

3 June 2013
FOIA reference: F0001535

Dear XXXX

I am writing in respect of your recent application of 10 May 2013, for the release of information held by the Civil Aviation Authority (CAA).

Your request:

- *I would like the list of the top ten airlines that are complained about the most by customers in the UK.*
- *In these I would like a breakdown of how many each has received since 2009, the five most common complaints they received and whether any action was taken after these complaints were made.*

Our response:

In assessing your request in line with the provisions of the Freedom of Information Act 2000 (FOIA), we are pleased to be able to provide the information below.

1. The information you have requested can be found on the CAA website at: <http://www.caa.co.uk/default.aspx?catid=80&pagetype=88&pageid=27&sglid=27> and is therefore, exempt from disclosure under Section 21 of the Freedom of Information Act since it is reasonably accessible. (a copy of this exemption can found enclosed).

Please note the information on our website shows the number of complaints that the CAA received rather than 'the most by customers in the UK'. It also includes complaints from non UK residents where the disruption occurred in the UK or into the UK on an EU airline (within scope of EC261/2004 Denied Boarding Regulation covering denied boarding, cancellation, delay, downgrading) and complaints that were referred to other EU National Enforcement Bodies where the disruption occurred in the EU (within the scope of EC261/2004). This also shows complaints per million passengers which will give you a different "Top Ten" than if you look at the absolute numbers, as some airlines carry more passengers than others.

2. The breakdown of numbers and subjects can also be found on the CAA website at the above link.

The CAA offers a free mediation service and the majority of these complaints were taken up with the airline or airport to obtain redress for consumers. The CAA also has Enforcement

Civil Aviation Authority

Aviation House GW Gatwick Airport South Crawley West Sussex England RH6 0YR www.caa.co.uk
Telephone 01293 768512 rick.chatfield@caa.co.uk

powers and can take enforcement action where a trend of non compliance has been identified, for example, Aeroflot signed an undertaking on 24 April 2012 to comply with the requirements of the Denied Boarding Regulations.

If you are not satisfied with how we have dealt with your request in the first instance you should approach the CAA in writing at:-

Mark Stevens
External Response Manager
Civil Aviation Authority
Aviation House
Gatwick Airport South
West Sussex
RH6 0YR

mark.stevens@caa.co.uk

The CAA has a formal internal review process for dealing with appeals or complaints in connection with Freedom of Information requests. The key steps in this process are set in the attachment.

Should you remain dissatisfied with the outcome you have a right under Section 50 of the Freedom of Information Act to appeal against the decision by contacting the Information Commissioner at:-

Information Commissioner's Office
FOI/EIR Complaints Resolution
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

www.ico.gov.uk/complaints.aspx

Should you wish to make further Freedom of Information requests, please use the e-form at <http://www.caa.co.uk/foi>.

Yours sincerely

Rick Chatfield
Information Rights and Enquiries Officer

CAA INTERNAL REVIEW & COMPLAINTS PROCEDURE

- The original case to which the appeal or complaint relates is identified and the case file is made available;
- The appeal or complaint is allocated to an Appeal Manager, the appeal is acknowledged and the details of the Appeal Manager are provided to the applicant;
- The Appeal Manager reviews the case to understand the nature of the appeal or complaint, reviews the actions and decisions taken in connection with the original case and takes account of any new information that may have been received. This will typically require contact with those persons involved in the original case and consultation with the CAA Legal Department;
- The Appeal Manager concludes the review and, after consultation with those involved with the case, and with the CAA Legal Department, agrees on the course of action to be taken;
- The Appeal Manager prepares the necessary response and collates any information to be provided to the applicant;
- The response and any necessary information is sent to the applicant, together with information about further rights of appeal to the Information Commissioners Office, including full contact details.

Freedom of Information Act: Section 21

(1) Information which is reasonably accessible to the applicant otherwise than under section 1 is exempt information.

(2) For the purposes of subsection (1)-

(a) information may be reasonably accessible to the applicant even though it is accessible only on payment, and

(b) information is to be taken to be reasonably accessible to the applicant if it is information which the public authority or any other person is obliged by or under any enactment to communicate (otherwise than by making the information available for inspection) to members of the public on request, whether free of charge or on payment.

(3) For the purposes of subsection (1), information which is held by a public authority and does not fall within subsection (2)(b) is not to be regarded as reasonably accessible to the applicant merely because the information is available from the public authority itself on request, unless the information is made available in accordance with the authority's publication scheme and any payment required is specified in, or determined in accordance with, the scheme.