

TCO Review

1 July to 30 September 2022

Phillip Davies

Tolling Customer Ombudsman

STAKEHOLDER ENGAGEMENT ACTIVITIES AND MEASURES

The Tolling Customer Ombudsman (TCO) continues, as part of effecting the Scheme and engaging with stakeholders, to travel to Brisbane two days every month to ensure Queensland consumers have an opportunity to meet face to face with the TCO. The TCO, whilst in Brisbane, is located at the Servcorp offices at level 19, 10 Eagle Street in the Brisbane CBD. A meeting with the TCO in Brisbane can be scheduled by calling 1800 145 009 or by email at admin@tollingombudsman.com.au. The TCO is available generally for consumers in all states and territories but especially Victoria, New South Wales and Queensland by teleconference via Microsoft Teams. The TCO is also prepared to meet consumers in both Sydney and Melbourne in person if required, provided adequate notice is given to enable travel arrangements to be made and meeting rooms booked in these cities.

The TCO continues to openly engage with stakeholders as an important part of the TCOL Strategic Plan.

KEY RELATIONSHIPS AND MEMBERSHIPS

In previous Quarterly Reports, I mentioned the important relationships that the TCO has with external bodies. One of these key relationships is with the Office of the Australian Information Commissioner (OAIC). The TCO Scheme is one of the OAIC's recognised External Dispute Resolution Schemes. Accordingly, the TCO takes part in various seminars and sessions conducted by the OAIC with other representatives of ADR Schemes to ensure best practice and to understand what are the latest ADR trends. These sessions are also important for obtaining the latest learnings and updates on the significant issues of data protection and privacy. Similarly, the TCO continues and has been a member of the International Ombudsman Association (IOA) since 2021. The IOA is the premier global body

for industry and state authority Ombudsmen. This membership also enables the TCO to keep abreast of world best practice for Ombudsmen. To be able to tap into this important global network is invaluable also in terms of access to the global resources it provides for the TCO.

COVID-19 IMPACT

Operationally, during this period COVID-19 was continuing to have some impact on consumers and travel on toll roads in all jurisdictions of New South Wales, Queensland and Victoria to varying degrees.

However, thankfully it has had a much less significant impact than previous quarters. Fortunately, during this quarter there were no lockdowns in all the states and the mandated COVID-19 measures in each state were few and far between. It would appear from the figures for the quarter that all states are continuing to come back to some pre-COVID normality:

- The total figure of 179 complaints in this quarter is a significant increase on the number of complaints in the July to September 2021 quarter. It is also an increase on the 131 complaints in the April to June period in 2022.
- The Queensland figures in this quarter were exactly the same as the last quarter.
- In Victoria, the figure of 76 complaints is a significant increase from the last quarter. There were 38 complaints in August 2022, which was more than the total complaints for Victoria the previous quarter.
- In New South Wales the number of complaints was 77 in this quarter and 71 in the last quarter.

The increase in the numbers this quarter as opposed to the last quarter seems to be directly attributable to the increase in Victoria. The figure of 522 complaints nationally for the 12-month period is relatively low in terms of numbers of complaints in a pre-COVID environment. However, it is an increase by 60 complaints on the 12 months recorded in the last Quarterly Report.

COMPLAINT RESOLUTION

The TCO has a quarterly reporting regime. This was implemented to address stakeholder feedback that trend analysis would be useful. This report provides data on the last 12 months (building on data already presented), being report 13. The TCO will keep presenting the prior 12 months of statistics on a rolling basis. With the impact of COVID-19 reducing, the recent and historical data will establish trends for before COVID-19, within the COVID-19 period and back to normal circumstances beyond COVID-19.

Consumer demographics: Overall, the predominant means of contacting the TCO with a complaint continues to be electronically, either through the online complaint form or via emailing the complaint form after downloading it from the TCO website: www.tollingombudsman.com.au.

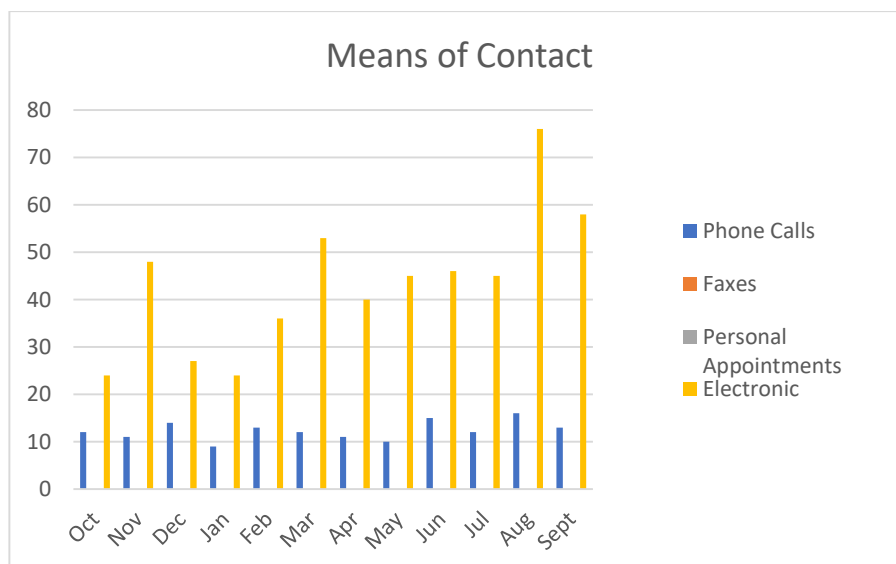
The TCO recognises that telephone contact continues to be very important for consumers and understands some consumers, when a dispute arises, would prefer and need to discuss or clarify issues over the telephone with the TCO. It continues to be important at this time to discuss matters over the telephone with consumers so as to assess what are the “hot button”

issues for consumers and what consumers perceive to be systemic issues/problems in respect to their use of toll roads. Anecdotally, calls to the 1800 number remain steady and come from all jurisdictions. However, the number of referrals from the full-time office hours reception service to the TCO has declined as customers are often able to receive a quick answer to their query from the service staff.

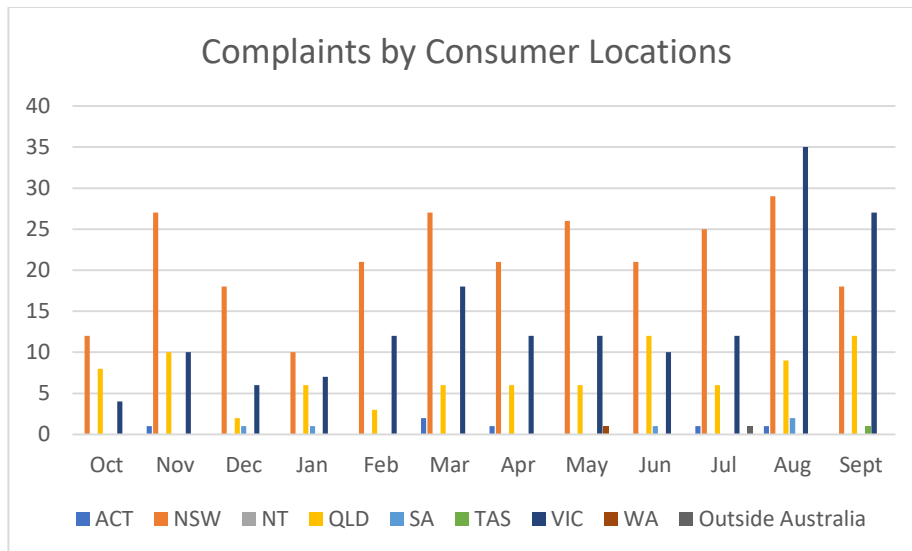
In recent interactions by consumers with the TCO, the TCO has been checking on whether the consumers found the making of the claim on the TCO website to be both easy and user-friendly. The feedback has been generally positive in this regard, but occasionally the TCO works through the process of lodging a claim over the telephone with consumers if that is what they require. In addition, to ensure the appropriate processes are followed, the TCO asks consumers whether they have sought to resolve the matter with the Toll Operator's Customer Resolutions team before they contacted the TCO to ensure that proper process is being followed.

As a general observation, those consumers who solely rely on Australia Post for their communication seem to be more concerned about the amount of time taken to receive communication/correspondence in the mail. Anecdotally, it would seem that COVID-19 has impacted on delivery times for Australia Post and particularly those that involve correspondence between states. This is a matter that has been raised with the TCO during telephone contact. These consumers tend to be elderly who either cannot use or do not have access to technology. There is also a small number of consumers who cannot afford the technology for email or internet. The TCO will continue to monitor this matter going forward.

The TCO meets with the Toll Operator every quarter to discuss any "hot button" issues that, in the view of the TCO, are causing consumers concerns or any aspect of the Toll Operator's processes or systems that have the potential to cause concerns for consumers. However, on the odd occasion, if systemic issues are identified and are causing fundamental consumer concerns, the TCO will seek to meet with the Toll Operator as soon as possible and not wait for the quarterly meeting. The next meeting with the Toll Operator is scheduled for December 2022.



The TCO operates across three states in Australia – New South Wales, Queensland and Victoria.

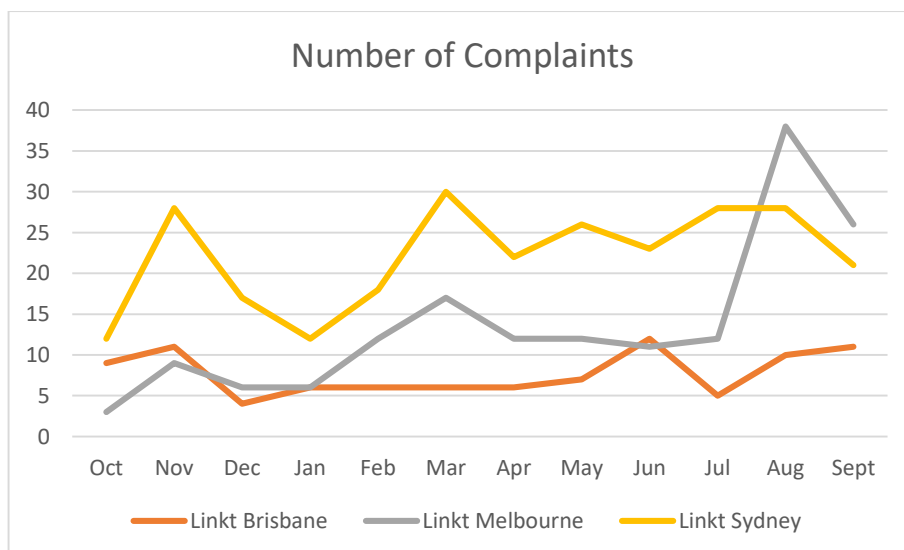


Complaint information

In the most recent 12-month period (ie 1 October 2021 to 30 September 2022 inclusive), 522 complaints were received.

New South Wales consumers continue to represent approximately just over half of the TCO workload (265 complaints out of 522), with Victoria approximately 30% (the rate for the last 12 months in excess of 30% is attributable to the spike in complaints in the last quarter) and Queensland consumers just over 20%.

Last year Victoria was most impacted in terms of number of complaints and therefore the percentage of Victorian complaints to total complaints was significantly down on previous years. The toll road usage numbers from the Toll Operator seem to support such a conclusion. As discussed in previous reports, the TCO anticipates, and the recent numbers seem again to support this view, subject to any unusual COVID-19 impact, that in the next year the percentage of Victorian complaints to total complaints will go back to the historical percentage of about 30% of complaints and the Queensland percentage will revert back to near 20% of total complaints. This, however, is also subject to monitoring of the situation in Victoria and whether the last quarter complaint number was an aberration or more a systemic issue.



The time period for the purposes of this report is now more than two years so the view of the TCO is that some long-term projections can be drawn just from this information. These conclusions must take into account significant parts of the period where the impact of COVID-19 will necessarily affect the numbers. No doubt this will improve over time and be easier to assess after the COVID-19 impact.

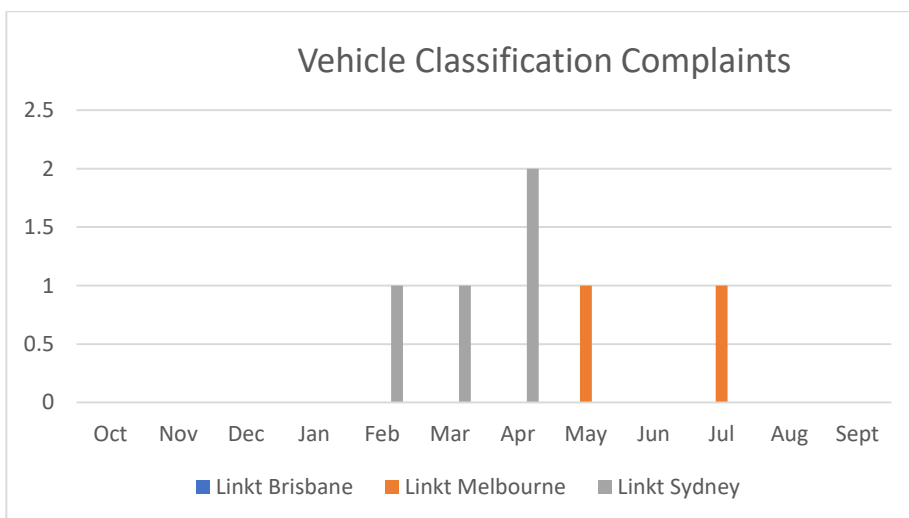
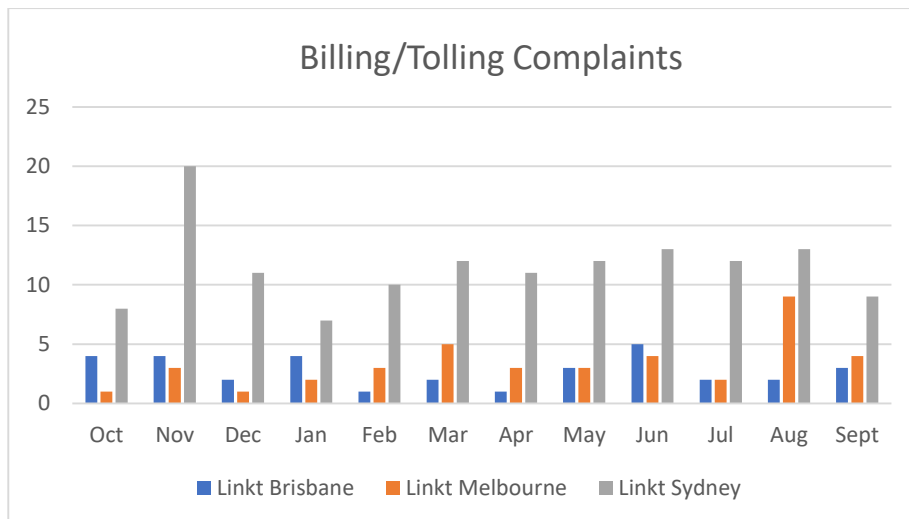
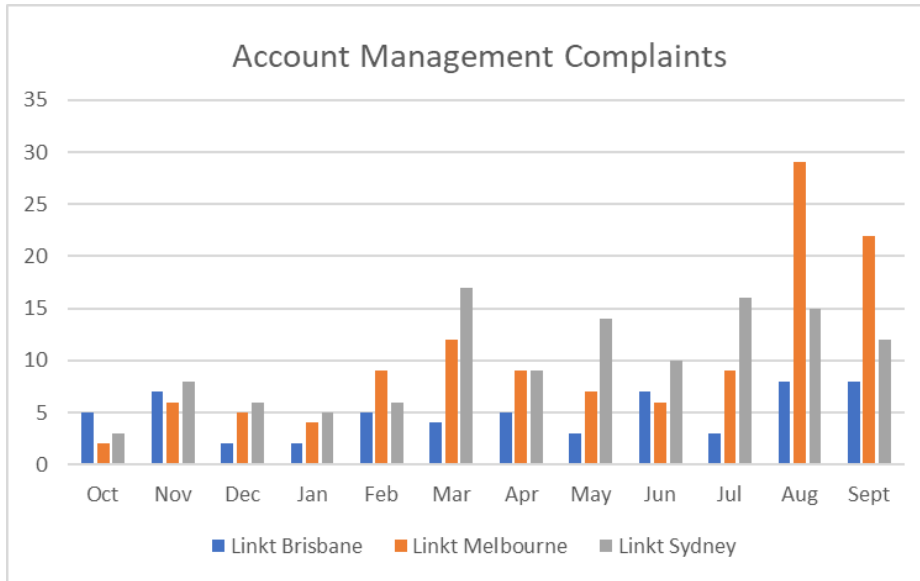
In this context, we also note the refinements and improvements made by the Toll Operator in respect to the increased focus on their internal dispute resolution process. This, coupled with their refinements to the Financial Hardship mechanisms for consumers, is also having an impact.

The total of 179 complaints made in the period 1 July to 30 September 2022 is an increase on the number of complaints in the previous quarter. It is important to note that this number of 179 complaints is well in excess of the July to September 2021 quarter, being 118. It is also well in excess of the historic low of 74 complaints in the April to June 2020 quarter. This reflects the significant impact COVID-19 had on all three states during that period and how there has been a vast improvement in travel on toll roads over the last 12 to 18 months.

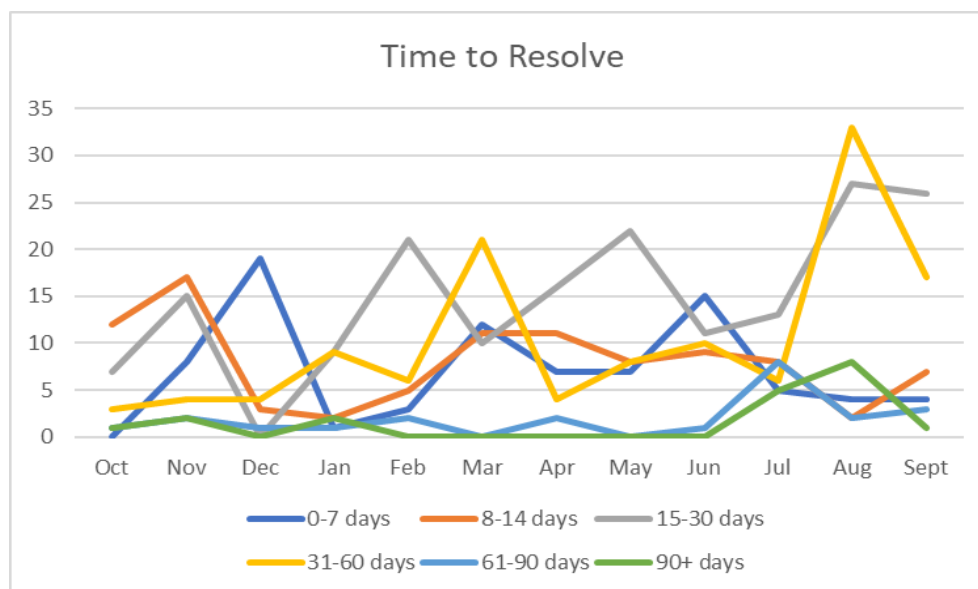
Obviously, COVID-19 still had an impact in all jurisdictions, but has had a more significant impact in some jurisdictions. For example, the number of complaints in Victoria in the October to December 2021 quarter was 18; in the two subsequent quarters the complaints number almost doubled at 35 complaints in each of those quarters. In the present quarter the Victorian complaints are more in line with previous quarters not affected by COVID-19, although we note the apparent spike in complaints this quarter compared to recent quarters. To complete the comparison analysis, the Queensland complaints for the July to September 2022 quarter is essentially the same in this quarter as in the previous quarter.

Generally, and historically, the TCO averages 1,000 complaints per year for the Toll Operator in the Scheme and so would expect approximately 250 complaints per quarter. To receive 522 complaints in the last 12-month period is a significant reduction on the number expected. However, the TCO notes again in the last 12-month period the number of complaints has been impacted significantly by COVID-19. Nevertheless, the Toll Operator should be commended on the continual improvements being made to its internal complaint resolution services.

Irrespective of location, the nature of the complaints remains essentially the same. The main issues in the last year relate to Billing/Tolling. This is most often the application of administrative fees or infringement fines and whether these have been properly incurred. However, there does seem to be a steady increase in the number of Account Management Complaints early to mid-year 2022 in the context of overall complaints. The TCO will continue to monitor developments in this area. The number of vehicle classification disputes continues to be relatively minor.



Often, once lodged, the complaints handled by the TCO are generally quickly resolved in discussions with the Toll Operator.

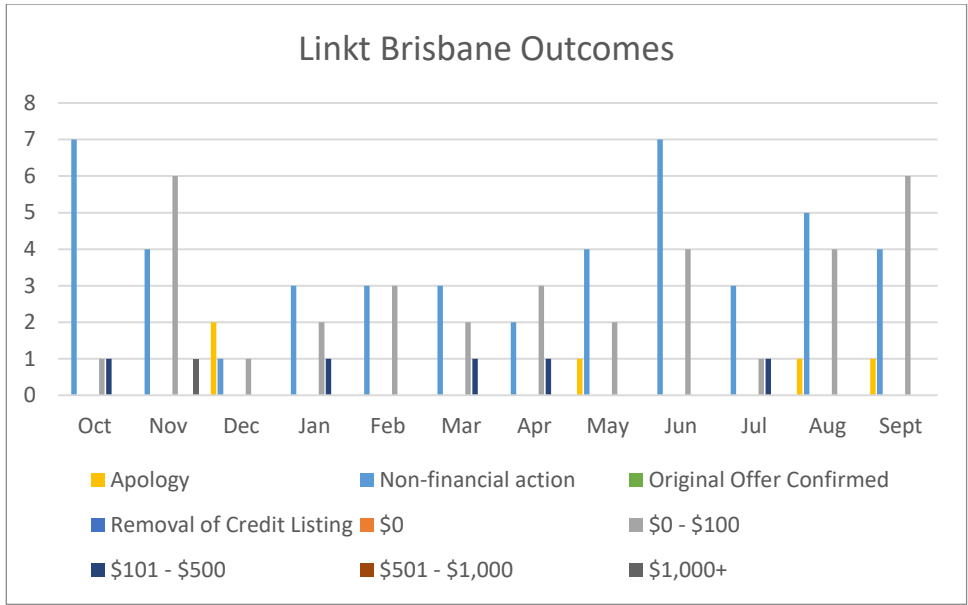


It is pleasing to note that the longer timeframes are generally coming down in comparison to late 2019, which tended to be more in the 31-60 day period. This indicates a quicker time of resolution of complaints, particularly given the period includes various months where COVID-19 has had a detrimental impact on the psyche of consumers.

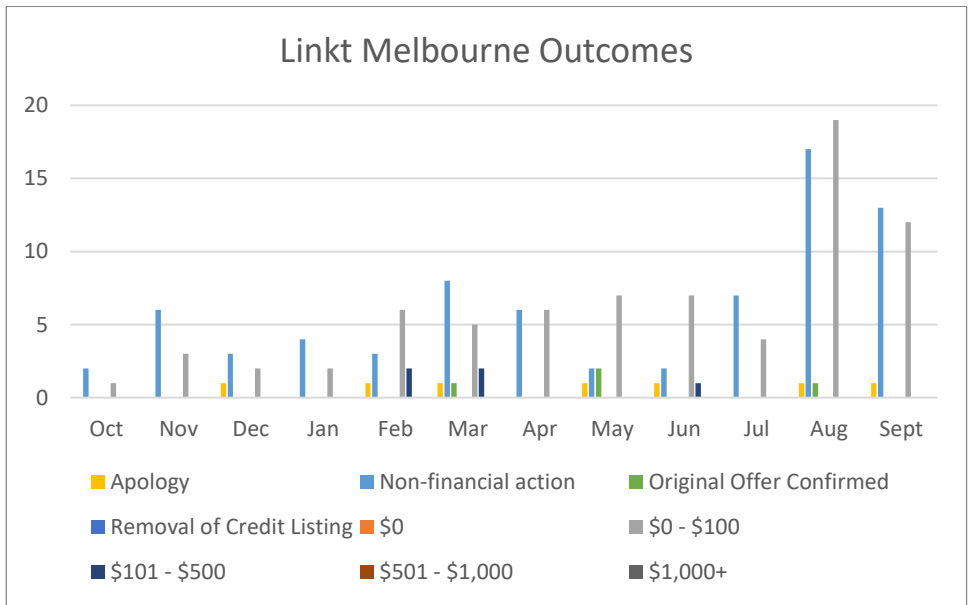
In addition, pleasingly in this quarter the 31-60 day category has reduced from the spike in these complaints in March this year and this is markedly better than the industry standard for internal dispute resolution, being up to 45 days. This obviously needs to be monitored carefully. In the previous quarters, especially in February and March this year, there were a number of earlier disputes that took longer than usual to settle due to the anxiety of consumers because of COVID-19 and COVID-19 related financial issues. Overall, in this quarter the number of days to resolve disputes is reducing. Any 90-plus day matters are few and far between.

Where a resolution is achieved, the outcome can range from non-financial actions (explanations, release of information, assistance with referrals, etc.) to an acceptance of an original offer to resolve, to updating a credit listing as paid or a removal of a credit listing due to extenuating circumstances, to a financial benefit from waiver of an amount of debt or a payment.

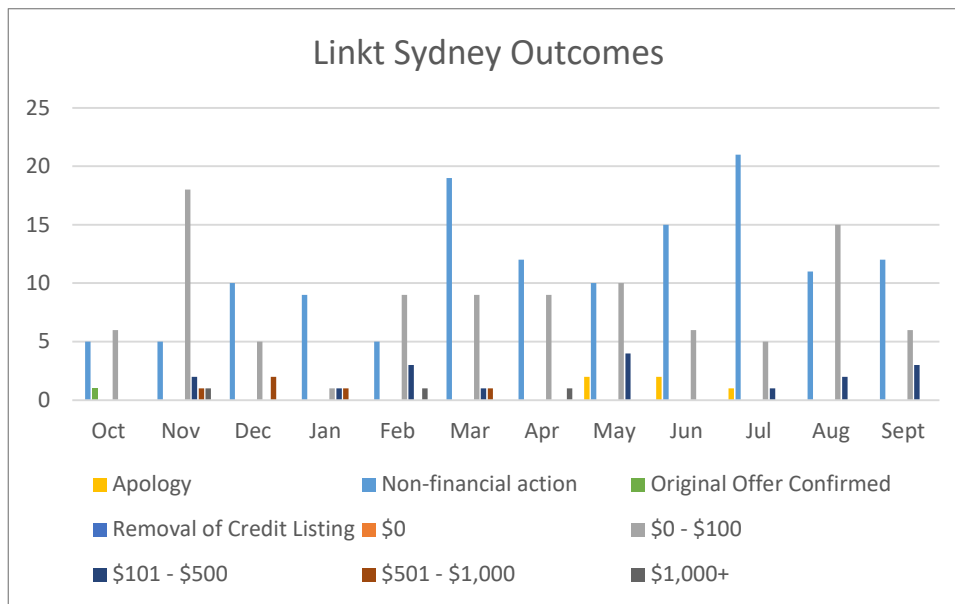
In some complaints, the financial benefit can be proportionally significant, but the instances of tens of thousands of dollars of debt are generally not able to be resolved through the TCO Scheme as these levels of debt arise predominantly through the imposition of fines by state authorities, which are outside of the TCO's jurisdiction.



Given the data from Linkt Brisbane is now for more than a few years, some conclusions can be drawn from the information. That is, the number of complaints is relatively steady for the last several quarters and that the numbers in respect to disputes are at the relatively minor end of the scale. The outcomes in respect to disputes continue to be relatively stable in Brisbane for the 12-month period.



The number of complaints from Linkt Melbourne in 2020 was generally down for the most part of 2020 due to COVID-19 restrictions, but for 2021 and 2022 the number of complaints is trending more towards historical levels, albeit slowly. In the last quarter, in particular August and to a lesser extent September, there seems to be a significant increase in the number of complaints in Victoria. The TCO will continue to monitor this to determine whether this is an aberration or a more systemic issue going forward.



The number of complaints from Linkt Sydney in 2020/2021 and in the first quarter of 2022 was generally down from the historical numbers, but less than for other jurisdictions. In the most recent quarter, complaints were substantially similar to the previous quarter but up very slightly. The figure is still a reduction on the usual numbers. Once the impact of COVID-19 is reduced, it is likely the number of disputes will be near historic levels.

ISSUES

Efforts by the Toll Operator to contact consumers is a continuing common theme in the complaints. The consequence of this is that tolls and default notices are issued for debts which have been incurred over a significant period of time before the complaint is raised. This obviously is a source of frustration for consumers and anecdotally seems to be one particular factor that derogates against consumers wanting or being willing to settle complaints or settle complaints in a timely fashion.

As noted in the various reports over the last 24 months, the consumer claims not to have received any correspondence about any non-payment and no contact is made with them. Where there are multiple letters sent, given the overall success rates for delivery by Australia Post, albeit their service delivery times for postage has increased over the period, the likelihood is that the correspondence reaches the location to which it is addressed.

The explanation is frequently that multiple attempts were made through a variety of media (email, post, telephone, SMS) but were unsuccessful. This is often attributed to a failure to update contact details with the relevant licencing authorities.

Outdated contact information continues to seem to be the problem and could explain the lack of success in reaching relevant consumers. However, it appears that once debt collectors are engaged, the collection agency is quickly able to locate the consumer and make contact. This implies that the consumer can be reached through the application of different approaches.

The underlying cause of why collection agencies are able to quickly locate and make contact with consumers when the Toll Operator has not been able to for long periods of time is something that the Toll Operator may wish to investigate in liaison with state authorities, who maintain the licencing information for drivers.

As a general observation, once a debt collection agency is involved in dealing with consumers the anxiety level of the consumer rises considerably.

In this regard, at our quarterly meetings with the Toll Operator, we continue to raise this matter with the Toll Operator as a consumer concern.

In my view, earlier follow up and negotiation on the debt incurred will result in a greater and more timely recovery rate and enhanced consumer satisfaction.

FUTURE REPORTING

This report is the 13th version of this reporting approach.

Reporting is not merely focused on a particular quarter in a particular reporting period (although the commentary will focus on the most recent trends), but will build on the data above to provide trend analysis over the longer term. As discussed earlier, hopefully the next reporting period will not be significantly impacted by COVID-19. However, if it is, it will hopefully be on a much less significant basis than for the period from March 2020 to 31 December 2021.

The toll road usage numbers from the Toll Operator seem to indicate that the signs in the present quarter support the contention that circumstances are coming back to normal in terms of toll road travel.

APPENDIX 1: RAW DATA 2021/2022

TCO Contact Types	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	
Phone Calls	12	11	14	9	13	12	11	10	15	12	16	13	
Faxes	0	0	0	0	0	0	0	0	0	0	0	0	
Personal Appointments	0	0	0	0	0	0	0	0	0	0	0	0	
Electronic	24	48	27	24	36	53	40	45	46	45	76	58	
TOTAL	36	59	41	33	49	65	51	55	61	57	92	71	
TCO Consumer Locations	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	
ACT	0	1	0	0	0	2	1	0	0	1	1	0	6
NSW	12	27	18	10	21	27	21	26	21	25	29	18	255
NT	0	0	0	0	0	0	0	0	0	0	0	0	0
QLD	8	10	2	6	3	6	6	6	12	6	9	12	86
SA	0	0	1	1	0	0	0	0	1	0	2	0	5
TAS	0	0	0	0	0	0	0	0	0	0	0	1	1
VIC	4	10	6	7	12	18	12	12	10	12	35	27	165
WA	0	0	0	0	0	0	0	1	0	0	0	0	1
Outside Australia	0	0	0	0	0	0	0	0	0	1	0	0	1
Complaint Numbers	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	
Linkt Brisbane	9	11	4	6	6	6	6	7	12	5	10	11	93
Linkt Melbourne	3	9	6	6	12	17	12	12	11	12	38	26	164
Linkt Sydney	12	28	17	12	18	30	22	26	23	28	28	21	265
TOTAL	24	48	27	24	36	53	40	45	46	45	76	58	522
Time Taken to Resolve	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	
0-7 days	0	8	19	1	3	12	7	7	15	5	4	4	85
8-14 days	12	17	3	2	5	11	11	8	9	8	2	7	95
15-30 days	7	15	0	9	21	10	16	22	11	13	27	26	177
31-60 days	3	4	4	9	6	21	4	8	10	6	33	17	125
61-90 days	1	2	1	1	2	0	2	0	1	8	2	3	23
90+ days	1	2	0	2	0	0	0	0	0	5	8	1	19
TOTAL	24	48	27	24	37	54	40	45	46	45	76	58	
Linkt Brisbane Outcomes	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	
Apology	0	0	2	0	0	0	0	1	0	0	1	1	
Non-financial action	7	4	1	3	3	3	2	4	7	3	5	4	
Original Offer Confirmed	0	0	0	0	0	0	0	0	0	0	0	0	
Removal of Credit Listing	0	0	0	0	0	0	0	0	0	0	0	0	
\$0	0	0	0	0	0	0	0	0	0	0	0	0	
\$0 - \$100	1	6	1	2	3	2	3	2	4	1	4	6	
\$101 - \$500	1	0	0	1	0	1	1	0	0	1	0	0	

\$501 - \$1,000	0	0	0	0	0	0	0	0	0	0	0	0
\$1,000+	0	1	0	0	0	0	0	0	0	0	0	0
TOTAL	9	11	4	6	6	6	6	7	11	5	10	11

Linkt Melbourne Outcomes	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept
Apology	0	0	1	0	1	1	0	1	1	0	1	1
Non-financial action	2	6	3	4	3	8	6	2	2	7	17	13
Original Offer Confirmed	0	0	0	0	0	1	0	2	0	0	1	0
Removal of Credit Listing	0	0	0	0	0	0	0	0	0	0	0	0
\$0	0	0	0	0	0	0	0	0	0	0	0	0
\$0 - \$100	1	3	2	2	6	5	6	7	7	4	19	12
\$101 - \$500	0	0	0	0	2	2	0	0	1	0	0	0
\$501 - \$1,000	0	0	0	0	0	0	0	0	0	0	0	0
\$1,000+	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	3	9	6	6	12	17	12	12	11	11	38	26

Linkt Sydney Outcomes	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept
Apology	0	0	0	0	0	0	0	2	2	1	0	0
Non-financial action	5	5	10	9	5	19	12	10	15	21	11	12
Original Offer Confirmed	1	0	0	0	0	0	0	0	0	0	0	0
Removal of Credit Listing	0	0	0	0	0	0	0	0	0	0	0	0
\$0	0	0	0	0	0	0	0	0	0	0	0	0
\$0 - \$100	6	18	5	1	9	9	9	10	6	5	15	6
\$101 - \$500	0	2	0	1	3	1	0	4	0	1	2	3
\$501 - \$1,000	0	1	2	1	0	1	0	0	0	0	0	0
\$1,000+	0	1	0	0	1	0	1	0	0	0	0	0
TOTAL	12	27	17	12	18	30	22	26	23	28	28	21

Account Management Complaints	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	
Linkt Brisbane	5	7	2	2	5	4	5	3	7	3	8	8	59
Linkt Melbourne	2	6	5	4	9	12	9	7	6	9	29	22	120
Linkt Sydney	3	8	6	5	6	17	9	14	10	16	15	12	121
TOTAL	10	21	13	11	20	33	23	24	23	28	52	42	300

Billing / Tolling Complaints	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	
Linkt Brisbane	4	4	2	4	1	2	1	3	5	2	2	3	33
Linkt Melbourne	1	3	1	2	3	5	3	3	4	2	9	4	40
Linkt Sydney	8	20	11	7	10	12	11	12	13	12	13	9	138
TOTAL	13	27	14	13	14	19	15	18	22	16	24	16	211

Vehicle Classification Complaints	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	
Linkt Brisbane	0	0	0	0	0	0	0	0	0	0	0	0	0
Linkt Melbourne	0	0	0	0	0	0	0	1	0	1	0	0	2
Linkt Sydney	0	0	0	0	1	1	2	0	0	0	0	0	4
TOTAL	0	0	0	0	1	1	2	1	0	1	0	0	6

Infrastructure / Signage Traffic Management Complaints	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	
Linkt Brisbane	0	0	0	0	0	0	0	1	0	0	0	0	1
Linkt Melbourne	0	0	0	0	0	0	0	0	0	0	0	0	0
Linkt Sydney	0	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0	0	1	0	0	0	0	1