

ANNUAL REPORT



PUBLIC
TRANSPORT
OMBUDSMAN

LISTEN · ACT · RESOLVE · IMPROVE

2024



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OUR VALUE PROPOSITION

The Public Transport Ombudsman (PTO) is a fair, free and fast service to sort out public transport complaints and help make the system better for everyone.

We're here to listen

We have the power to act, influence and drive change

We are highly skilled

We help people reach agreements

We're impartial and achieve fair resolutions

We act on opportunities to improve the system

We're here for the whole community.

ACKNOWLEDGEMENT OF COUNTRY

The Public Transport Ombudsman respectfully acknowledges the Traditional Custodians of the lands on which we operate our services. We pay our respects to the ongoing living cultures of Aboriginal and Torres Strait Islander peoples, and to Elders past and present.

** A note about case studies: all names and any identifying details have been changed to protect complainants' privacy.*

YEAR AT A GLANCE

TOP 10 ISSUES

3,093 APPROACHES
TO THE PTO

302 APPROACHES
ABOUT NON-MEMBERS

1,126 STAFF

1,696 COMPLAINTS
REFERRED TO MEMBERS

435 CONCILIATIONS
OPENED

799 SERVICE DELIVERY

534 MYKI

459 ENQUIRIES
ABOUT MEMBERS

15 INVESTIGATIONS
OPENED

499 LAND AND INFRASTRUCTURE

337 TRAMS, TRAINS AND BUSES

194 INFRINGEMENT NOTICE

138 ACCESSIBILITY

122 AUTHORISED OFFICERS

122 NON-MYKI TICKETING

9 PRIVACY

186 APPROACHES
ABOUT FINES

* A note about reported issues: The PTO uses issue categories and sub-categories to track the themes that people are complaining about. A case to the PTO can contain a single issue or multiple issues. For example, an individual complaint may contain both a complaint about a ticketing issue and a complaint about how a staff member dealt with that ticketing issue when the consumer raised it. Both 'ticketing' and 'staff' would be logged as issue types within this complaint.

CHAIR'S REPORT



It has been a milestone year for the PTO as we marked 20 years of independent dispute resolution for Victorians with public transport complaints. This occasion has provided an opportunity to reflect on how the public transport landscape has changed and how the PTO has developed in response to that.

The opportunity for reflection is particularly pertinent for me as I complete my term as Chair after nine years. There has been a great deal of change during my term, but one thing has remained constant – the commitment of the government, PTO members, the staff and the Board to preserving the independence of the PTO and ensuring it can operate effectively.

I would like to acknowledge those who have supported the work of the PTO over the past nine years. There have been four Ministers for Public Transport during my term, Premier Jacinta Allan MP, Melissa Horne MP, Ben Carroll MP and currently, Gabrielle Williams MP (Minister for Public and Active Transport). All have shown strong support for the PTO and recognised the value of an independent ombudsman scheme.

When I commenced as Chair there were nine members of the PTO scheme. There are now 17 and I have enjoyed sharing the work of the PTO with our member CEOs and understanding the industry from their perspective. Our members take their obligations to the PTO seriously and are vital to the ongoing success of the scheme.

Over the same period more than 30,000 consumers have brought their public transport issues to the PTO. There have been years where demand for the PTO services was very high (in the early days of the myki ticketing system) and years where it was much lower (when COVID had a drastic impact on passenger numbers and complaints). Throughout, the PTO has worked with our members to provide a fair and responsive service.

The PTO Board has been a pleasure to chair. The Consumer and Industry Directors bring broad experience and skills to the Board and serve with care and enthusiasm. I would particularly like to recognise our Company Secretary, Bernard Stute, who has been with the organisation since it first began in 2004. Bernard's knowledge, judgement and attention to detail have been highly valued by successive chairs and ombudsmen.

During this current financial year, Industry Director Adele McCarthy's (Yarra Trams) term on the Board came to an end. Adele's strategic insights, industry knowledge and practical approach were an enormous asset to the Board's deliberations.

I acknowledge the hard work of the PTO staff. The agile and professional team at the PTO deliver a quality dispute resolution service, support the Board effectively and ensure that the PTO operates with high levels of accountability and efficiency.

With the departure of Simon McKenzie as Ombudsman in September 2023, the Board undertook an extensive recruitment process and appointed Ann Jorgensen as Ombudsman in December. Ann has provided excellent leadership to the PTO through a period of transition.

The Board has supported several initiatives this year to improve the PTO's processes. These have included investment in a new software system to support complaint handling, a more streamlined and user-friendly website, and changes to the structure of the PTO.

In June the Board selected cameron. ralph. khoury to undertake the five-year independent review of the PTO. The report will be finalised in the coming months and will help to guide the next stage of the PTO's development.

In the 2023-24 financial year, the PTO's financial results were within the budget set by the Board and approved by members. The PTO reported an operating deficit of \$18,960, incurred in the context of a budgeted deficit of \$135,195. The deficit budget was a result of drawing on equity to offset increases in expenses as we responded to sustained complaint numbers and more engagement with consumers and members in the post-COVID period. The deficit was lower than budgeted due to various cost savings throughout the year.

I feel pride, tinged with a little sadness, as I farewell the PTO with my term as Chair of the Board coming to an end. However, it is with great pleasure that I present the Annual Report for 2023-24.

A handwritten signature in black ink that reads "Kay Rundle".

Kay Rundle
Chair

OMBUDSMAN'S REPORT

I am delighted to pen my first report as Public Transport Ombudsman for the PTO's 20th Annual Report.

Over the past year, we have seen a stabilisation in the number of approaches to the PTO after a large increase in approaches in 2023-24. Although the number of approaches to the scheme decreased slightly this year (from 3,192 to 3,093), we resolved a higher number of conciliations and investigations in 2023-24 (478) than in the previous year (409).

In the 2022-23 Annual Report we reported on a significant increase in Authorised Officer (AO) complaints. It is pleasing that there has been a reduction in AO complaints this year (114 down from 150), although they remain higher than pre-COVID numbers.

The 2023-24 financial year was a period of change for the PTO. In September we farewelled Simon McKenzie as Ombudsman. This was a big transition for the organisation as Simon had been with the PTO for nine years, being appointed as Acting Ombudsman in July 2020 and Ombudsman in March 2021.

I was appointed as Ombudsman in December 2023. I am grateful for the support of our members, the Board and the PTO staff as I have stepped into the role. In March, Adam Boyce was appointed as Deputy Ombudsman. Adam has quickly settled into the role and has helped to drive improvements in our dispute resolution service. You can learn more about Adam on page number 18.

We implemented new strategies to enhance our services and improve our organisational performance this year, including:

STREAMLINED STRUCTURE:

We underwent a restructure to provide clearer lines of responsibility in our dispute resolution team and outsourced some aspects of our finance function.

OUTREACH AND COMMUNITY ENGAGEMENT:

We commenced a more targeted approach to community outreach. This year our focus has been on consumers with lived experience of disability, working with self-advocacy and peer support groups, and attending large scale community events to raise awareness of our role.

NEW CASE MANAGEMENT SOFTWARE:

We conducted a review process to understand our needs and identify the most appropriate software to replace our existing software. We then worked with our technology partner to configure Microsoft Dynamics in anticipation of a 1 July 2024 roll out.

WEBSITE:

We undertook work to simplify our website and make it easier for consumers to navigate, with consumer stories and other features.

TRAINING AND DEVELOPMENT:

We have prioritised training for our staff to ensure they are equipped with skills and knowledge in dispute resolution.

SCHEME REVIEW:

We prepared for our five-year independent review of the PTO, preparing terms of reference and engaging an independent reviewer, with the review itself commencing in July 2024.

I would like to express my enormous gratitude to the staff of the PTO for their commitment, resilience and good humour in a busy year. They have provided incredible support to me as I have taken on the role of Ombudsman. We have a highly skilled and dedicated team at the PTO and I am excited about working together to address the recommendations that will come out of the Scheme Review and ensure that the organisation goes from strength to strength for the next 20 years.

The PTO is lucky to be governed by a professional and collegiate Board, which has been ably led by Kay Rundle for the past nine years. As the longest serving Chair of the PTO, Kay has worked with three different ombudsmen. Kay's breadth of experience, keen intelligence and considered approach have greatly enhanced the work of the PTO as we have grown as an organisation. I thank Kay for the support that she has provided to myself and the staff of the PTO and wish her all the best.



Ann Jorgensen
Public Transport Ombudsman



OUR MEMBERS



CELEBRATING 20 YEARS OF FREE, FAIR AND INDEPENDENT DISPUTE RESOLUTION SERVICES

The PTO accepted its very first complaint from a Victorian public transport user in April 2004. The PTO Scheme’s establishment offered important benefits for the Victorian community, government and industry scheme members alike, by fostering increased transparency and greater confidence in the fairness and responsiveness of the public transport system. Then, as now, the PTO’s establishing remit was to give Victorians a free, fair and independent avenue for resolving complaints and disputes with Victorian public transport operators and agencies. It also offered scheme members a new, low-cost avenue for external dispute resolution.

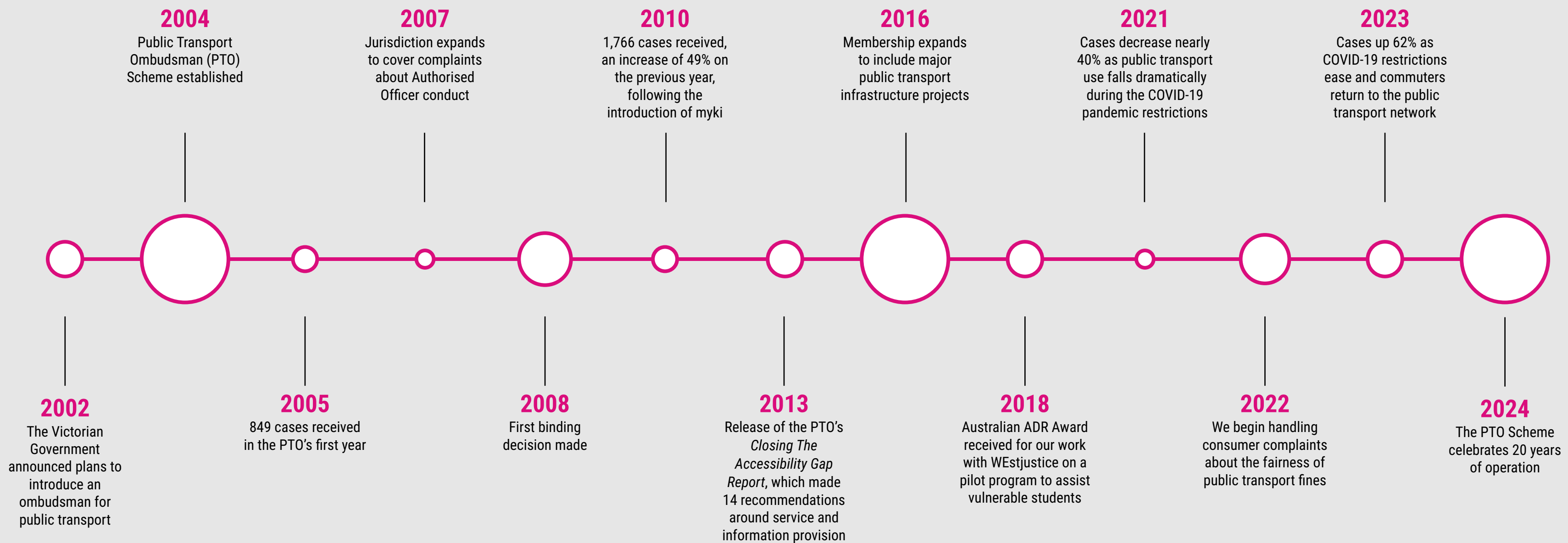
The PTO started operating in 2004 with six industry scheme members. In the intervening twenty years, membership has expanded to 17 public transport operators and agencies, including agencies responsible for major public transport infrastructure projects and multiple bus operators.

The Victorian Government’s decision to introduce an ombudsman for public transport was a response to the privatisation of public transport services in the late 1990s and served to underscore the importance of public transport as an essential service. It followed the introduction of other industry-based ombudsmen in sectors where essential public services had been privatised – such as energy, banking and telecommunications – where independent ombudsman oversight had been deemed necessary to help ensure private operators met community needs and expectations.

Since the PTO opened its doors in 2004, more than 52,000 Victorians have contacted us for assistance, and we have investigated or conciliated close to 7,000 complaints.



20 YEARS OF THE PTO: HIGHLIGHTS AND MILESTONES



SINCE APRIL 2004:

52,114
PEOPLE

HAVE CONTACTED
THE PTO FOR
ASSISTANCE

6,948
COMPLAINTS

HAVE BEEN CONCILIATED
OR INVESTIGATED
BY THE PTO

HOW WE MANAGE APPROACHES TO THE PTO

The PTO handles approaches from consumers in a fair, free and fast way. Our process is independent, informal and focused on helping the parties work towards an agreement.

We work with the parties towards a resolution of the complaint, considering the law, good industry practice, codes and standards, and the circumstances of the complaint. If a complaint doesn't resolve through agreement, we can decide what is fair and reasonable and make a binding determination if necessary.

Our process allows us to be flexible, to apply the most suitable approach based on a consumer's circumstances, and to consider any steps already taken to try to resolve the matter. We might refer a consumer to contact the member in the first instance or to a more appropriate organisation. If a complaint remains unresolved or new information comes to light, we can change our approach.

REFERRAL TO A PTO SCHEME MEMBER

The PTO can only handle complaints if the relevant PTO member has been given the opportunity to resolve the complaint directly with the consumer first.

If a consumer contacts us before they have contacted the member, we take their details, issue a reference number and provide the consumer with a pathway back to us if the consumer remains dissatisfied after contacting the member. We categorise these approaches as **Member Complaints**.

Sometimes a consumer will come to us with a request for information about a member or their services. We refer these approaches to the relevant member and categorise these approaches as **Member Enquiries**.

REFERRAL TO OTHER AGENCIES

When a complaint is about something the PTO Scheme does not handle, or about an agency that isn't a member, we try our best to help by putting the consumer in touch with another agency that can assist with their complaint. We categorise these cases as **Non-member Cases**.

CONCILIATION

In most cases the PTO handles complaints using conciliation. This is an informal process where we independently work with each of the parties to discuss options and seek to broker an agreement about how the complaint should be resolved.

INVESTIGATION

If a complaint is complex or can't be resolved through conciliation, we may decide to investigate.

Investigation is a more formal process than conciliation. We investigate because we may need to make recommendations or a binding decision to finalise a dispute. We ask the parties questions and gather information and evidence about what happened and how the complaint was handled. We discuss options for resolving the complaint and make assessments of the merits of the complaint to inform our decision-making.

If the parties don't agree on an outcome after an investigation, the Ombudsman can make a binding decision to resolve the complaint. The Ombudsman can also decide to finalise a complaint, for example by deciding that further investigation is not warranted after review.

FINES

Since 2022, the PTO has been able to consider some fines matters where a consumer's application to the Department of Transport and Planning (DTP) for internal review has not been successful.

When someone comes to us with a complaint about fines we will refer them to the DTP if they have not already sought an internal review. We may also refer them to Fines Victoria or legal services.

If a person has already requested an internal review, we will consider whether the fine meets our criteria for further consideration. If it does, we might provide additional information to DTP or discuss the fine with DTP. We can also make formal submissions to DTP about individual fines.

REFERRALS TO PTO SCHEME MEMBERS AND OTHER AGENCIES

REFERRALS TO SCHEME MEMBERS

We referred 2,155 cases to members in 2023-24, down from 2,241 in 2022-23. Of the cases referred to members, 1,696 were Member Complaints and 459 were Member Enquiries.

The largest category of complaints referred to members were those containing a staff issue (652). The largest share of these were about drivers (45%) followed by customer relations staff (30%) and the contact centre (15%).

Complaints referred to members containing issues about service delivery were the next largest category (540). The main areas of complaint relating to service delivery were about the punctuality (38%) and reliability (36%) of services, disruptions (22%) and information about services (21%).

We referred 348 complaints containing myki issues. The main types of myki complaints referred were about refunds and reimbursement (39%) and topping up (39%).

There were 312 land and infrastructure related complaints referred to members. These issues incorporate complaints about stations and stops (54%), depots and tracks (23%), and major construction projects (17%).

Complaints with issues about trams, trains and buses totalled 249 cases. These included complaints relating to injury/loss (31%), passenger comfort (30%), accidents or emergencies (23%) and malfunctions or operational issues with doors (20%).

Other categories of complaints that were referred to members were Authorised Officers (102), accessibility (101) and non-myki ticketing (50).

REFERRALS TO OTHER AGENCIES

We referred 302 cases to non-member agencies including matters referred to the Department of Transport and Planning that were outside of the PTO's jurisdiction. We categorise these cases as Non-member Cases.

The largest category of cases referred to other agencies were complaints about taxis and ride share services. The number of these cases more than doubled between 2022-23 and 2023-24 (from 41 to 90) suggesting that there may be a lack of clarity about complaint avenues for these types of complaints.



CONCILIATIONS

The PTO has a team of skilled conciliators who help consumers and members reach agreement and resolve disputes. When a consumer comes to the PTO after trying to resolve their issue with one of our members, we decide how we will handle the matter. The PTO primarily uses conciliation to resolve these disputes but may conduct an investigation in more complex cases, or when conciliation is not appropriate or has been unsuccessful.

The PTO’s conciliation process involves conciliators applying dispute resolution techniques to guide structured communication between consumers and members, helping to clarify issues, explore solutions and promote mutually agreed outcomes.

CONCILIATIONS OPENED

In 435 cases, we used our conciliation process to try and resolve complaints (up from 412 cases in 2022-23). Top issues present in conciliations opened in 2023-24 (with examples of conciliated cases):



415

Staff

- Driver conduct
- Call centre staff
- Incorrect information given by staff



53

Trams, trains and buses

- Buses stopping for excessive periods
- Door closure incidents
- Falls and other accidents
- Noise



121

Myki

- Refunds
- Top-ups
- Default fares
- Free travel passes



24

Accessibility

- Assistance animals and guide dogs
- Boarding ramps
- Access for people using mobility aids
- Priority seating



116

Land and infrastructure

- Property damage or nuisance from infrastructure works
- Station lighting, lifts and toilets
- Passenger information displays
- Overgrown trees



10

Authorised Officers

- Conduct
- Discrimination
- Privacy concerns



108

Service Delivery

- Overcrowding
- Replacement services
- Disruptions
- Delays
- Early Bird fares

CONCILIATIONS CLOSED

The PTO finalised 444 conciliations during the year (up from 387 in 2022-23). The average resolution time for conciliated cases was 46 days, an increase from an average of 39 days in 2022-23.

Conciliations can be successfully resolved through a variety of agreed outcomes. In 2023-24, 146 conciliations were resolved through financial redress totalling \$38,719 (refunds and reimbursements, compensation and goodwill gestures).

INVESTIGATIONS

When the PTO investigates a matter, we gather information to enable us to decide what a fair and reasonable outcome is in the circumstances. During an investigation, we will ask the consumer and the member questions. We may also request information or evidence like CCTV footage, myki records, medical certificates, receipts or quotes.

We will discuss options for resolving the complaint with both parties and encourage agreement between the parties. If an agreement cannot be reached, we can assess the case and form a view about how the case should resolve. When deciding what is fair and reasonable, we consider the information made available to us, relevant laws and codes, and good industry practice.

INVESTIGATIONS OPENED

In 15 matters we proceeded to an investigation (down from 33 in 2022-23). Some of the reasons we commenced investigations included:

- Inability to reach agreement during a conciliation
- Detailed responses already provided to the consumer by the member
- Complex issues and behaviours

The subject matter for investigations included:

- Authorised Officers
- Noise at a tram depot
- Property damage claims
- Change to property access after infrastructure works
- Delayed response to personal injury claims
- Ongoing issues with boarding buses by people with hidden disabilities

TOP ISSUES WITHIN INVESTIGATIONS



INVESTIGATIONS CLOSED

We finalised 34 investigations during the year (up from 22 in 2023-24). Investigations were closed in an average of 205 days.

Fourteen investigations resolved through financial redress (refunds and reimbursements, compensation and goodwill gestures) totalling \$35,531. As for conciliations, investigation outcomes also included detailed explanations, apologies, training and counselling of staff, and changes in member policies and processes.

A CONCILIATION CASE STUDY: MIRKA'S COMPLAINT

Mirka lives alone, has a limited income, and doesn't drive. Chronic health conditions affect her mobility, and she can only walk short distances. Since late 2023, she has been receiving fortnightly treatment for a life-threatening illness at a hospital outpatient clinic.

Mirka can independently access medical treatment, and other essential services, because she lives a manageable five-minute walk from her local Main Street shopping precinct and a three-minute walk from the Main Street bus stop. The Main Street stop services three local bus routes that Mirka uses regularly, including the bus she takes to the hospital for treatment.

In 2023, station re-development works commenced in Mirka's suburb as part of Victoria's Level Crossing Removal Project (LXRP). In early 2024, Mirka received notification from LXRP that Main Street would close to pedestrians from mid-February for two weeks, and that buses would be re-routed away from Main Street for an unspecified period.

News of these disruptions left Mirka feeling concerned and anxious about how she would access her GP, pharmacist and other essential services during this period. She was especially concerned about how to get to her fortnightly hospital appointments while the hospital bus was re-routed. The next closest stop connecting Mirka to the hospital was 3km away, a distance she couldn't possibly cover on foot.

Mirka emailed LXRP's local project team and asked them for a hospital transport solution. She explained that she couldn't afford to pay for taxis, and she didn't have anyone to drive her. LXRP provided Mirka a \$50 voucher to cover taxi fares.

WHY DID MIRKA COMPLAIN TO THE PTO?

Uncertainty about how to get to her hospital appointments was causing Mirka significant anxiety and a \$50 cab voucher wasn't a viable solution. She told us that a single return trip by taxi would likely cost more than \$50, and that she needed to make the trip twice a month. She also told us that, when she tried to discuss the matter further with LXRP by phone, they had hung up on her.

HOW DID THE PTO CONCILIATE MIRKA'S COMPLAINT?

Our first step was to talk with Mirka about her circumstances and her concerns. Through these conversations, it became apparent that she was in regular contact with LXRP's local project team, and that LXRP had implemented bespoke measures to make sure that Mirka – who has limited email and internet access – received timely information about planned works, diversions and disruptions.

It was also apparent that Mirka had grown increasingly frustrated about the impact of disruptions, and had begun to view LXRP as unable or unwilling to understand how so-called 'minor' diversions may significantly affect people with physical disabilities. She pointed to two occasions where, she said, LXRP had failed to notify her about the temporary closure of a pedestrian connection to Main Street. When she complained, she said LXRP told her that the connection wasn't "closed" but had in fact been maintained via a 500-metre pedestrian detour. To Mirka, an extra 500-metre walk was a notable and significant change that had turned her previously manageable five-minute walk into a 15-minute uphill detour.

Our next step was to ask LXRP to respond to Mirka's complaint about the solution they had offered. In their response, LXRP said the \$50 cab voucher was intended as an interim solution while Mirka worked out alternative arrangements. LXRP also explained that they had called Mirka to discuss her complaint but said she had become upset and aggressive during the call. They said this had hampered their ability to help her further, and staff had been forced to end the call.

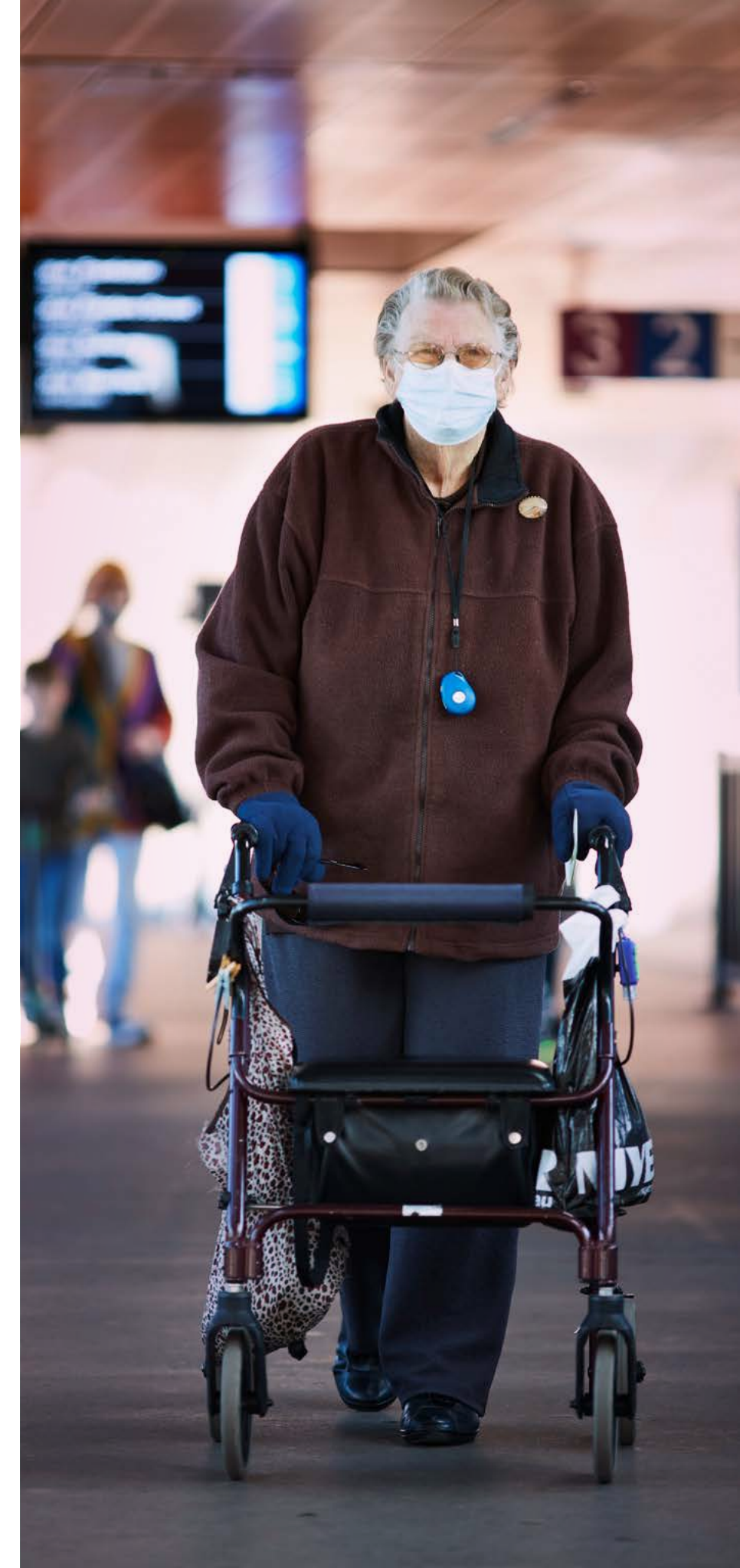
We then asked LXRP to consider an offer of additional taxi vouchers, given the extent of Mirka's medical needs and mobility problems, and in recognition of her financial situation. We also asked LXRP for detailed information about the disruptions to Mirka's three local bus routes, and the expected duration of these disruptions.

In their subsequent response, LXRP agreed to increase their offer to six cab-charge vouchers worth \$40 each, and said Mirka could get in touch directly for more vouchers if the need arose.

WHAT WAS THE OUTCOME?

Mirka accepted LXRP's offer of six \$40 cab-charge vouchers, and the option to request more as needed. Before closing Mirka's case, the PTO also:

- relayed detailed information to Mirka from LXRP about disruptions to her local bus routes, including advice that the bus she gets to the hospital was scheduled to service Main Street again from early April 2024
- advised Mirka that she was welcome to contact us for assistance again if she had any further difficulties resolving issues with LXRP directly.



AN INVESTIGATION CASE STUDY: EVAN'S COMPLAINT

Evan relies on public transport because he no longer drives. He travels on public transport with his small elderly dog in an enclosed pet carrier on wheels. Having his dog with him gives Evan a sense of familiarity in new or stressful environments, which helps him manage the symptoms of his mental illness.

Evan's complaint related to his experience travelling by train from Werribee to Castlemaine. Due to track works, passengers were diverted to rail replacement buses part way through Evan's trip on the Werribee line. Evan said none of the staff involved in coordinating the replacement services would permit him to board a bus with his pet carrier, even after he showed them information on the PTV website about transporting pets in contained carriers. He said one staff member told him, "you can't take a dog in a baby's pram" and laughed at him, and others were dismissive and rude.

When it became clear to Evan that he was stranded without any way to continue his journey, he became highly and visibly distressed. Replacement bus staff told Evan to go inside the station and talk to Metro station staff.

Once inside the station, Evan said one station staff member said his pet carrier was acceptable, but another disagreed and overruled them. He said he spent more than an hour inside the station, in a highly distressed state, and periodically asking to be allowed to continue his journey.

Eventually, a station staff member told Evan that he could board a bus if he could find a driver willing to accept his pet carrier. Evan said three different drivers initially agreed to take him, but declined after the station staff member told them to be aware that there was a risk of repercussion for non-compliance with rules. A fourth driver did agree to let Evan board, and he was able to continue his journey.

Evan complained to Metro about this experience. In their response, Metro:

- acknowledged that Evan had been denied access to services because of his pet container, which Metro said had occurred due to confusion about what constitutes a "suitable container" and concerns that his carrier may obstruct aisles or doors
- stated that Victorian Fares and Ticketing Conditions do not specify what containers are suitable for transporting small pets and directed Evan to the Department of Transport and Planning for clarity
- said they had conducted a review of station staff conduct, and had addressed any issues that arose from that conduct
- said they couldn't investigate the specifics of his complaint about the conduct of bus replacement staff because they were third party contractors.

WHY DID EVAN COMPLAIN TO THE PTO?

Evan believed Metro hadn't appropriately responded to his complaint about being belittled and dismissed by staff. He also wanted to ensure that staff knew the rules, so that other passengers wouldn't be refused service when travelling with pets.

WHY, AND HOW, DID THE PTO INVESTIGATE EVAN'S COMPLAINT?

We chose to investigate Evan's complaint due to the complexity of the issues it contained, and to establish the facts so that a fair and reasonable outcome could be reached.

We asked Metro why Evan was not allowed to access their replacement buses, noting our understanding that his pet carrier was a suitable one for travel.

We also asked about the procedures Metro employs to ensure that frontline staff – including staff engaged by third party contractors – are made aware that passengers can travel with animals, and the conditions that apply to passengers who do so.

To support their response, we asked Metro to provide documentary evidence including CCTV footage of the incident, statements from all staff who interacted with Evan, and copies of relevant policies, internal procedures and training materials.

WHAT WAS THE OUTCOME OF THE INVESTIGATION?

Our investigation substantiated Evan's complaint.

Metro acknowledged that information in the Victorian Fares and Ticketing Conditions ("*the Conditions*") and the Victorian Public Transport Ticketing Customer Guide ("*the Guide*") indicated that Evan had been travelling with an acceptable pet container.

Statements obtained by Metro from its contractor's staff supported Evan's account of being denied service because of his pet carrier. Metro acknowledged that these accounts also indicated that both Metro and contractor staff had been dismissive towards Evan's situation and distress.

Metro agreed to re-train station staff involved in the incident, and to continue to monitor their performance. They said they were no longer using the third-party contractor involved in Evan's complaint.

Metro advised that they had circulated a communication to all relevant internal and external stakeholders, to ensure frontline staff were aware of their obligations to allow passengers with suitable pet carriers onto rail replacement buses.

Metro provided the PTO with a copy of this communication, which reflected information contained in the Conditions and the Guide about passengers travelling with pets and assistance animals.

Metro offered Evan a monetary payment in recognition of his poor experience, and an apology. Evan accepted Metro's apology and offer, which resolved his complaint.

FINES COMPLAINTS

The PTO continues to handle fine matters under the Memorandum of Understanding (MOU) with the Department of Transport and Planning (DTP). There were 186 approaches to the PTO about public transport fines in 2023-24.

FINE REFERRALS

Under our agreement with DTP, the PTO can only handle a complaint about a fine when a consumer has already sought an internal review through DTP. When consumers approach the PTO prior to seeking an internal review, we provide information about how to make an internal review application. The PTO referred 135 consumers to DTP to request an internal review and made nine additional referrals to DTP for other issues such as queries about fines histories.

Where a consumer's fine has progressed beyond internal review stage or has other complexities, the PTO refers them to Fines Victoria, legal services or the Victorian Ombudsman as appropriate. This happened in 19 matters.

FINES CASES HANDLED BY THE PTO

The PTO can handle fines cases if a consumer approaches us after their internal review has been unsuccessful and before their fine has progressed to Fines Victoria for enforcement.

The criteria for us to get involved is whether there are special or exceptional circumstances. We also consider the principles of fair and reasonable decision-making, in line with our overarching approach to dispute resolution.

In these cases, we talk to consumers to understand the circumstances that led to them getting fined. We may work with the consumer to get additional information. This might include travel history information, banking information (to show that a myki has been topped up) or medical information.

We also ask DTP to provide us with the information it has about a consumer's fine, including whether the consumer has previously received a fine or a warning and the reasons why their internal review was unsuccessful.

The MOU allows for the PTO to share information with DTP or to make a formal submission to DTP with a recommendation that a fine be withdrawn or replaced with a warning. For the fines matters received in 2023-24, DTP withdrew 19 fines after informal information sharing and input from the PTO.

The PTO can make a formal submission to DTP with a recommendation that a fine be withdrawn. This submission is not binding on DTP. The PTO made two submissions relating to fines matters received in 2023-24. These both related to feet on seats cases and were subsequently withdrawn by DTP and replaced by a warning (both matters were resolved after the end of the financial year).

The PTO takes an educative role when speaking to consumers who have received fines for travelling without a valid ticket. We aim to support consumers to change their behaviours to avoid being fined again in the future. This can include information about:

- myki top up options and timeframes
- non-myki V/Line ticketing options
- concession entitlements and requirements
- child myki eligibility
- mobile myki limitations
- role and responsibilities of Public Transport Staff including the role and powers of Authorised Officers.

SNAPSHOT OF FINES COMPLAINTS HANDLED BY THE PTO IN 2023-24

These snapshot stories are indicative of types of fines complaints we have handled, and the kind of assistance we've been able to provide.



DINESH

Dinesh tried to touch-on using several myki readers, but none of the readers registered. He'd used his myki the day before, and had auto top-up, so he thought the readers were the problem.

After he got reported, he stopped at Flinders Street Station where staff checked his myki, said it was "dead", and gave him a replacement. After discussions with the PTO, DTP withdrew Dinesh's fine and replaced it with a warning, based on his young age and lack of prior fines or warnings.



HANNAH

Hannah is a 17-year-old student who was fined for travelling without a valid ticket. She was running late for a school excursion and didn't realise her myki had a negative balance. After discussions with the PTO, DTP withdrew her fine based on Hannah's age and lack of prior fines or warnings. She was issued with a warning instead.



RACHAEL

Rachael uses mobile myki with auto top-up. When she tried to touch-on a Google Wallet message told her to top-up. When she tried to top-up an error message said "try again later". Worried about being late for work, Rachael boarded the train and kept trying to top-up. She wasn't successful and was reported at her destination.

Rachael subsequently contacted Google, who fixed the issue and confirmed that it wasn't related to the availability of funds in her account. After discussions with the PTO, DTP withdrew Rachel's fine citing the technical issue and her lack of prior fines or warnings. Her fine was replaced with a warning.



ARLO

Arlo was travelling home to Melbourne from Bendigo when he was reported for not having a valid ticket. He told us that he was in a dissociative state when he arrived at the station and had not touched on because there were no myki barrier gates to prompt him. We helped Arlo provide updated medical information about his condition to DTP. DTP considered Arlo's personal circumstances, and the fact he had not been fined previously, and replaced Arlo's fine with a warning.

STAFF PROFILE

ADAM BOYCE

Adam Boyce joined the PTO as Deputy Ombudsman in March 2024.

We asked Adam about his path to the PTO, what inspires him most about working in dispute resolution, and what he likes to do when he’s “off the clock”.



TELL US A BIT ABOUT YOUR CAREER TO DATE. WHAT “PATH” LED YOU TO THE PTO?

I have degrees in Law and Business and hold qualifications in mediation and arbitration. I’ve worked in multiple legal, dispute resolution and senior executive roles, mainly in the government and higher education sectors. The focus of all those roles has been leading procedurally fair administrative and dispute resolution processes, and complex investigations and decision-making.

Before I joined the PTO, I was La Trobe University’s Director of Student Life. That meant overseeing the delivery of a lot of different student services including complaints, appeals, and complex investigations, including sexual harm and child safety investigations.

Before working at La Trobe, I was at the Victorian Equal Opportunity and Human Rights Commission for three years, in senior advisor and conciliator roles. And prior to that, I was living in Queensland, where I worked for different government departments including the Office of the Information Commission, the Department of Communities, and the Commission for Children, Young People and Child Guardian.

Over time, as I’ve ended up in more senior roles, my career has become more focused on leading and developing dispute resolution teams, policies, and practices, and on driving systemic change. I see my role as Deputy Ombudsman as an opportunity to continue doing that type of work for public transport in Victoria.

WHAT INSPIRED YOU TO APPLY FOR THE DEPUTY OMBUDSMAN ROLE, AND WHAT DO YOU ENJOY ABOUT MOST ABOUT YOUR WORK?

I think what drew me to the role was its scope for impact, particularly for vulnerable or disadvantaged consumers. I think of public transport as an essential service that delivers greater opportunities for everyone, but especially for people who rely most on public transport in their daily lives.

What I like most about working in dispute resolution is helping people and organisations navigate complex issues, and resolve complaints, in collaborative ways that help deliver broader outcomes. That’s what motivates me about the work I do, and it’s good to be in a position where I can do that for public transport. I think public transport is an area where effective dispute resolution can really make a difference, for a lot of different reasons.

Because an ombudsman is impartial and independent, we’ve got no “skin in the game” so to speak. That means we can look at issues without any organisational or individual self-interest, we can help the parties to a complaint get their views across, and we can make decisions that consider multiple perspectives on how the system operates and might be improved.

WHAT DO YOU DO IN YOUR SPARE TIME? ANY HOBBIES OR INTERESTS YOU’D LIKE TO SHARE?

Recently, I’ve been getting back into playing tennis. I’d describe myself as a “decent” recreational player. My backhand’s a bit ordinary, but I’m working it. My coach says I’ve made a lot of progress in a short time, but that could be more of a reflection on where the “bar” was at when I started.

I’m also a bit of a trivia nerd. I ran a weekly trivia night at a local venue until recently. I enjoyed meeting people from my neighbourhood, and the mental energy of putting questions together helped me detach from some of the more difficult, sensitive issues in my previous role. I put a lot of time into preparing the questions. If you want to run a good trivia night, interesting and engaging questions are a must. I pride myself in never having repeated a question in three years. I still occasionally do the odd night here and there.

I’m currently completing a business coaching qualification, which I hope to finish by the end of the year. The rest of my free time is usually spent with my two children, taking them to various activities and, when I can, reading to them before bedtime.

HOW WE PERFORMED

The PTO’s annual Customer Satisfaction Survey asks respondents to rank their satisfaction with key aspects of the PTO’s service. The questions we ask cover a customer’s experience with our staff, our processes, and our approach to information sharing. We also ask respondents a set of optional demographic questions that provide us with an indicative snapshot of PTO service users. All answers we receive remain anonymous.

This year, we invited 451 individuals who had their complaint conciliated or investigated by the PTO during the 2023-24 financial year to complete our survey. We received 154 responses, which represents a 34 per cent response rate (up 2 per cent on last year’s response rate). Of these respondents, one in five (20 per cent) were persons living with a disability, and one in five (20 per cent) speak a language other than English at home.

Because the PTO offers an impartial, independent dispute resolution service, it’s understandable that not everyone who uses our service will be satisfied, particularly if they didn’t get the resolution they had hoped for. Overall, roughly seven in 10 survey respondents said they’d recommend our service to a friend.

KEY SURVEY FINDINGS



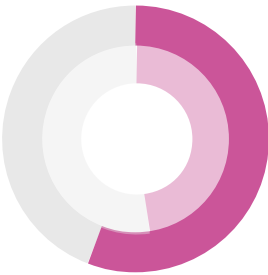
68 per cent of respondents would recommend the PTO to a friend who had a public transport complaint

INCREASE OF 4% COMPARED TO 2023



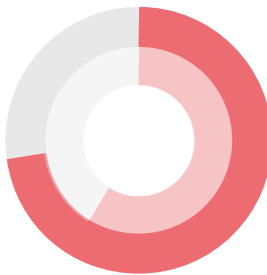
76 per cent agreed that PTO staff were approachable and courteous

INCREASE OF 4% COMPARED TO 2023



56 per cent were satisfied or very satisfied with the service the PTO provided

INCREASE OF 8% COMPARED TO 2023



73 per cent agreed that their complaint was taken seriously by the PTO

INCREASE OF 14% COMPARED TO 2023



37 per cent believed their complaint could have been handled more efficiently or in a more reasonable timeframe

REMAINED STEADY COMPARED TO 2023

KEY PERFORMANCE INDICATORS

The PTO aims to finalise cases within the following timeframes:

PTO’S MEASURE OF SUCCESS	TARGET	2023-24
Non-investigated cases closed within three days	95%	91%
Conciliations closed within 40 days	80%	64%
Conciliations closed within 90 days	95%	90%
Investigations closed within 180 days	90%	44%

A CONCILIATION CASE STUDY: BILLIE'S COMPLAINT

When Billie lost her myki it contained an active 28-day myki pass (zones 1-15) with eight unused pass days still remaining.

When Billie called PTV to report her myki lost, the call centre agent explained that it may take up to 10 days for a free replacement myki with eight pass days to arrive in the mail. Because she uses public transport daily, Billie decided it made more sense to buy another myki to use immediately, and to opt for a cash value refund for her eight unused pass days. The call centre agent estimated that Billie's refund would be about \$20.

After hanging up the call, Billie thought more about the \$20 estimate. She decided it didn't sound right. To Billie's mind, an eight-day pass refund was worth about \$50 because a \$6.36 "per day" rate applied to her myki pass. She called PTV back to query the estimate. The second agent she spoke with reassured her that \$20 was "just an estimate" and said she'd probably receive more than that.

Nine days later, Billie received a refund of \$19.08. When she visited the PTV Hub to dispute the amount she was told the refund calculation was correct.

WHY DID BILLIE COMPLAIN TO THE PTO?

Billie believed she had unfairly incurred a financial loss due to poor and inaccurate information.

HOW DID THE PTO CONCILIATE BILLIE'S COMPLAINT?

First, we spoke with Billie about her complaint and how she wanted it resolved. It was clear that Billie felt she hadn't been given sufficient information to be able to assess the pros and cons of a myki pass refund versus a "like-for-like" replacement myki with eight pass days. She told us she was seeking an additional \$36 so that her refund was commensurate with the value of eight pass days calculated at a \$6.36 "per day" rate.

Next, we asked PTV to respond to Billie's complaint and proposed resolution. PTV declined to offer Billie \$36 on the basis that her refund had been correctly calculated in accordance with the Victorian Fares and Ticketing Conditions. PTV also told us that call records showed that the first agent Billie spoke with had explained Billie's options, and that Billie had agreed to proceed with a refund after acknowledging the agent's refund estimate.

PTV's response also clarified that a pass refund isn't calculated by simply multiplying unused pass days by the "per day" rate. Instead, the calculation requires establishing what a customer would have paid for travel equivalent to the number of days they held their pass, using the most cost-effective myki products applicable for that period (in Billie's case, 20 days' travel calculated as two x seven-day passes and six x daily fares, totalling \$159.00) then subtracting this amount from the cost of the pass the customer purchased (in Billie's case, a 28-day myki pass for \$178.08).

After reviewing Billie's complaint and PTV's response, we formed the view that an offer of compensation was appropriate.

Our next step was to ask PTV to reconsider its response, noting the inaccurate information Billie received in her second call, and our concerns about the information she received in her first call. We communicated our view that – should PTV wish to offer people who've lost their myki the option of either a refund of unused pass days or a "like for like" myki replacement – then the onus is on PTV to provide clear information about the relative value of these options. It is not sufficient to provide a refund estimate. Customers should be advised that the cash value of their refund (or its myki money equivalent) may not purchase the same number of pass days that were left on their lost myki.

WHAT WAS THE OUTCOME?

PTV acknowledged that Billie may have found the conversation with the first call centre agent confusing, and agreed to offer her a goodwill payment of \$50.58 calculated as follows:

- replacing eight days travel equivalent to a seven-day pass (\$53) and one daily fare (\$10.60)
- reimbursing the cost of the new myki purchased (\$6)
- subtracting the \$19.08 refund Billie had already received

Billie accepted PTV's offer, which successfully resolved her complaint.

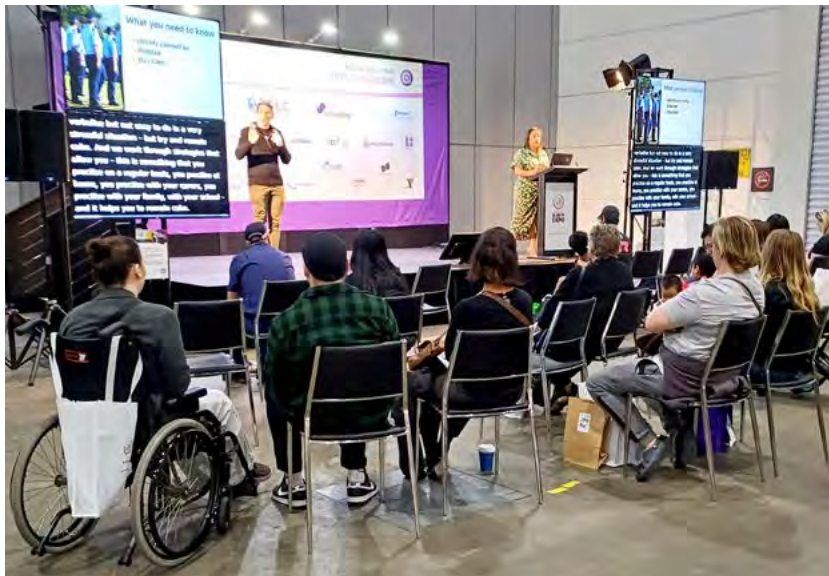


COMMUNITY OUTREACH AND ACCESSIBILITY

Outreach is the work we do, in the community, to raise awareness of the PTO and its services. Community outreach underpins our approach to improving the overall accessibility of the PTO’s services for people who may face barriers to using public transport or be more likely to rely on it.

The PTO has transitioned away from its previous broad-scale geographic approach, and towards defining and targeting our priority outreach cohorts. This targeted outreach activity enables us to have face-to-face conversations, and to seek feedback, about the transport-related issues and barriers people may be experiencing. It’s also an effective way to reach people who may not otherwise become aware of the PTO.

In 2023-24, our focus has been outreach to consumers with lived experience of disability, as well as developing and strengthening connections with organisations and groups within the disability sector.



MELBOURNE DISABILITY EXPO 2023

The Melbourne Disability Expo brings together services, products and speakers that focus on the needs and experiences of people with disabilities. The PTO spent a very busy two days at the Expo in conversations with people living with a range of disabilities and chronic health conditions, as well as their carers, friends and families, professional support workers, and staff from disability advocacy and support services. Around four in five PTO interactions were with people with lived experience. Around 5,000 people attended the Expo over two days, and over 2,200 PTO consumer information brochures were distributed at the event.



HAVING A SAY CONFERENCE 2024

Convened annually by the Victoria Advocacy League for Individuals with Disability (VALID), the Having a Say Conference empowers people with a disability to speak up about issues that affect their lives. The PTO participated in the Conference’s adjunct “Our Choice” Expo, which enabled us to speak with attendees about our services and their public transport experiences. Most people we spoke with were living with intellectual and cognitive disabilities. Busy conversation topics included Access Travel pass use, the Hidden Disability Sunflower scheme, and how and when to make a complaint to the PTO.



GEELONG DISABILITY EXPO 2024

The Geelong Disability Expo is the “sister” event to the Melbourne Expo, with a similar mix of attendees. The topics people were keen to discuss at the Geelong Expo were broadly similar to those at the Melbourne event and included: concession entitlements and ticketing options (particularly Access Travel Passes and carers’ entitlements); the Hidden Disability Sunflower scheme; and people’s problems and experiences using public transport. Feedback in Geelong had a proportionally greater focus on bus services. Around four in five PTO interactions were with people with lived experience, and over 900 PTO consumer information brochures were distributed at the event.

COMMUNITY OUTREACH AND ACCESSIBILITY



SELF-ADVOCACY FORUMS

This year, the PTO delivered face-to-face presentations to:

- **Powerful Positive Parents**, a self-advocacy group run by and for parents with intellectual disability, and
- **Have a Say Bendigo**, a self-advocacy group run by and for people with an acquired brain injury or cognitive disability. The PTO participated in Have a Say Bendigo's June 2024 Transport Forum.

PTO presentations to disability self-advocacy forums cover how to complain to the PTO, and how doing so can help improve the system for others; illustrative stories about real-life PTO complaints; and opportunities for self-advocates to raise public transport issues and feedback to the PTO.



IMPROVING OUR ACCESSIBILITY ONLINE

In early 2024, we commissioned an audit to assess our website's compliance with Web Content Accessibility Guidelines (WCAG) 2.1 Level AA. These Guidelines define how to make website content more accessible for people with blindness and low vision, deafness and hearing impairments, limited movement, speech disabilities and light sensitivities.

Several areas for improvement were identified, and all recommendations from the audit were implemented by June 2024, bringing the PTO website in line with WCAG 2.1 Level AA. Upgrades include an improved user experience for people using assistive technologies, such as screen readers and keyboard navigation, and colour contrast adjustments that improve site readability and navigation for people with vision impairments.



CONSUMER STORIES

An important aspect of outreach is helping consumers understand how an ombudsman service, such as the PTO, can help and benefit them. Giving people a sense of what complaining to the PTO looks like – and examples of how complaining to the PTO can help and benefit them, and others – increases the likelihood they'll recall and exercise their right to complain when they need to. This helps contribute to the overall accessibility of our services.

This year, to support how we explain the service we offer, we developed a library of real-life consumer stories. These stories use simple, direct language to "paint a picture" of what complaining to the PTO looks like in practice.



We launched eight consumer stories on a new "People's Stories" page on the PTO website in June 2024, and we've developed a library of 20 stories in total. Together, our consumer story library provides a range of illustrative examples we can employ in different contexts, including community outreach and other stakeholder presentations, and promoting the PTO online. The development of our story materials included in-house production of a suite of photographic images that enables us to produce consumer stories – as well as other, future PTO communications materials – in Easy English format.

AN INVESTIGATION CASE STUDY: SHAUNA'S COMPLAINT

Shauna's disability limits her mobility and makes it hard to stand for long periods. She doesn't use a mobility aid, so her disability isn't immediately apparent.

Shauna's complaint related to her experience boarding a bus home from her local shopping centre. When she got to the front of the boarding queue, she told the driver she had a disability and needed the access ramp. The driver told Shauna she would have to wait until everyone else boarded. Shauna waited at the end of the queue, but told the driver several times that she can faint if she stands for too long.

When the driver eventually lowered the ramp, Shauna said he was rude, kept her standing longer than necessary, and made derogatory comments about her to another driver. Throughout her trip, the driver also made unsolicited comments about a friend of his with a debilitating illness, which Shauna believed were designed to minimise her disability.

Shauna made a complaint to the bus operator. In their response, the operator:

- said their driver had been unable to "readily assess" Shauna's need for assistance
- acknowledged the driver's comments about his friend's illness were inappropriate, apologised, and said the driver had been counselled and received extra training
- said their drivers are instructed to assist passengers who need help boarding, but they could not guarantee those passengers would board first.

WHY DID SHAUNA COMPLAIN TO THE PTO?

Shauna believed the bus operator had failed to adequately respond to her complaint. She stressed to us that her complaint was not about boarding first, it was about being refused access when she was next in line. She was also frustrated that the operator hadn't acknowledged many aspects of her account of the driver's behaviour.

WHY, AND HOW, DID THE PTO INVESTIGATE SHAUNA'S COMPLAINT?

We chose to investigate because of the complexity of the issues raised by Shauna's complaint.

In the course of our investigation, we asked the operator a range of questions, reviewed CCTV and audio recordings, and reviewed internal policy, procedural and training documents. We also spoke to DTP about operator obligations under the Disability Standards for Accessible Public Transport (the DSAPTs) and engaged with other Victorian bus operators to understand industry practice.

WHAT WERE THE PTO'S INVESTIGATION FINDINGS AND RECOMMENDATIONS?

Driver conduct

- After reviewing CCTV and audio recordings of the incident, we found that:
- while it may generally be true that it is hard to visually identify someone's accessibility needs, Shauna had clearly communicated her needs to the driver
 - after Shauna told the driver she may faint, he acted to delay her boarding further
 - the driver's comments and behaviour were highly inappropriate throughout the encounter.

The operator confirmed that their driver's conduct, including his comments to and about Shauna, had been addressed through their performance management program. We accepted the operator's advice that their driver had been experiencing personal difficulties and should not have been at work.

Boarding policies and procedures

- Our investigation raised issues of a systemic nature, and we made recommendations to the operator about how they could improve their policies and procedures around assisted boarding for people with accessibility needs. Our recommendations included:
- that the operator review their Accessibility Policy, documented procedures and driver training materials to ensure they are consistent and align with legal obligations and industry best practice.

- Our investigation had identified that the operator's Accessibility Policy addressed priority boarding for people with mobility aids, but omitted passengers with other accessibility needs, including those with hidden disabilities. We also identified inconsistencies between documented priority boarding procedures and verbal instructions to drivers.
- that the operator educate their staff about supporting passengers with hidden disabilities through training such as that provided by the Hidden Disability Sunflower scheme, which other Victorian operators (as well as the PTO) have implemented.
- We acknowledged that drivers must exercise discretion in how priority boarding practices are implemented, to ensure that all relevant circumstances, including bus stop infrastructure and passenger safety, are considered. However, drivers also require appropriate training to understand the context of their decisions and to inform their decision making. We noted that the operator had acknowledged that greater awareness of hidden disabilities would have helped avoid Shauna's complaint.
- that the operator consider consulting with DTP about options for boarding for passengers with accessibility needs that meets the equivalent access requirements of the DSAPTs.
- The bus operator accepted all PTO recommendations.

OUR BOARD

The PTO is governed by a Board of consumer and industry representatives with an independent Chair. The responsibilities of the Board include oversight of the PTO Scheme and maintenance of the day-to-day independence of the Ombudsman.



KAY RUNDLE

Chair

Kay is an experienced Board Chair and CEO, with 15 years’ experience leading three local government organisations. She was the first woman to be appointed as CEO of the Cities of Maribyrnong and Greater Geelong and was most recently CEO of the City of Port Phillip. As an executive coach, she works with CEOs in government, hospitals and schools. Kay has qualifications in social work and information technology and holds an MBA.



LLEWELLYN PRAIN

Consumer Director since January 2016

Llewellyn is an experienced company director with a background in law and public policy. Her directorships have spanned the health, legal, infrastructure and disability sectors, and she is an AICD Fellow. She is currently Deputy Chair of Greater Western Water. Alongside senior roles across a number of government agencies Llewellyn ran her own business for seven years. Llewellyn has a vision impairment and is a strong advocate for the rights and strengths of people with disability. In 2021 she received a Victorian Disability Award in the emerging leader category.



GLENYYS ROMANES

Consumer Director since January 2018

Glenyys has broad experience in government, having been a Member of the Victorian Parliament, a Mayor and a Councillor, as well as having held senior roles with the Commonwealth Ombudsman and in the former Public Transport Division of Victoria. She chaired the Moreland council/community committee that developed one of Victoria’s first integrated transport strategies in local government and is currently Acting /Chair of the Planning Minister’s Metropolitan Development Advisory Panel. An AICD graduate, Glenyys has been an active member of various NFP committees and community groups.



ANDREW DIX

Consumer Director since August 2022

Andrew Dix started his career at Price Waterhouse in external audit before moving to Telstra, where he spent over 20 years in CFO and Executive Director roles in finance, risk, assurance and compliance. After departing Telstra, he began a non-executive career with positions on boards and audit and risk committees for organisations including Services Australia, Bureau of Meteorology, Anglicare Victoria, and the Cities of Melbourne, Monash and Manningham. Andrew is a Graduate Member of the AICD and a Professional Member of the Institute of Internal Auditors.



PETE GLEESON

Industry Director (Metro Trains) since January 2022

Pete Gleeson is the Executive Director - Projects at Metro Trains Melbourne. He has over 20 years’ experience managing and planning large scale rail projects in complex brownfield rail environments. He leads the Projects Division within Metro Trains Melbourne, reporting directly to the CEO. Pete worked internationally with London Underground for over six years and has worked at Metro Trains Melbourne for 14 years. He is a Fellow of the Institute of Engineers Australia and a Graduate Member of the AICD.



PETER KAVANAGH

Industry Director (BusVic) since January 2023

Peter Kavanagh is a lawyer who has worked across the private and public sectors, advising clients on a wide range of areas including governance issues and arrangements, corporations law, transport and roads law, industrial law, intellectual property and technology law, privacy law, and the development of legislation. Peter is the General Counsel and Director of Member Services at the Bus Association of Victoria Incorporated (BAV) and a Director of two BAV-owned companies.



TONY HAYWARD

Industry Director (Department of Transport and Planning) since January 2024

Tony Hayward is Project Director of rail franchising at the Department of Transport and Planning, a role that includes leading major service recontracting on behalf of the Victorian government. He previously held senior roles at Metro Trains Melbourne, working on a range of commercial, financial and risk matters, including CFO, audit and risk roles reporting into Boards. Tony holds Chartered Accountant qualifications and is a former a non-executive board member for Henry Buck.



BERNARD STUTE

Company Secretary

Bernard is a senior executive who has been leading commercial, finance, risk and audit, procurement and legal divisions in the private and public sectors for more than two decades. He has been Company Secretary at the PTO since the establishment of the office and boasts extensive experience in public transport, critical infrastructure and property development in senior public sector roles spanning his career. Bernard is also a qualified lawyer who has worked in private practice with large law firms.

APPROACHES WITH ISSUES BY MEMBER

A consumer’s approach to the PTO may involve one or more public transport-related issues, which the PTO logs and tracks separately.

BUSVIC2023-24	
Conciliations	5
Investigations	0
Member Complaints	41
Member Enquiries	4
Total	50
Top issues within approaches	
Staff	58
Service delivery	39
Trams, trains and buses	11

CDC VICTORIA (MELBOURNE)2023-24	
Conciliations	11
Investigations	0
Member Complaints	35
Member Enquiries	1
Total	47
Top issues within approaches	
Service delivery	74
Staff	47
Trams, trains and buses	12

CHRISTIANS BUS2023-24	
Conciliations	0
Investigations	0
Member Complaints	5
Member Enquiries	0
Total	5
Top issues within approaches	
Staff	5
Service delivery	1

DYSONS2023-24	
Conciliations	8
Investigations	1
Member Complaints	28
Member Enquiries	0
Total	37
Top issues within approaches	
Staff	39
Service delivery	34
Trams, trains and buses	9

KINETIC2023-24	
Conciliations	10
Investigations	0
Member Complaints	96
Member Enquiries	16
Total	122
Top issues within approaches	
Service delivery	127
Staff	118
Trams, trains and buses	54

LEVEL CROSSING REMOVAL PROJECT2023-24	
Conciliations	27
Investigations	6
Member Complaints	40
Member Enquiries	1
Total	74
Top issues within approaches	
Land and infrastructure	120
Staff	55
Service delivery	5

METRO TRAINS MELBOURNE2023-24	
Conciliations	95
Investigations	3
Member Complaints	405
Member Enquiries	124
Total	627
Top issues within approaches	
Service delivery	534
Land and infrastructure	284
Staff	274

METRO TUNNEL PROJECT2023-24	
Conciliations	2
Investigations	0
Member Complaints	3
Member Enquiries	1
Total	6
Top issues within approaches	
Land and infrastructure	15
Staff	3

PUBLIC TRANSPORT VICTORIA (DTP)2023-24	
Conciliations	151
Investigations	1
Member Complaints	493
Member Enquiries	127
Fines complaints	186
Total	958
Top issues within approaches	
myki	784
Staff	316

SKYBUS2023-24	
Conciliations	4
Investigations	0
Member Complaints	26
Member Enquiries	8
Total	38
Top issues within approaches	
Non-myki ticketing	24
Service delivery	24
Staff	16

SOUTHERN CROSS STATION2023-24	
Conciliations	2
Investigations	0
Member Complaints	14
Member Enquiries	7
Total	23
Top issues within approaches	
Land and infrastructure	24
Accessibility	4
Staff	4

SUBURBAN RAIL LOOP AUTHORITY2023-24	
Conciliations	0
Investigations	0
Member Complaints	3
Member Enquiries	0
Total	3
Top issues within approaches	
Land and infrastructure	5

TRANSIT SYSTEMS VICTORIA2023-24	
Conciliations	10
Investigations	1
Member Complaints	19
Member Enquiries	1
Total	31
Top issues within approaches	
Staff	47
Trams, trains and buses	19
Service delivery	15

VENTURA2023-24	
Conciliations	21
Investigations	0
Member Complaints	66
Member Enquiries	4
Total	91
Top issues within approaches	
Staff	118
Service delivery	58
Trams, trains and buses	45

VICTRACK2023-24	
Conciliations	1
Investigations	0
Member Complaints	7
Member Enquiries	3
Total	11
Top issues within approaches	
Land and infrastructure	15
Staff	7
Accessibility	1

V/LINE2023-24	
Conciliations	57
Investigations	1
Member Complaints	230
Member Enquiries	140
Total	428
Top issues within approaches	
Service delivery	445
Staff	202
Non-myki ticketing	105

YARRA TRAMS2023-24	
Conciliations	31
Investigations	2
Member Complaints	185
Member Enquiries	22
Total	240
Top issues within approaches	
Staff	173
Trams, trains and buses	98
Service delivery	89

SUMMARY FINANCIAL REPORT

The following is a concise version of the Financial Report for the Public Transport Ombudsman Ltd. for the year ending 30 June 2024. 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.

DISCUSSION AND ANALYSIS OF THE COMPREHENSIVE INCOME STATEMENT

REVENUE FROM ORDINARY ACTIVITIES

Revenue for the period ending 30 June 2024 was \$2,294,400. This was derived from the following sources:

- Annual Levies from Members: \$2,261,099; and
- Other Income (Interest): \$33,301

OPERATING EXPENSES

Operating Expenses for the period ending 30 June 2024 were \$2,313,360. The majority of operating expenses were employee benefits (\$1,741,976), telephone and IT expenses (\$177,375), Depreciation and Amortisation expenses (\$134,909) and occupancy costs (\$61,956).

INCOME TAX

The Australian Taxation Office (“ATO”) issued a private tax ruling declaring that the company is deemed exempt from income tax for the financial years ending 30 June 2023 to 30 June 2026.

DISCUSSION AND ANALYSIS OF THE STATEMENT OF FINANCIAL POSITION

TOTAL ASSETS

Total assets decrease by \$69,305 during the period due primarily to an increase in total current assets of \$65,528 and a decrease in non-current assets of \$134,833.

TOTAL LIABILITIES

Total Liabilities decreased by \$50,345 during the period. This is due to an increase in total current liabilities of \$80,784 and a decrease in total non-current liabilities of \$131,129.

DISCUSSION AND ANALYSIS OF THE STATEMENT OF CASH FLOWS

CASH FLOWS FROM OPERATING ACTIVITIES

Cash at the end of the financial year as shown in the statements of cash flows is \$1,381,968. This was derived from:

- Cash inflow from operating activities (\$427,351)
- Cash outflow from investing activities (\$17,928)
- Cash outflow from financing activities (\$108,888); and
- Cash and cash equivalents at the beginning of financial year \$1,081,433.

INCOME STATEMENT

For the Financial Year ended 30 June 2024

	2024	2023
	\$	\$
REVENUE AND OTHER INCOME	2,294,400	1,848,377
EXPENSES		
Depreciation and amortisation	134,909	137,320
Employee Benefits	1,741,976	1,511,130
Occupancy Costs	61,956	39,792
Telephone and IT	177,375	136,444
Consultancy and Other Professional Fees	36,794	51,584
Other Expenses	160,350	145,935
TOTAL EXPENSES	2,313,360	2,022,205
NET DEFICIT FOR THE YEAR	(18,960)	(173,828)
Other Comprehensive Income	-	-
TOTAL COMPREHENSIVE LOSS FOR THE YEAR	(18,960)	(173,828)

STATEMENT OF FINANCIAL POSITION

As at 30 June 2024

	2024	2023
	\$	\$
CURRENT ASSETS		
Cash and Cash Equivalents	1,381,968	1,081,433
Financial Assets	399,249	386,024
Trade and Other Receivables	517,287	773,859
Other Assets	70,057	61,717
TOTAL CURRENT ASSETS	2,368,561	2,303,033
NON-CURRENT ASSETS		
Property, Plant and Equipment	30,149	45,214
Right-of-use Assets	97,812	206,934
Intangible Assets	5,127	15,773
TOTAL NON-CURRENT ASSETS	133,088	267,921
TOTAL ASSETS	2,501,649	2,570,954
CURRENT LIABILITIES		
Trade and Other Payables	245,155	238,688
Employee Benefit Liability	160,677	196,805
Other Liabilities	1,229,011	1,116,913
Lease Liabilities	106,878	108,531
TOTAL CURRENT LIABILITIES	1,741,721	1,660,937
NON-CURRENT LIABILITIES		
Provisions	-	28,157
Employee Benefit Liability	5,351	1,445
Lease Liabilities	-	106,878
TOTAL NON-CURRENT LIABILITIES	5,351	136,480
TOTAL LIABILITIES	1,747,072	1,797,417
NET ASSETS	754,577	773,537
EQUITY	754,577	773,537

STATEMENT OF CHANGES IN EQUITY

As at 30 June 2024

	2024	2023
	\$	\$
TOTAL EQUITY AT THE BEGINNING OF THE FINANCIAL YEAR	773,537	947,365
Net Deficit for the Year	(18,960)	(173,828)
TOTAL EQUITY AT THE END OF THE FINANCIAL YEAR	754,577	773,537

STATEMENT OF CASH FLOW

For the Financial Year ended 30 June 2024

	2024	2023
	\$	\$
CASH FLOWS FROM OPERATING ACTIVITIES		
Receipts from Members	2,836,517	2,519,246
Payments to Suppliers and Employees	(2,442,426)	(1,834,197)
Interest Received	33,260	6,094
NET CASH FLOWS FROM OPERATING ACTIVITIES	427,351	691,143
CASH FLOWS FROM INVESTING ACTIVITIES		
Acquisition of Property, Plant and Equipment	(4,703)	(36,966)
Acquisition of Financial Assets	(13,225)	(386,024)
NET CASH FLOWS FROM INVESTING ACTIVITIES	(17,928)	(422,990)
CASH FLOWS FROM FINANCING ACTIVITIES		
Repayment of Lease Liabilities	(103,904)	(83,311)
Interest	(4,984)	(8,105)
NET CASH FLOWS FROM FINANCING ACTIVITIES	(108,888)	(91,416)
NET INCREASE IN CASH AND CASH EQUIVALENTS	300,535	176,737
CASH AND CASH EQUIVALENTS AT THE BEGINNING OF THE FINANCIAL YEAR	1,081,433	904,696
CASH AND CASH EQUIVALENTS AT THE END OF THE FINANCIAL YEAR	1,381,968	1,081,433

Audited Financial Statements and Directors’ Report for the Public Transport Ombudsman Limited have been lodged with ASIC in accordance with the Corporations Act requirements.



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