

28 March 2014
FOIA reference: F0001849

Dear XXXX

I am writing in respect of your recent request of 4 March 2014, for the release of information held by the Civil Aviation Authority (CAA).

Your request:

“The information requested relates to the performance and nature of CAA complaints and concerns the following data:

- 1. The number of complaints received regarding denied boarding and the main (top 10 in order) carriers these complaints have been made against.*
- 2. The number of complaints the CAA has raised with the carriers concerned on the issue of denied boarding.*
- 3. The number of complaints that were upheld.*
- 4. The average response time to complaints from the public to the CAA from initial enquiry to conclusion during 2013”.*

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. Passenger complaints data including all complaints received within the scope of Regulation EC261/2004 by airline can be found on the CAA's website at the link below:

<http://www.caa.co.uk/default.aspx?catid=80&pagetype=88&pageid=27&sglid=27>

2. The CAA raised 348 claims with carriers on the issue of denied boarding in 2013
3. It might be helpful to explain that the CAA does not 'uphold' cases for passengers as such. Passengers can refer their complaint to the CAA if they have been unable to resolve it with the airline. The CAA will take up the complaint with the airline. After the CAA's intervention, the airline may agree to pay compensation or not, but the CAA may also agree with the view taken by the airline. In 2013 the CAA secured compensation or expenses in 71 denied boarding cases taken up with airlines. In addition, 114 denied boarding complaints received in 2013 are currently ongoing and under review with 121 denied boarding cases referred back to airlines with the instruction to respond directly to the passenger, these cases will only be re-opened on appeal by the passenger.
4. The average response time for complaints received in 2013 was 77 days. However, the time to come to a decision on completed complaints is dependent on a number of factors and not always within the CAA's control i.e. prompt replies from airlines, or requests for additional information from passengers.

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.