

# TCO Review

1 April to 30 June 2020

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Tolling Customer Ombudsman

## INTRODUCTION

Since the last report, there has been a considerable impact of COVID-19 on the TCO Scheme.

During the period of this report the significant effects of the COVID-19 pandemic were being felt in Victoria, New South Wales and Queensland, and correspondingly has considerable impact on the number of complaints in each of these States. In particular, the impact of COVID-19 was felt during April-May and for a part of June in all States, where many people were effectively “locked down” in their homes and travel was limited to essential travel and travel by essential services workers. Obviously, the impact of COVID-19 may continue beyond June 2020, in particular in Victoria and to a lesser extent New South Wales. The more difficult issue to determine is how long the impact of COVID-19 will be felt in each State.

Anecdotally, in my view, COVID-19 has had an impact on the complaints made by consumers. That is, the nature of the calls made to the TCO through our telephone service were different. Whilst the number of claims overall have been reduced because of the reduced traffic on the toll roads, the level of anxiety of the callers have increased. The length of time on calls increased and there were deeper discussions on those calls. In general, the callers obviously were anxious because of COVID-19, but also were concerned about the impact of the pandemic on their personal financial circumstances. This heightened level of anxiety, once again in my view, added to the overall reluctance of consumers to settle claims. It seemed to mean that generally consumers adopted a harder line in respect to settlement of a claim. This led generally to more correspondence between the parties and more active engagement by the TCO in these matters.

However, in my objective view, the response of the toll road operators in regard to COVID-19 and the heightened anxiety of consumers has been very professional and understanding that this is a trying time for consumers. This is particularly the case in respect to those consumers who have lost their jobs or have limited means. The toll road operators were very willing to implement, for example, instalment payment plans.

I note that the toll road operators also instituted special toll measures for those essential health workers during the height of the pandemic.

As discussed in the last report, to seek to tap into the international ombudsman network and to continue to monitor global developments for ombudsmen, I was seeking membership with the International Ombudsman Association (IOA). I am delighted to advise that I was afforded full membership of the IOA on 28 May 2020. The IOA is recognised as the premier global body for ombudsmen. Accordingly, the Board of TCOL and I consider that the IOA will be a valuable resource for the Ombudsman in terms of continuing education and expanding ombudsman networks. The TCOL and I continued to seek membership of the Australian and New Zealand Ombudsman Association (ANZOA) and continue to have dialogue and correspondence with ANZOA during this reporting period.

## COMPLAINT RESOLUTION

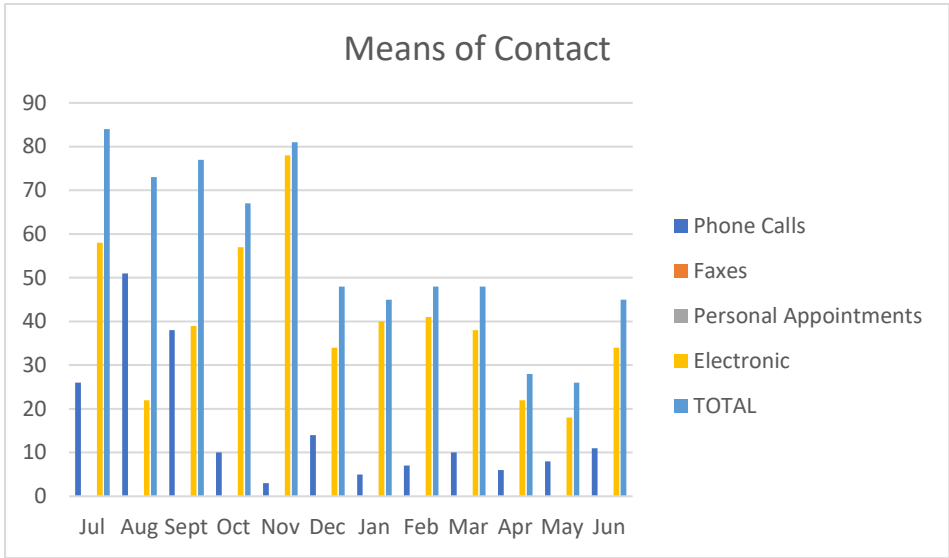
The TCO has moved to a quarterly reporting regime. To address the stakeholder feedback that trend analysis would be useful, this report provides data on the last nine months (building on data already presented) being report 4. After report 4, the TCO will keep presenting the prior 12 months of statistics on a rolling basis.

Additional information will also be presented as our systems developments allow.

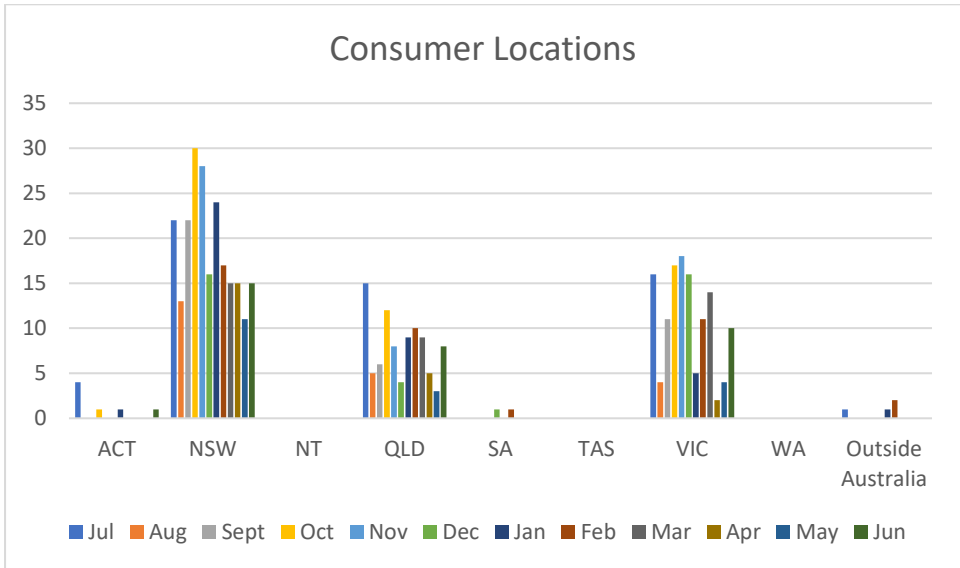
Consumer demographics: Overall, the predominant means of contacting the TCO with a complaint continues to be electronically, either through the online dispute form or via emailing the complaint form after downloading it from the TCO website: [www.tollingombudsman.com.au](http://www.tollingombudsman.com.au).

However, the TCO recognises that phone contact is very important for some consumers and understands that some consumers, when a dispute arises, would prefer and need to discuss or clarify issues over the phone with the Ombudsman. As mentioned above, as COVID-19 has added to the anxiety of consumers, it has been even more important at this time to discuss matters over the phone with consumers and be aware that they may seek more wide-ranging discussions than simply the dispute in hand. Anecdotally, calls to the 1800 number remain steady. However, the number of referrals required from the full-time office hours reception service (another response to recent constructive feedback) to the Ombudsman has generally declined as consumers are often able to receive a quick answer to their query from the service staff.

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. This is a matter that has been raised with the TCO during telephone contact. We will continue to monitor this matter going forward. These consumers tend to anecdotally be elderly who either cannot use or do not have access to technology.

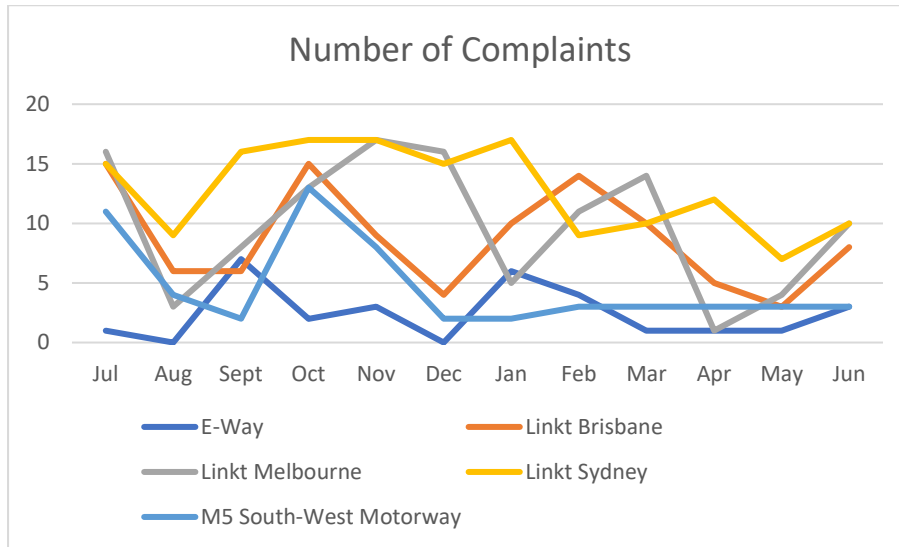


The TCO operates across three states in Australia – New South Wales, Queensland and Victoria. It is intuitive that Interlink Roads, which operates the E-way system and the M5 South-West Motorway in New South Wales, would have predominantly New South Wales based consumers, however, the geographic location of Transurban consumers who bring complaints to the TCO is more diverse.



Over the past 12 months (ie covered by this report), 464 complaints were received. New South Wales consumers continue to represent approximately half of the TCO workload, with Victoria approximately 30% and Queensland consumers just over 20%.

## Complaint information



The time period for the purposes of this report is limited to the last 12 months and so ordinarily some long-term projections could be drawn just from this information. However, we would caution against this in the present circumstances where for significant parts of the period the impact of COVID-19 will necessarily affect the numbers. This will improve over time and be easier to assess after the COVID-19 impact, albeit that the next report, report 5, it would seem should be significantly affected by COVID-19.

However, in this short period of time, after a spike for the majority of providers in October 2019, the numbers for all toll road operators have started to decrease, with Linkt Brisbane and M5 South-West Motorway making the most rapid decline in numbers. It is not entirely clear on the data why in particular there was a spike in October 2019.

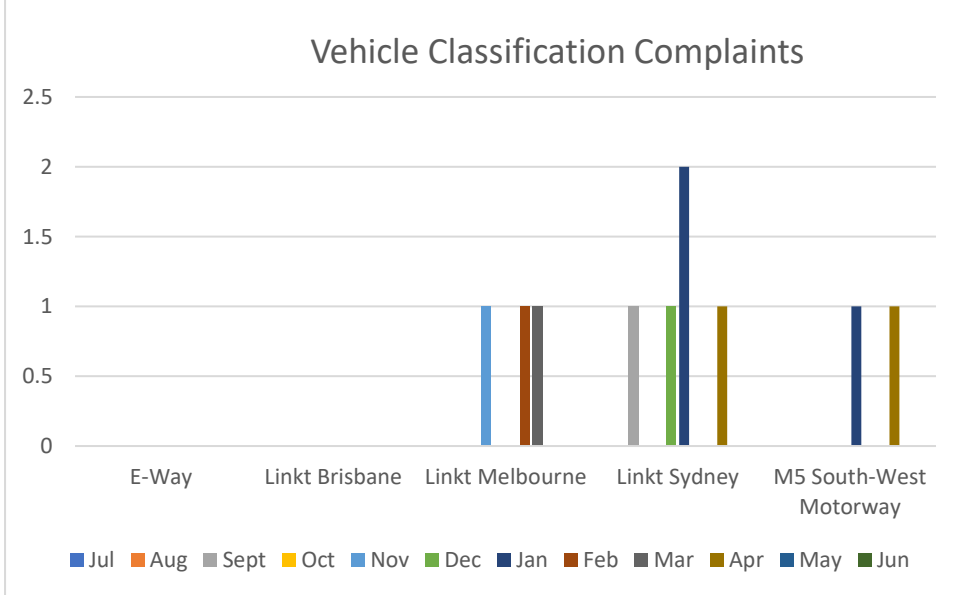
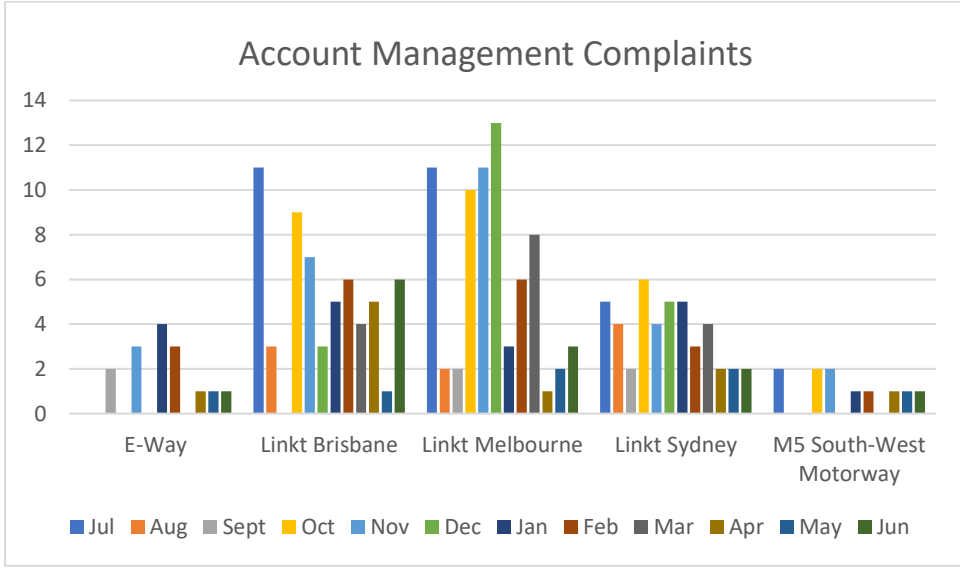
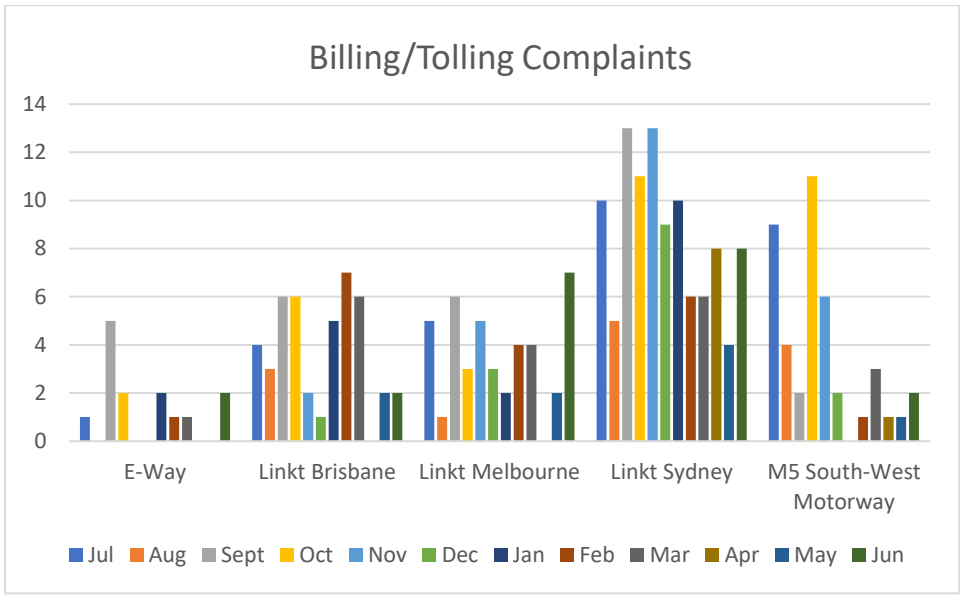
The total of complaints (74) made in the period April-June 2020 is a further reduction in the number of complaints in a quarter, but what is not entirely clear is the impact of COVID-19 on these numbers. For example, in the period April-June 2019, there were 143 claims as opposed to 74 claims in April-June 2020. Obviously, the COVID-19 pandemic has had an impact in all jurisdictions, but has had a more significant impact in some jurisdictions. For example, the claims in Victoria in April-June 2020 were half the number of claims in Victoria during the period April-June 2019.

Given the small set of numbers for each, the graph makes things appear more volatile than they actually are. A longer-term data set is required.

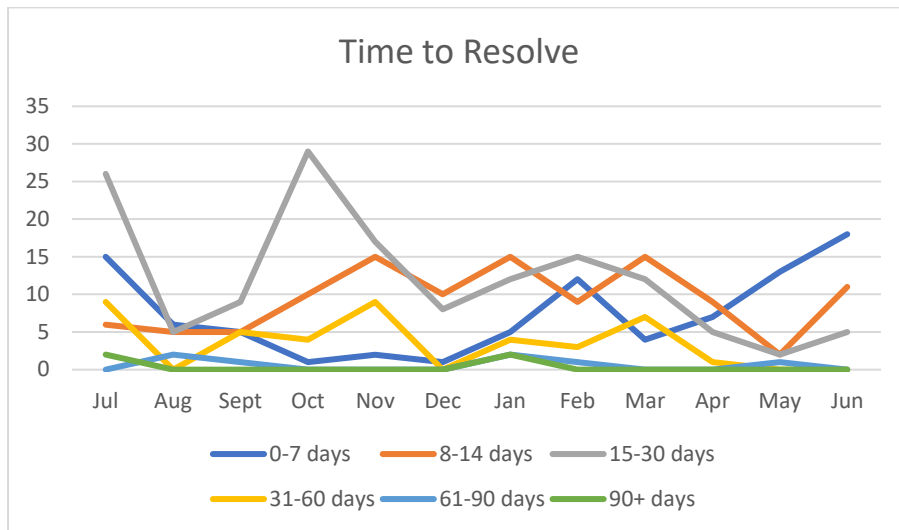
Generally and historically, the TCO normally averages 1,000 complaints per year for the toll road operators in the scheme and so would expect approximately 250 complaints per quarter. To receive 464 complaints in the last twelve-month period is a significant reduction on the number expected. However, I note again, in the last six months of this 12-month period the number of complaints has been impacted significantly by COVID-19.

Nevertheless, all toll road operators should be commended on the continual improvements being made to their internal complaint resolution services.

Irrespective of location, the nature of the complaints remains essentially the same. The main issues relate to billing/tolling. This is most often the application of administrative fees or infringement fines, and whether these have been properly incurred.



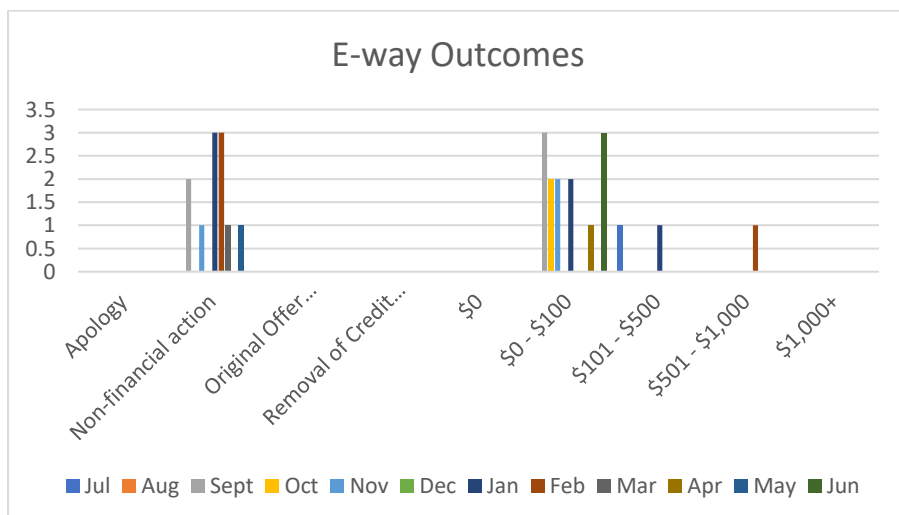
Often, once lodged, the complaints handled by the TCO are quickly resolved in discussions with the toll road operator.



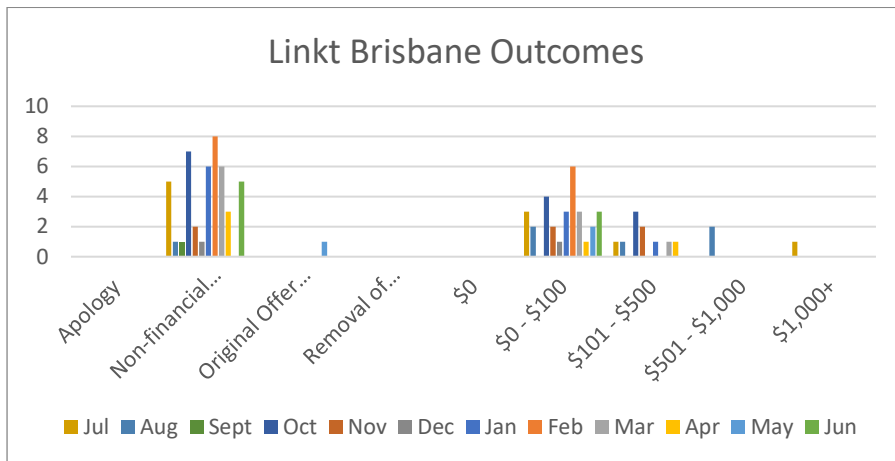
It is pleasing to note that the longer timeframes are generally coming down in comparison to September and October 2019, indicating a quicker resolution time of claims, particularly given the period includes various months where COVID-19 has had a detrimental impact on the psyche of consumers. In addition, despite the 31-60 days category still being higher than we would like, this is aligned with the industry standard for internal dispute resolution being allowed to take up to 45 days. In the last quarter of this report there were a number of disputes that, in my view, took longer than usual to settle due to the anxiety of consumers because of COVID-19 and COVID-19 related financial issues.

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.

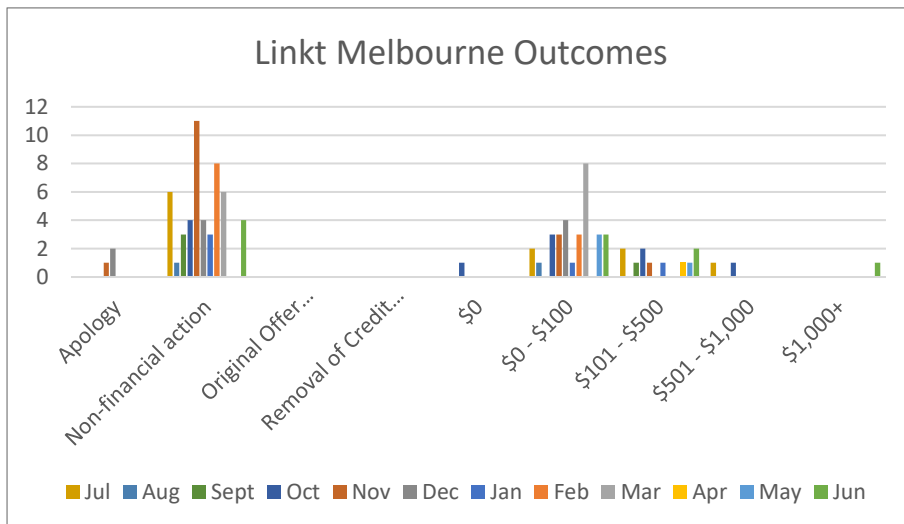
In some complaints, the financial benefit can be proportionally significant, but the instances of tens of thousands of dollars of debt are generally not able to be resolved through the TCO scheme as these levels of debt arise predominantly through the imposition of fines by State authorities, which are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



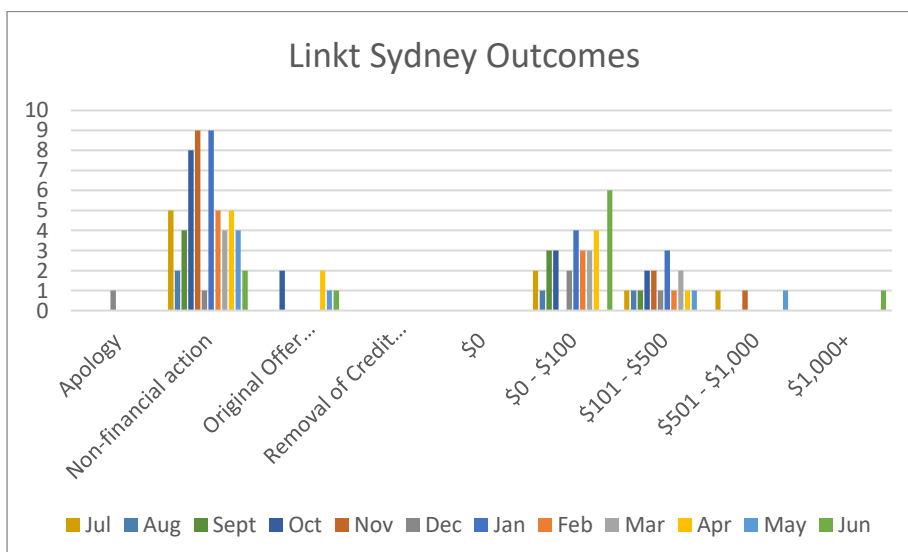
Due to the low numbers of complaints, data from E-way cannot be used to draw any conclusions at this stage.



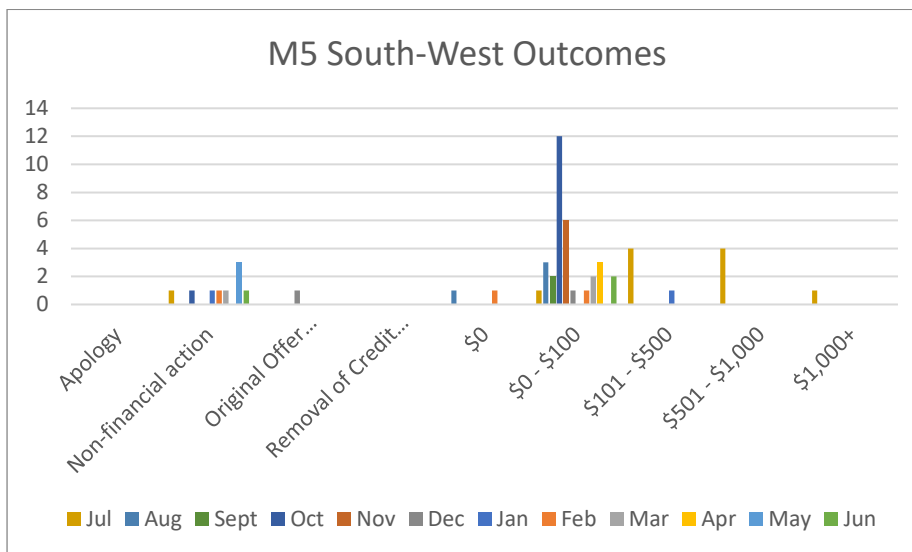
Due to the low numbers of complaints, data from Linkt Brisbane cannot be used to draw any conclusions at this stage.



Due to the low numbers of complaints, data from Linkt Melbourne cannot be used to draw any conclusions at this stage.



Due to the low numbers of complaints, data from Linkt Sydney cannot be used to draw any conclusions at this stage.



Due to the low numbers of complaints, data from M5 South-West Motorway cannot be used to draw any conclusions at this stage.

## ISSUES

Efforts 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 a significant period of time before the complaint is raised. This, obviously, is a real source of frustration for consumers and anecdotally seems to be one particular factor that derogates against consumers wanting or to be willing to settle claims or settle claims in a timely fashion.

As noted in the last report, often the consumer claims not to have received any correspondence about 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 timing for postage has increased over the period, the likelihood is that the correspondence reaches the location that it is addressed to.

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

Outdated contact information 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 road operators have not been able to for long periods of time, is something that toll road operators may wish to investigate. This can be done in liaison with State authorities who maintain the licencing information for drivers.

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



## **FUTURE REPORTING**

This interim report is the fourth version of the enhanced reporting approach and will become more sophisticated over time. Reporting will also not merely look at a particular quarter for the 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. It is important to note, however, that the next reporting period, being report 5, will be significantly impacted by COVID-19 and possibly be on a similar basis as the present reporting period from April-June 2020.

## APPENDIX 1: RAW DATA

<b>TCO Contact Types</b>	<b>Jul</b>	<b>Aug</b>	<b>Sept</b>	<b>Oct</b>	<b>Nov</b>	<b>Dec</b>	<b>Jan</b>	<b>Feb</b>	<b>Mar</b>	<b>Apr</b>	<b>May</b>	<b>Jun</b>
Phone Calls	26	51	38	10	3	14	5	7	10	6	8	11
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	58	22	39	57	78	34	40	41	38	22	18	34
<b>TOTAL</b>	<b>84</b>	<b>73</b>	<b>77</b>	<b>67</b>	<b>81</b>	<b>48</b>	<b>45</b>	<b>48</b>	<b>48</b>	<b>28</b>	<b>26</b>	<b>45</b>

<b>TCO Consumer Locations</b>	<b>Jul</b>	<b>Aug</b>	<b>Sept</b>	<b>Oct</b>	<b>Nov</b>	<b>Dec</b>	<b>Jan</b>	<b>Feb</b>	<b>Mar</b>	<b>Apr</b>	<b>May</b>	<b>Jun</b>	
ACT	4	0	0	1	0	0	1	0	0	0	0	1	7
NSW	22	13	22	30	28	16	24	17	15	15	11	15	228
NT	0	0	0	0	0	0	0	0	0	0	0	0	0
QLD	15	5	6	12	8	4	9	10	9	5	3	8	94
SA	0	0	0	0	0	1	0	1	0	0	0	0	2
TAS	0	0	0	0	0	0	0	0	0	0	0	0	0
VIC	16	4	11	17	18	16	5	11	14	2	4	10	128
WA	0	0	0	0	0	0	0	0	0	0	0	0	0
Outside Australia	1	0	0	0	0	0	1	2	0	0	0	0	4

<b>Complaint Numbers</b>	<b>Jul</b>	<b>Aug</b>	<b>Sept</b>	<b>Oct</b>	<b>Nov</b>	<b>Dec</b>	<b>Jan</b>	<b>Feb</b>	<b>Mar</b>	<b>Apr</b>	<b>May</b>	<b>Jun</b>	
E-Way	1	0	7	2	3	0	6	4	1	1	1	3	29
Linkt Brisbane	15	6	6	15	9	4	10	14	10	5	3	8	105
Linkt Melbourne	16	3	8	13	17	16	5	11	14	1	4	10	118
Linkt Sydney	15	9	16	17	17	15	17	9	10	12	7	10	154
M5 South-West Motorway	11	4	2	13	8	2	2	3	3	3	3	3	57
<b>TOTAL</b>	<b>58</b>	<b>22</b>	<b>39</b>	<b>60</b>	<b>54</b>	<b>37</b>	<b>40</b>	<b>41</b>	<b>38</b>	<b>22</b>	<b>18</b>	<b>34</b>	<b>463</b>

<b>Time Taken to Resolve</b>	<b>Jul</b>	<b>Aug</b>	<b>Sept</b>	<b>Oct</b>	<b>Nov</b>	<b>Dec</b>	<b>Jan</b>	<b>Feb</b>	<b>Mar</b>	<b>Apr</b>	<b>May</b>	<b>Jun</b>
0-7 days	15	6	5	1	2	1	5	12	4	7	13	18
8-14 days	6	5	5	10	15	10	15	9	15	9	2	11
15-30 days	26	5	9	29	17	8	12	15	12	5	2	5
31-60 days	9	0	5	4	9	0	4	3	7	1	0	0
61-90 days	0	2	1	0	0	0	2	1	0	0	1	0
90+ days	2	0	0	0	0	0	2	0	0	0	0	0
<b>TOTAL</b>	<b>58</b>	<b>18</b>	<b>25</b>	<b>44</b>	<b>43</b>	<b>19</b>	<b>40</b>	<b>40</b>	<b>38</b>	<b>22</b>	<b>18</b>	<b>34</b>

<b>E-way Outcomes</b>	<b>Jul</b>	<b>Aug</b>	<b>Sept</b>	<b>Oct</b>	<b>Nov</b>	<b>Dec</b>	<b>Jan</b>	<b>Feb</b>	<b>Mar</b>	<b>Apr</b>	<b>May</b>	<b>Jun</b>
Apology	0	0	0	0	0	0	0	0	0	0	0	0
Non-financial action	0	0	2	0	1	0	3	3	1	0	1	0
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	0	0	3	2	2	0	2	0	0	1	0	3
\$101 - \$500	1	0	0	0	0	0	1	0	0	0	0	0
\$501 - \$1,000	0	0	0	0	0	0	0	1	0	0	0	0
\$1,000+	0	0	0	0	0	0	0	0	0	0	0	0
<b>TOTAL</b>	<b>1</b>	<b>0</b>	<b>5</b>	<b>2</b>	<b>3</b>	<b>0</b>	<b>6</b>	<b>4</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>3</b>

<b>Linkt Brisbane Outcomes</b>	<b>Jul</b>	<b>Aug</b>	<b>Sept</b>	<b>Oct</b>	<b>Nov</b>	<b>Dec</b>	<b>Jan</b>	<b>Feb</b>	<b>Mar</b>	<b>Apr</b>	<b>May</b>	<b>Jun</b>
Apology	0	0	0	0	0	0	0	0	0	0	0	0
Non-financial action	5	1	1	7	2	1	6	8	6	3	0	5
Original Offer Confirmed	0	0	0	0	0	0	0	0	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	3	2	0	4	2	1	3	6	3	1	2	3
\$101 - \$500	1	1	0	3	2	0	1	0	1	1	0	0
\$501 - \$1,000	0	2	0	0	0	0	0	0	0	0	0	0
\$1,000+	1	0	0	0	0	0	0	0	0	0	0	0
<b>TOTAL</b>	<b>10</b>	<b>6</b>	<b>1</b>	<b>14</b>	<b>6</b>	<b>2</b>	<b>10</b>	<b>14</b>	<b>10</b>	<b>5</b>	<b>0</b>	<b>8</b>

<b>Linkt Melbourne Outcomes</b>	<b>Jul</b>	<b>Aug</b>	<b>Sept</b>	<b>Oct</b>	<b>Nov</b>	<b>Dec</b>	<b>Jan</b>	<b>Feb</b>	<b>Mar</b>	<b>Apr</b>	<b>May</b>	<b>Jun</b>
Apology	0	0	0	0	1	2	0	0	0	0	0	0
Non-financial action	6	1	3	4	11	4	3	8	6	0	0	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	1	0	0	0	0	0	0	0	0
\$0 - \$100	2	1	0	3	3	4	1	3	8	0	3	3
\$101 - \$500	2	0	1	2	1	0	1	0	0	1	1	2
\$501 - \$1,000	1	0	0	1	0	0	0	0	0	0	0	0
\$1,000+	0	0	0	0	0	0	0	0	0	0	0	1
<b>TOTAL</b>	<b>11</b>	<b>2</b>	<b>4</b>	<b>11</b>	<b>16</b>	<b>10</b>	<b>5</b>	<b>11</b>	<b>14</b>	<b>1</b>	<b>4</b>	<b>10</b>

<b>Linkt Sydney Outcomes</b>	<b>Jul</b>	<b>Aug</b>	<b>Sept</b>	<b>Oct</b>	<b>Nov</b>	<b>Dec</b>	<b>Jan</b>	<b>Feb</b>	<b>Mar</b>	<b>Apr</b>	<b>May</b>	<b>Jun</b>
Apology	0	0	0	0	0	1	0	0	0	0	0	0
Non-financial action	5	2	4	8	9	1	9	5	4	5	4	2
Original Offer Confirmed	0	0	0	2	0	0	0	0	0	2	1	1
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	2	1	3	3	0	2	4	3	3	4	0	6
\$101 - \$500	1	1	1	2	2	1	3	1	2	1	1	0
\$501 - \$1,000	1	0	0	0	1	0	0	0	0	0	1	0

\$1,000+	0	0	0	0	0	0	0	0	0	0	0	1
<b>TOTAL</b>	<b>9</b>	<b>4</b>	<b>8</b>	<b>15</b>	<b>12</b>	<b>5</b>	<b>16</b>	<b>9</b>	<b>9</b>	<b>12</b>	<b>7</b>	<b>10</b>

<b>M5 Outcomes</b>	<b>Jul</b>	<b>Aug</b>	<b>Sept</b>	<b>Oct</b>	<b>Nov</b>	<b>Dec</b>	<b>Jan</b>	<b>Feb</b>	<b>Mar</b>	<b>Apr</b>	<b>May</b>	<b>Jun</b>
Apology	0	0	0	0	0	0	0	0	0	0	0	0
Non-financial action	1	0	0	1	0	0	1	1	1	0	3	1
Original Offer Confirmed	0	0	0	0	0	1	0	0	0	0	0	0
Removal of Credit Listing	0	0	0	0	0	0	0	0	0	0	0	0
\$0	0	1	0	0	0	0	0	1	0	0	0	0
\$0 - \$100	1	3	2	12	6	1	0	1	2	3	0	2
\$101 - \$500	4	0	0	0	0	0	1	0	0	0	0	0
\$501 - \$1,000	4	0	0	0	0	0	0	0	0	0	0	0
\$1,000+	1	0	0	0	0	0	0	0	0	0	0	0
<b>TOTAL</b>	<b>11</b>	<b>4</b>	<b>2</b>	<b>13</b>	<b>6</b>	<b>2</b>	<b>2</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>3</b>

<b>Account Management Complaints</b>	<b>Jul</b>	<b>Aug</b>	<b>Sept</b>	<b>Oct</b>	<b>Nov</b>	<b>Dec</b>	<b>Jan</b>	<b>Feb</b>	<b>Mar</b>	<b>Apr</b>	<b>May</b>	<b>Jun</b>
E-Way	0	0	2	0	3	0	4	3	0	1	1	1
Linkt Brisbane	11	3	0	9	7	3	5	6	4	5	1	6
Linkt Melbourne	11	2	2	10	11	13	3	6	8	1	2	3
Linkt Sydney	5	4	2	6	4	5	5	3	4	2	2	2
M5 South-West Motorway	2	0	0	2	2	0	1	1	0	1	1	1
<b>TOTAL</b>	<b>29</b>	<b>9</b>	<b>6</b>	<b>27</b>	<b>27</b>	<b>21</b>	<b>18</b>	<b>19</b>	<b>16</b>	<b>10</b>	<b>7</b>	<b>13</b>

<b>Billing / Tolling Complaints</b>	<b>Jul</b>	<b>Aug</b>	<b>Sept</b>	<b>Oct</b>	<b>Nov</b>	<b>Dec</b>	<b>Jan</b>	<b>Feb</b>	<b>Mar</b>	<b>Apr</b>	<b>May</b>	<b>Jun</b>
E-Way	1	0	5	2	0	0	2	1	1	0	0	2
Linkt Brisbane	4	3	6	6	2	1	5	7	6	0	2	2
Linkt Melbourne	5	1	6	3	5	3	2	4	4	0	2	7
Linkt Sydney	10	5	13	11	13	9	10	6	6	8	4	8
M5 South-West Motorway	9	4	2	11	6	2	0	1	3	1	1	2
<b>TOTAL</b>	<b>29</b>	<b>13</b>	<b>32</b>	<b>33</b>	<b>26</b>	<b>15</b>	<b>19</b>	<b>19</b>	<b>20</b>	<b>9</b>	<b>9</b>	<b>21</b>

<b>Vehicle Classification Complaints</b>	<b>Jul</b>	<b>Aug</b>	<b>Sept</b>	<b>Oct</b>	<b>Nov</b>	<b>Dec</b>	<b>Jan</b>	<b>Feb</b>	<b>Mar</b>	<b>Apr</b>	<b>May</b>	<b>Jun</b>
E-Way	0	0	0	0	0	0	0	0	0	0	0	0
Linkt Brisbane	0	0	0	0	0	0	0	0	0	0	0	0
Linkt Melbourne	0	0	0	0	1	0	0	1	1	0	0	0
Linkt Sydney	0	0	1	0	0	1	2	0	0	1	0	0
M5 South-West Motorway	0	0	0	0	0	0	1	0	0	1	0	0
<b>TOTAL</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>3</b>	<b>1</b>	<b>1</b>	<b>2</b>	<b>0</b>	<b>0</b>