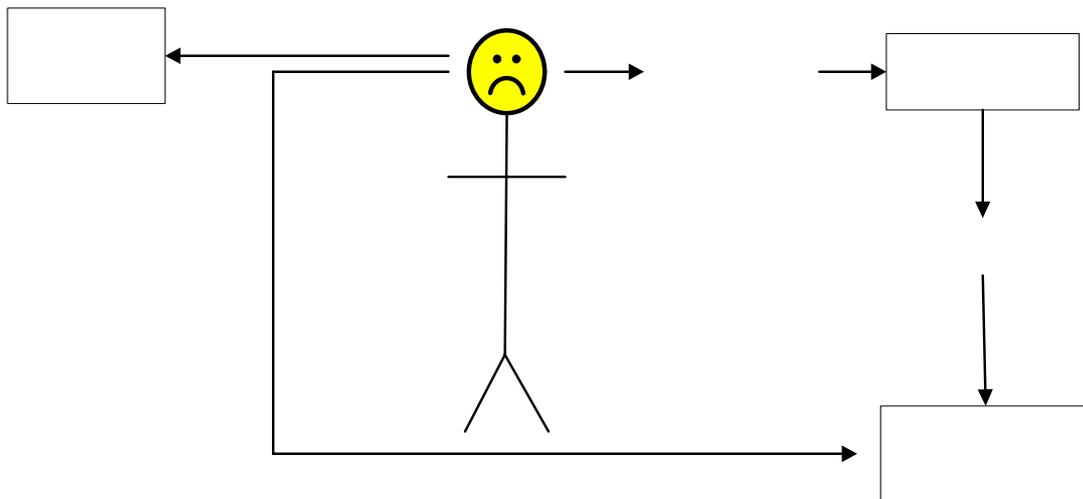
## 2.1 Complaints

### The role of PTEs

We would argue that the issue of complaints handling needs further examination and consideration.

At present a bus user in London with a complaint or comment has a very straightforward and well advertised process available to them (see figure one below). First they go to TfL and then if dissatisfied they can have recourse to the statutory independent watchdog, London Travelwatch.

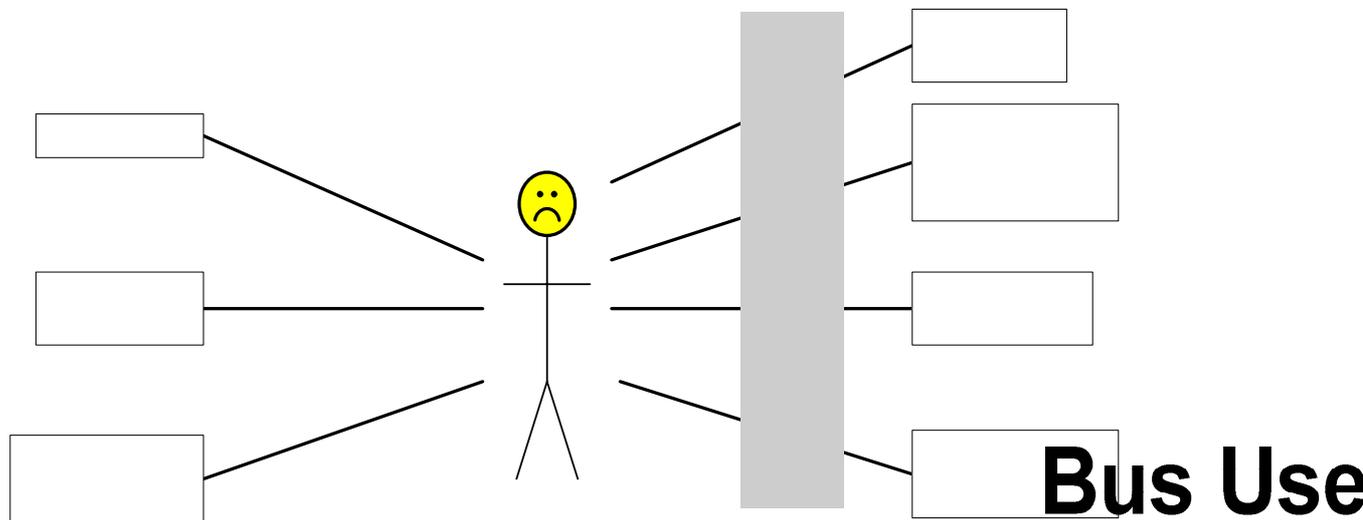
**Figure one**



For bus users outside London the situation is very different (see figure two below). There are a range of organisations to which a bus user might go to, all with a different set of powers and duties, and with different arrangements for inter-working on complaints between areas.

Overall the process is also less than transparent. There is very little overall information available about the total number of complaints to all the bodies with a role. Nor is there information readily available about satisfaction levels from complainants, or on how that information is used collectively by the bodies involved to identify weaknesses and improve services. This contrasts again with the situation in London where London Travelwatch provides comprehensive data on complaints.

**FIGURE TWO**



The Local Transport Bill has permissive clauses which allow for the display of 'certain information' by the providers of bus services. This could clearly be used to advertise the complaints procedure onboard buses.

## Representation

The consultation paper suggests that outside London the operators of services should be the primary body for complaints on bus services, with the operator funded Bus Appeals Body carrying out the appeals role.

This raises a number of issues.

Firstly, in the consideration of any reforms it's important to understand, and reflect, the role that PTEs already play on complaints. Appendix one summarises the scale and format of each PTEs complaints handling role. The benefits of the role that the PTE currently plays are that:

- it as transparent as operator complaints handling is opaque (i.e. composite information on complaints is summarised in publicly available committee reports whereas operators generally do not make public any summary information on the complaints they receive);
- in general the PTEs have comprehensive and publicly available written policies and objectives for complaints handling and deal with complaints in an efficient and transparent way;
- as the strategic public transport planning bodies the PTEs use the trend information provided by complaints (alongside other sources of information, such as market research) to identify key areas for improvement and action

- in general the PTEs use the complaints information they receive to identify issues for resolution with bus operators as part of their regular dialogue.

We would therefore argue that the PTEs role in complaints and comments on areas of direct responsibility (such as bus stations, stops and infrastructure) should be retained.

However, there is also a case for enhancing the role of PTEs on complaints to make the PTE the primary complaints body. This would replicate the role that TfL currently performs in London.

The advantages of this approach would be greater simplification and transparency for passengers. The PTEs would also be to provide a comprehensive overview of complaints information.

However:

- there may need to be placed upon operators further duties (perhaps as part of their licences from the Traffic Commissioners) to respond in an efficient, timely and appropriate way to complaints passed onto them by the PTE;
- there are resource implications if the number of complaints and comments that PTEs receive increases, especially if a more transparent and credible complaints system than currently exists encourages more people to comment and complain;
- there is also the issue of appeals (see below).

One option might be to construct legislation, orders and guidance that allowed complaints handling to be organised in a way that is appropriate to each area. This could include allowing for the option of the local transport authority acting in an agency capacity for the national watchdog.

### Appeals

The consultation appears to suggest that the industry sponsored Bus Appeals Body should take on the role of appeals on complaints. This would mean that bus users outside London would not enjoy the same consumer rights that bus passengers in London (and rail passengers everywhere) have, which is recourse to a statutory watchdog which is fully independent from the industry it covers. There may well be cost advantages to this (although the industry may not be happy to continue to subsidise a Bus Appeals Body with a growing workload – if a more credible complaints ‘offer’ to passengers leads to more complaints).

One option would be to give the new Watchdog the appeals role. This would bring regional bus into line with arrangements for rail / all public transport users in London – with a primary advertised complaints body (be it the operator or the PTE) and a secondary statutory appeals body.

If PTEs were to take a greater role in the specification of, and responsibility for bus services (either through enhanced partnerships of Quality Contracts) then arguably the case for an independent appeals body would be strengthened.

In summary, on the complaints handling issue, there is a need for a more thorough examination of the issues than is presented in the consultation paper. The paper suggests that little will be done to rationalise and harmonise the complaints system

for bus passengers outside London. Indeed, there is a danger that the proposals will further confuse passengers and create additional bureaucracy if a fifth body (the Bus Champion) is added (alongside the PTE, the operator, the Bus Appeals Body and the Traffic Commissioners ) as bodies to which a passengers might reasonably address any complaints. Whichever solution is arrived at the strengths and qualities of the role that PTEs already play in complaints handling should be recognised, as should the potential for that role to be enhanced.

## **2.2 The regional dimension**

Although we would not favour the establishment of a large regional structure (or a regional committee structure) for the new Watchdog, the potential regional dimension does need further consideration.

Bus travel is a very local in character and there are multiple operators involved in its provision (including a host of very small local operators). It is far less easy for a single national organisation to have a good grasp of all these local variations than it is for rail, where there are a limited number of players and information on them and their performance is readily available and easily assimilated. In addition key changes to services (fares and frequencies) do not happen at the same time and with ample warning (as they do on rail). Again, unlike rail, there is no guiding hand in Whitehall that influences the extent and quality of service provision (other than by indirect measures such as grant and subsidy regimes, vehicle regulations and so on). Most of the key decision-makers on the quality of service that bus passengers receive are regionally-based and thus the influence and credibility of a purely national watchdog (especially if it is London based) are arguable.

Given the above there is a strong case for the bus watchdog to have a limited regional dimension if it is going to:

- take on an appeals role on complaints;
- liaise effectively with the main actors on bus services in each of the regions (the PTEs, LTAs, Traffic Commissioners, operators);
- act as a credible voice for passengers in the deregulated regions when major problems / issues arise.

One option would be for any regional offices to piggyback off the existing administrative infrastructure of the regional traffic commissioners (see section 2.3).

If the case for a regional dimension is rejected and there is to be a single national body then we would argue that it should be based outside London. Bus issues are entirely different in London than they are in the Mets and the main problems with bus services lie outside London. Any London-based organisation is likely to employ people who live in the London area and who are therefore less likely to have a good feel for, and understanding of, the perspective of bus users in the deregulated regions. If Passenger Focus were to take on the bus role then its existing Manchester office should be the centre for staff who deal with bus issues.

## **2.3 The role of the Traffic Commissioners**

The consultation paper does not have much to say about the Traffic Commissioners. This is surprising as the Traffic Commissioners are the main instrument by which poor performance in the deregulated bus industry can be addressed and they have significant powers to investigate and, where necessary, to penalise. In effect, outside

London, the Traffic Commissioners are the only passenger watchdog with teeth (other than the PTEs on tendered services). If the Bus Watchdog is to be able to stand up for passengers, where services are manifestly below what could be reasonably expected, then there needs to be good links between the Watchdog and the Traffic Commissioners so that the Watchdog can be seen to be acting effectively for passengers. There also needs to be mechanisms (under whatever structure is adopted) by which performance and complaints data is shared by, and with, the Traffic Commissioners to enable poor performance to be identified, and where necessary, enforcement measures to be best targeted.

If there is to be a regional dimension to the Bus Watchdog then this would also strengthen the case for sharing the administrative infrastructure of the regional Traffic Commissioners (even if they have a measure of operational and policy independence from each other).

## **2.4 Performance information available to the Watchdog**

It's important for those considering bus user representation outside London to understand that in terms of research and data on bus services that the data available on **service performance varies widely and is well below what is readily available on rail**. Most key data on rail performance is also in the public domain and readily accessible.

On bus the sources of performance data include:

- on-street surveys carried out by PTEs (often summarised in PTA papers);
- DfT's quarterly bus and light rail statistics bulletin (highly aggregated at a regional and national level);
- operators own data (almost always kept confidential);
- on-street surveys carried out by the Traffic Commissioners.

However, by far the most powerful and useful tool is a by-product of real time information systems. Real time systems are already in place for all services in some PTEs (including South and West Yorkshire) and require all buses to be fitted with satellite location devices. This provides a wealth of detail about how bus services are provided. However, the information generated is often subject to confidentiality agreements.

Consideration needs to be given in the legislation and associated orders and guidance as to how the Bus Watchdog can best gain access to comparable data in a manageable format. Options include giving the watchdog powers to require operators and LTAs to provide performance information, or making it a condition of Operator licensing that such information be provided.

## **2.5 Other modes**

In London, London Travelwatch is the statutory complaints body and watchdog for all forms of public transport as well as taxis and the road network.

In the Met areas there are no statutory arrangements (or proposals for) other public transport modes (such as light rail and ferries), taxis or the road network.

At present the complaints processes for the major non-rail / bus public transport modes in the Met areas are:

- Midland Metro: Travel West Midlands (the operator of the system)
- Manchester Metrolink: GMPTE
- Sheffield Supertram: Sheffield Supertram (the operator)
- Mersey ferries: Mersey ferries
- Tyne and Wear Metro: Nexus
- Tyne ferries: Tyne ferries
- Highways: the District Highways Authority

It is arguably an anomaly that under these bus, tube and heavy rail users everywhere in Britain could have a statutory watchdog to represent them but tram and light rail users will not.

### **3. Role of Bus Users UK**

***Q2a Is option 1 your preferred option and why?***

***Q2b Do you have any further comments on the role that existing non-statutory bodies may have in representing the interests of bus passengers?***

We are strongly opposed to giving Bus Users UK the role of bus user champion for the following reasons.

Bus Users UK is an industry funded organisation whose national hierarchy is unrepresentative of the typical bus user (containing a disproportionate number of bus enthusiasts and former bus industry employees) and takes a strong ideological line in backing the CPT's policy position on most major issues. Giving Bus Users UK a government badge of approval would fall well short of what bus users were promised, and what bus users in London, and rail users everywhere, already have – which is a statutory watchdog financially, professionally and ideologically independent of the industry it monitors.

More generally NGOs do have a useful role to play. In particular there is potential for some of the regional Travelwatch networks to act as a sounding board and source of information for the statutory Bus Users Watchdog.

As appendix two shows PTEs also fund and support a variety of user forums in their areas. These forums could also be a useful source of information and input for the User Watchdog.

### **4. Options for the Bus Watchdog**

***Q3a Is option 2 your preferred option and why?***

***Q3b What do you think should be the key features of the statutory bus passenger champion body?***

***Q4a Is option 3A your preferred option and why?***

***Q4b What changes do you think will be needed in order for Passenger Focus to take on bus work?***

***Q4c Do you have any further comments on the role that Passenger Focus might take in relation to bus travel?***

***Q5a Is option 3B your preferred option and why?***

***Q5b How do you think that we can ensure that there is no duplication between this committee's interest in rail and that of Passenger Focus?***

The options presented in the consultation paper are for either:

- a new national bus passenger watchdog;
- an extension of the role of Passenger Focus;
- a new multi-modal passenger transport users committee.

We would favour a solution which is multi-modal, which is not committee-based and which recognises the success of Passenger Focus.

We favour a multi-modal approach because:

- this reinforces the goal of presenting public transport to the public as a single integrated network;
- it will be simpler for passengers to understand, and reduce costs and bureaucracy;
- it fits with the multi-modal nature of PTEs.

A multi-modal body does reinforce the case for Passenger Focus to step up to the role – as otherwise there would be two representative bodies for rail. It also raises the question of whether other public transport modes (principally light rail systems) are brought within the ambit of the new body (see section 2.5).

We favour a 'professionalised' over a 'committee-based' Watchdog because:

- committee-based watchdogs can become bureaucratic and unwieldy. It is also difficult to ensure that committee membership reflects the diversity of passengers and their views;
- Passenger Focus has become more effective since it moved from a committee to a professionalised approach.

However, in the absence of a committee structure the watchdog does need to be anchored in the views and experiences of passengers rather than reflect the personal views of its own staff. This means a strong research base, and good access to performance data (see section 2.4) and, arguably, some role on complaints (such as an appeals role – see section 2.1).

We favour an enhanced role for Passenger Focus because we believe it has been very effective in representing passengers on rail and it would make sense therefore to extend its role into bus issues rather than create a new entity – with all the additional costs and potential overlap that might create.

However, if Passenger Focus is to be effective on bus we believe that the points raised elsewhere in this paper will need to be addressed. In summary these are:

- it will need access to available performance data in a timely, comparable and manageable way, and this will probably require additional powers (see section 2.4);
- there is a case for it to take on an appeals role on complaints;
- there is a case for it having a regional dimension (perhaps sharing the administrative infrastructure of the Traffic Commissioners). Staff working on national bus issues should be based outside London;
- there should be close working with the Traffic Commissioners (who have the 'teeth' on deregulated bus services that a watchdog needs if it is to be credible).

## **APPENDIX ONE**

### **SUMMARY OF CURRENT PTE COMPLAINTS / PASSENGER REPRESENTATION POLICIES**

#### **Merseytravel**

##### Complaints

Total complaints/comments received in 2007 about public transport were 6,057 (this despite the PTE not advertising itself as a complaints body).

Merseytravel Customer Services Team contacts the customer service team of the operator if required and liaises with the complainant over the response.

The staffing costs associated with the complaints handling role is around £50,000 a year. The PTE uses a 'Respond' database system to manage the complaints handling process.

The major bus operators in Merseyside do advertise their customer service numbers on both their vehicles and in literature they publish.

The plan is to bring Mersey Ferries and Mersey Tunnels under the same 'Respond' complaints process.

##### Representation

Merseytravel has forums for each of the five Merseyside Districts for individuals / local NGOs. All have formal constitutions, are chaired by elected members, and are serviced and funded by the 'Community Links and Access Team' at the PTE. There is also a Women's Forum and a Transport Access Panel (for disabled people).

##### Research into passenger views

On an ad hoc basis

#### **Metro**

##### Complaints

Metro receives around 13,500 pieces of feedback/complaints directly per year – of which around 77% relate to bus operators, 5% to rail operators and 13% relate to services for which Metro is directly responsible for (such as stops, shelters and interchanges). Driver behaviour generates the most comments about operators, followed by cancellations.

'Respond' software is used to manage the complaints process by four staff members (who spend 80% of their time on it). However, there is unquantified staff time throughout the organisation in following up specific complaints.

Target for Metro response to complaints is 3 days with full response within 10 or 28 days (depending on nature of the complaint) with a specific officer allocated responsibility. A monthly report goes to Management Teams.

Target for appropriate response by operators to complainant on tendered bus services is 10 days and Metro are discussing attaching penalty points for non-compliance. There are bi-monthly meetings with operators where feedback/complaints and significant trends are reported.

Recent improvements put in place include:

- a workshop with all major operators to put in place better working practices for communication;
- job shadowing between operator and Metro staff;
- operators attending travel centre weekly meetings;
- trial for MetroLine staff to resolve customer complaints more fully rather than passing them onto Operators;
- a trial to improve customer satisfaction by including a leaflet with all acknowledgement letters explaining how Metro and Operators work together to improve services.

### Consumer representation

The PTA runs a Passenger Consultative Committee for each of the five Districts. They are made up of elected members and the public and are attended by Metro staff and operators.

### Research into Passenger views

Metro conduct an annual external market research survey which monitors the opinions of public transport users and non-users. The results are fed back to operators and to Metro management teams

Other surveys are undertaken on an ad hoc basis.

## **Nexus**

### Complaints

Nexus handled 3,850 complaints in 2006/7 – most of which relate to the Tyne and Wear Metro. A team of 5 has overall responsibility for complaints function (among their other duties). Target is to respond to all written complaints within 10 working days.

Complaints on commercial bus services are forwarded to the operator concerned. For tendered services Nexus asks operators of tendered services to investigate and respond and then Nexus responds to the complainant.

#### Passenger representation

Nexus supported Transport Advisory Committees are held twice a year in partnership with local operators with a 'drop in' session in the morning and a formal meeting in the afternoon.

#### Research on passenger views

Regular market research surveys are carried out

### **Centro**

#### Complaints

Centro handle around 6,800 complaints a year (written/email/telephone). One operator, TWM (Travel West Midlands), provides the vast majority of bus services in the West Midlands. Since Summer 2007 arrangements have been in place whereby Centro 'owns' complaints about TWM. Details of the complaint are sent to TWM by Centro who provide a response to Centro who then respond to the complainant. It is hoped to reproduce this procedure for other operators and modes.

However, TWM vehicles promote their own customer care line and the Bus Appeals Body. Tendered services are required to provide information about contacting Centro for complaints – but compliance may be patchy.

Centro use Charter CRM software to handle the complaints process and four staff (with a total budget of £168,000). There is a target for responses of ten days.

#### Passenger representation

The PTE supports user forms (which are open to all) in each of its seven Districts. They are attended by Operators and PTE staff.

### **South Yorkshire**

#### Complaints

Handle around 11,000 complaints/comments a year (up from 3,500 in 2002), received by letter, phone, email and they are managed by ECRM software. Response target is 5 working days.

#### Passenger representation

There is a South Yorkshire Transport Users' Advisory Group. This Group provides a useful liaison between the PTE/Operators and selected interested individuals/organisations,

## **GMPTE**

### Complaints handling

GMPTE receives around 1,800 complaints per quarter – the majority of these are forwarded to the operators for response. The Customer Relations function sits in the Service Delivery Directorate and comprises a team of two staff members with a budget of £60,000.

The role of the PTE with regard to complaints is not advertised – our website has a 'contact us' section which includes the email address for Customer Relations together with a link to a comments form. No complaints body is advertised on buses.

A six-monthly review of the volume and type of complaints is made to the Transport Network Committee of the PTA and the policy for complaints handling is published on GMPTE's intranet.

All comments and complaints are treated equally – we do not differentiate by mode or degree of PTE direct responsibility.

### Consumer representation

GMPTA does not fund any customer representation groups directly. However, it does grant support the Transport Resource Unit (TRU) at the Greater Manchester Centre for Voluntary Organisations.

TRU provides support for community involvement in transport by using its links with the wider community and the voluntary sector to share relevant public transport information and receive views and comments from a wide cross-section of the community. It also assists in ensuring GMPTA and GMPTE consult and engage with the widest possible community base.

### Research on passengers' views

GMPTE also undertakes a 'multi-modal tracking survey' every six months – in January/February and June/July. This provides data on:

- Which transport services and facilities are important to the public of Greater Manchester; and
- How satisfied the public are with current public transport services and facilities.

The results are reported to elected members and operators and posted on GMPTE's intranet.