Finance and Corporate Services
Information Management

30 September 2013
FOIA reference: F0001651

Dear XXXX

I am writing in respect of your recent request of date, for the release of information held by the Civil Aviation Authority (CAA).

Your request:

"1. The total number of EU 261 complaints the CAA have received for each calendar month (January to August 2013 inclusive) from air passengers due to delays of flights from UK airports

2. For the seven month period, January to August 2013 inclusive the total number of EU 261 complaints recorded by CAA against each of the airlines operating from UK airports

3. Of (2) above please provide the number of EU261 complaints recorded by CAA against each of the airlines operating from the UK where the flight delay exceeded 4 hours

4. How many EU 261 complaints during the period January – August 2013 have been followed up by CAA for a direct response from the airline for the detailed reason for the delay.

5. Of (3) above please provide the actual number of EU 261 complaints where the airline has responded in detail to CAA and of these how many were deemed by (1) the airline and (2) by the CAA to meet the category "extraordinary circumstances" in terms of rights to compensation

6. Of the total number of EU 261 complaints received since April 2013, how many of these complaints have been referred back to the airline for re-assessment following the publication of the National Enforcement Bodies Guidelines".

Our response:

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

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 CAA is legally obliged to receive all complaints and have received the following number of complaints for each month:

    - January: 1038
    - February: 1222
    - March: 1480
    - April: 1863
    - May: 1105
    - June: 973
    - July: 1056
    - August: 1664

    We are unable to establish the exact number of complaints that were not related to delays from UK airports without manually reviewing the details of all of these 10,401 related files

    Under Section 12(1) of the FOIA, a public authority is not obliged to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit and the CAA estimates that the appropriate limit would be exceeded in this case (a copy of this exemption can be found enclosed).

2. The CAA introduced a new complaints database in March 2013. The system that was operated until then is unable to retrieve the information automatically, therefore as in answer 1 above the CAA would have to review each case prior to March 2013 individually to extract this information.

    The information related to complaints received from March 2013 can be found in the attached table.

3. The CAA does not specifically record delays over 4 hours. We are therefore unable to provide this information without manually reviewing each complaint and as per answer 1 above the CAA estimates that appropriate limit would be exceed in this case.

4. Please see answer to question 6 below

5. Please see answer to question 6 below

6. The CAA sent 5667 cases back to airlines in early September 2013 for these cases to be reassessed in light of the National Enforcement Bodies Guidelines. Of these cases, we have so far received responses in relation to 391 cases. The CAA is still reviewing these replies and, therefore, does not hold the information to answer question 5.

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 12

Exemption where cost of compliance exceeds appropriate limit.

(1) Section 1(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit.

(2) Subsection (1) does not exempt the public authority from its obligation to comply with paragraph (a) of section 1(1) unless the estimated cost of complying with that paragraph alone would exceed the appropriate limit.

(3) In subsections (1) and (2) "the appropriate limit" means such amount as may be prescribed, and different amounts may be prescribed in relation to different cases.

(4) The Secretary of State may by regulations provide that, in such circumstances as may be prescribed, where two or more requests for information are made to a public authority-

(a) by one person, or

(b) by different persons who appear to the public authority to be acting in concert or in pursuance of a campaign,

the estimated cost of complying with any of the requests is to be taken to be the estimated total cost of complying with all of them.

(5) The Secretary of State may by regulations make provision for the purposes of this section as to the costs to be estimated and as to the manner in which they are to be estimated.

Airline	Mar	Apr	May	Jun	Jul	Aug		Total
Airline								
Aegean Airlines					3	1		4
Aer Arann				1	1	3		5
Aer Lingus	2	6	9	11	4	17		49
Aeroflot						2		2
Aerosvit Airlines				1				1
Afriqiyah Airways						1		1
Air Algerie				2	1			3
AIR ARABIA MAROC						2		2
Air Baltic	1				1			2
Air Berlin					1	1		2
Air Blue		1	2	1	1			5
Air Canada	3	2	3	2	4	6		20
Air China			1	1				2
Air Europa		1	2	1	2	4		10
Air Europa / Air Comet						1		1
Air France	2	5	18	9	8	11		53
Air India		3	3	1	3	4		14
Air Malta	1	1	5	2	2	4		15
Air Mauritius Ltd		1	1	1				3
Air New Zealand Ltd		3		1		2		6
Air Portugal	1	3	2	2	4	5		17
AIR SCANDIC			1					1
Air Seychelles					1			1
Air Southwest acquired by Eastern Airways						1		1
Air tours			1					1
Air Transat	2			1		1		4
Alba Star					2	3		5
Alitalia		2	2	12	3	8		27
AMC Aviation			1					1
American Airlines	2	3	3	3	3	9		23
Arik Air			1			2		3
Atlas Blue						1		1
Atlasjet International			1					1
Aurigny Air Services			2	1	3	1		7
Austrian Airlines	1		4	1		1		7
BH Air		1		2	2	1		6
Biman Bangladesh Airlines	1	2	5	2		1		11
Blue Air Transport Aerian		4				1		5
Blue Islands			2			1		3
BMI Regional				1	3	1		5
Brit Air						1		1
British Airways	11	36	69	70	89	126		401

British Midland Regional					1			1
Brussels Airlines	2	1	2		1	2		8
Bulgaria Air			1					1
Cathay Pacific Airways		1	2	1	2			6
China Airlines		1						1
China Southern		1		1				2
City Jet		1			4			5
Condor		1						1
Continental Airlines	2	2	3	2	1	4		14
Croatia Airlines				1				1
Cubana				1		3		4
Cyprus Airways					1	1		2
Delta Airlines	1	2	2	2	3	8		18
Eastern Airways			1					1
Easyjet Airline Company	15	39	64	57	86	95		356
Egypt Air			4	1	1	1		7
El Al			1		2			3
Emirates	3	9	39	48	36	26		161
Etihad Airways		1	4	1	2	5		13
Eurocypria Airlines Ltd					1			1
Eva Air						1		1
Finnair	2	1						3
first choice			1					1
First Choice Airways				3	13	26		42
Flybe	4	19	20	19	46	46		154
Freebird Airlines				2				2
Germania Fluggesellschaft						2		2
Germanwings		3		1	2			6
Hellenic Imperial Airways		2						2
Iberia		2	2	8	11	10		33
Icelandair	2	1	1			1		5
Jet Airways			5	2	1	3		11
Jet2.Com	21	31	62	61	73	94		342
JetXtra						2		2
Kenya Airways		2		4		2		8
KLM	2	10	6	15	11	9		53
KLM Cityhopper		2		1				3
Kuwait Airways				1		2		3
Loganair			1	3				4
LOT Polish Airlines	1		1		1	1		4
Lufthansa	2	8	10	7	10	13		50
Lufthansa City Line				1				1
Malaysian Airlines System -MAS	2	3	16	5	5	8		39
Manx2 / CityWing	1							1

Meridiana Air	1		3	1				5
Minoan Airlines						1		1
Mistral Air			1					1
MONARCH			1					1
Monarch Airlines	70	143	235	149	122	220		939
My Travel				1				1
MY TRAVEL AIRTOURS						1		1
MYTRAVEL	1			1		1		3
Norwegian Air Shuttle	2	2				1		5
Nouvelair Tunisie					3	1		4
OLT EXPRESS				1				1
Olympic Air						2		2
Onur Air		1	1	3		1		6
Pakistan International Airlines PIA		1	2	1	1	2		7
Pegasus Airlines		1				1		2
Qantas		1	1	1	2	1		6
Qatar Airways	2	17	12	12	13	6		62
Royal Air Maroc					2	2		4
Royal Brunei Airlines		1	1					2
Royal Jordanian		1						1
Ryanair	10	30	80	52	49	85		306
Saga Airlines		1	1	1				3
SAS	2			2	1	5		10
Sata		1			1			2
Saudi Arabian Airlines				1				1
Singapore Airlines	1	1	4	3	3	4		16
Sky Wings Airlines		1		4	3	2		10
Sky Work			1					1
Small Planet						1		1
Small Planet Airlines		5	7	15	23	60		110
SmallPlanetAirlines					1			1
South African Airways	1	1	4	1	3	1		11
Srilankan Airlines	1		2					3
Strategic Airlines (France)		1		1		3		5
Strategic Airlines SA Luxembourg			1					1
Sun Air Of Scandinavia					1			1
Sunwing Airlines Inc		1	2	1		2		6
Swiss Airlines	3	1	7		1	8		20
TAM Linhas Aereas				1	1			2
TAP						2		2
TAP Portugal				1		6		7
Tarom	1							1
TEST			1					1
Thai Airways International		2	2	2		4		10

Thomas Cook Airlines	50	111	268	285	267	460		1441
Thomson Airways	86	153	260	241	268	398		1406
Titan Airways			1	1		2		4
Tor Air			1					1
Transaero Airlines		1						1
Tunisair	1	1				2		4
Turkish THY Turk Hava Yollari			6	3	1	3		13
Turkmenistan Airlines						1		1
Ukraine International Airlines		1						1
United Airlines	8	21	19	18	12	34		112
US Airways	2	5	5	5	8	13		38
Vietnam Airlines	2	3	3	5	5	2		20
Viking Airlines				2				2
Virgin Atlantic Airways	6	28	67	52	42	71		266
Vueling Airlines	2		3	2	7	11		25
Wideroe Flyveselskap A/S	2							2
Wizz Air	4	14	9	15	26	29		97
Wow Air						1		1
XL Airways France		1				1		2
(blank)								
Grand Total	**345**	**770**	**1409**	**1266**	**1322**	**2043**		**7155**