



CityLink Customer Ombudsman

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CCO REVIEW

1 MARCH 2006 – 31 AUGUST 2006

**Michael Arnold
CityLink Customer Ombudsman**

CITYLINK CUSTOMER OMBUDSMAN REVIEW

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Introduction

This is the fourth in the series of my reports as the CityLink Customer Ombudsman since the inception of the service in September 2004. It is a review of activities and the handling of complaints over the last six months.

The Review

Complaints

Fees

Issues have been raised by CityLink customers in relation to the administration of their accounts. There have been instances of complaints that the fees charged by CityLink not matching with customer's records. In this context there have been suggestions there are delays in the resolution of the problems. I have raised the issue with CityLink who have indicated that there will be a review of its processes to prevent any such occurrences.

Hazards

There have been, in the last six months, a number of complaints about damage done to vehicles whilst travelling on CityLink. I have previously made a Decision in relation to vehicular damage on roadways such as those controlled by CityLink. This Decision related to damage done by hazardous materials on the roadway but the principles basically apply to damage caused by other things such as items falling from a third party vehicle.

In that Decision I explored the history of the law in relation to liability for damage sustained by vehicles on such public roadways. This history included a discussion of the impact of the most recent legislation (Road Management Act 2004) on CityLink. In that Decision, made in August 2005, I determined that at that time CityLink was not liable for the damage done to the vehicle the subject of the complaint.

I noted, in particular, that CityLink had an obligation to develop and maintain a road management plan that met reasonable requirements to ensure that sections of CityLink were not dangerous to traffic. I was satisfied that it had in that instance acted in accordance with its duty of care and obligations under the Road Management Act 2004.

I made recommendations in relation to the issue of taking and retaining of video footage of any incidents that might take place on any section of the CityLink roadway with a view to identifying vehicles involved. Further, I have also had discussions with CityLink regarding the maintaining and upgrading of their plan in relation to the safety and security of their roadway under the Road Management Act 2004 and video coverage.

I have had discussions with CityLink about its road management plan and the video surveillance with a view to determine their efficacy. CityLink continues to review its road management plan and have, on a number of occasions, re-examined the extent and effectiveness of their video coverage. The matter was revisited again in June 2006.

CityLink cannot guarantee absolutely that its roadways will not be damaged in an accident and that as a consequence damage may occur to a vehicle. This would not be possible and it is not required to do that under the Road Management Act 2004.

It is not possible for any other body responsible for the management of a public roadway to guarantee an accident free situation at all times or to have a video coverage system that captures the identity of every vehicle involved in all incidents on the roadway at all times. CityLink has 200,000 customers and a very large volume of traffic each day. According to the information that I have received there are 10 – 12 incidents reported each month, which is very small in number compared to road usage.

However, CityLink has undertaken to (a) review internal procedures in relation to the obtaining and retaining of video footage, and (b) further train their staff in the vehicle damage process in relation to the video camera processes. Similarly, their customer resolutions area has been instructed to inform customers of the level of video coverage. This will be done in conjunction with other road management processes to further provide safety on its roadways.

Conclusion

I again commend the prompt and ready co-operation between CityLink and my office. I remain satisfied that CityLink directly resolves virtually all the complaints it receives and makes a genuine attempt to deal with the matters referred to me.

Below is a table of complaints and outcomes for the reporting period.

	Mar 06	April 06	May 06	June 06	July 06	Aug 06
Billing	1					
Infringement/ late toll invoice	4	1	3	2	2	2
Damage to Vehicle	1		3	1		
Other Damage						
Vehicle Classification					1	1
Service levels						
Traffic Management			1			
Account Management	2	1	3	6	3	2
Website						1
Pricing						
Enquiry only				1	1	1
TOTAL	8	2	10	10	7	7
Answered by CCO					1	1
Resolved by ICR	8	2	10	9	6	2
Pending				1		4
Determinations By CCO						



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August 2006