

Corporate Communications
External Information Services

2 April 2014
FOIA reference: F0001864

Dear XXXX

I am writing in respect of your recent request received on 12 March 2014, for the release of information held by the Civil Aviation Authority (CAA).

Your request:

"I'd be interested to know how many complaints CAA has received against Easyjet for each of the last four years, whether this places Easyjet at the top of the list or close to it. How many remain unsolved, and what financial sanctions CAA has made against EasyJet".

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.

Data for passenger complaints received by the CAA over the last four years for all airlines including easyJet 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>

This lists records all the complaints that have been received by the CAA. Some complaints have been referred to other organisations as the complaint was outside our remit or they have not been taken up as they were outside the scope of the relevant legislation.

The CAA mediates in passenger complaints against airlines with the view to seeking resolution for the passenger. In terms of "unsolved easyJet cases" the CAA are not always aware of the outcome or able to provide a definitive answer to this request, since historically in some cases the initial intervention of the CAA may have been to request the airline to reassess the complaint and reply directly to the passenger. In this scenario the passenger may only contact the CAA again should they wish to appeal the decision of the airline. Our records show that over the last four years the number of 'unsolved easyJet cases' where we have not agreed with the outcome is 397. Furthermore, in the context of "unsolved" cases, these may be claims for example that are pending assessment by the airline or by the CAA and resolution has yet to be determined or have been redirected to another National Enforcement Body for consideration.

Civil Aviation Authority

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

The CAA is the designated National Enforcement Body for EC 261/2004. Our enforcement powers come from Part 8 of the Enterprise Act 2002 and allow us to take action in the collective interest of consumers. The powers allow us to require businesses to provide information where we have reasonable grounds to suspect there has been a breach of the Regulation and also allow us to seek legal undertakings that the business will comply with the law in future. If we are unable to obtain an undertaking, or if an undertaking is breached, we can seek an Enforcement Order from the Court. Breach of an Enforcement Order can result in contempt of Court proceedings and the court could then impose a fine.

The CAA also has access to criminal sanctions, and the court could apply a fine for a breach of the Regulations. Criminal sanctions are generally reserved for the most serious offences and we would not expect them to be used regularly. No criminal prosecutions have been taken in respect of Regulation 261/2004. The CAA has published guidance on its enforcement policy. We have provided a link to this information below.

http://www.caa.co.uk/docs/2516/ConsumerEnforcementStrategy_Final.pdf

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.