

[REDACTED]  
[REDACTED]

7 July 2017  
Reference: F0003222

Dear [REDACTED]

I am writing in respect of your recent request of 5 June 2017, for the release of information held by the Civil Aviation Authority (CAA). I am sorry for the delay in responding to your request for information.

Your request:

*'I am requesting the following information under the FOI Act. Please disclose all correspondence between the CAA and British Airways/International Airlines Group regarding last month's computer failure and subsequent disruption at BA since Friday May 26 to date?'*

Our response:

Your request has been considered in line with the provisions of the Freedom of Information Act 2000 (FOIA).

Please find attached a copy of all correspondence between the CAA and British Airways (BA) in relation to BA's recent IT systems failure and subsequent disruption.

We can confirm that we do not hold any correspondence between the CAA and International Airlines Group falling in scope of your request.

You will find that some information has been redacted. It is the CAA's view that the information is exempt from disclosure for the reasons set out below. A copy of the relevant exemption can be found at the end of this letter.

#### **Section 41 – Information provided in confidence**

Some information has been redacted as it was provided to the CAA in circumstances of confidence. Disclosure would be a breach of that confidence and this information is therefore exempt from disclosure under Section 41 of the FOIA. Section 41 is an absolute exemption and is not subject to the public interest test.

## Section 40 – Personal information

We have redacted personal information in accordance with Section 40(2) of the FOIA as to release the information would be unfair to the individuals concerned and would, therefore, contravene the first data protection principle that personal data shall be processed fairly and lawfully.

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:-

Caroline Chalk  
Head of External Information Services  
Civil Aviation Authority  
Aviation House  
Gatwick Airport South  
Gatwick  
RH6 0YR

[caroline.chalk@caa.co.uk](mailto:caroline.chalk@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 FOIA to appeal against the decision by contacting the Information Commissioner at:-

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

<https://ico.org.uk/concerns/>

If you wish to request further information from the CAA, please use the form on the CAA website at <http://publicapps.caa.co.uk/modalapplication.aspx?appid=24>.

Yours sincerely



Rihanne Stephen  
Information Rights 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 41**

(1) Information is exempt information if-

- (a) it was obtained by the public authority from any other person (including another public authority), and
- (b) the disclosure of the information to the public (otherwise than under this Act) by the public authority holding it would constitute a breach of confidence actionable by that or any other person.

(2) The duty to confirm or deny does not arise if, or to the extent that, the confirmation or denial that would have to be given to comply with section 1(1)(a) would (apart from this Act) constitute an actionable breach of confidence.

**Freedom of Information Act: Section 40**

(1) Any information to which a request for information relates is exempt information if it constitutes personal data of which the applicant is the data subject.

(2) Any information to which a request for information relates is also exempt information if-

- (a) it constitutes personal data which do not fall within subsection (1), and
- (b) either the first or the second condition below is satisfied.

(3) The first condition is-

- (a) in a case where the information falls within any of paragraphs (a) to (d) of the definition of "data" in section 1(1) of the Data Protection Act 1998, that the disclosure of the information to a member of the public otherwise than under this Act would contravene-
  - (i) any of the data protection principles, or
  - (ii) section 10 of that Act (right to prevent processing likely to cause damage or distress), and
- (b) in any other case, that the disclosure of the information to a member of the public otherwise than under this Act would contravene any of the data protection principles if the exemptions in section 33A(1) of the Data Protection Act 1998 (which relate to manual data held by public authorities) were disregarded.

(4) The second condition is that by virtue of any provision of Part IV of the Data Protection Act 1998 the information is exempt from section 7(1)(c) of that Act (data subject's right of access to personal data).

(5) The duty to confirm or deny-

- (a) does not arise in relation to information which is (or if it were held by the public authority would be) exempt information by virtue of subsection (1), and
- (b) does not arise in relation to other information if or to the extent that either-
  - (i) the giving to a member of the public of the confirmation or denial that would have to be given to comply with section 1(1)(a) would (apart from this Act) contravene any of the data protection principles or section 10 of the Data Protection Act 1998 or would do so if the exemptions in section 33A(1) of that Act were disregarded, or
  - (ii) by virtue of any provision of Part IV of the Data Protection Act 1998 the information is exempt from section 7(1)(a) of that Act (data subject's right to be informed whether personal data being processed).

(6) In determining for the purposes of this section whether anything done before 24<sup>th</sup> October 2007 would contravene any of the data protection principles, the exemptions in Part III of Schedule 8 to the Data Protection Act 1998 shall be disregarded.

(7) In this section-

"the data protection principles" means the principles set out in Part I of Schedule 1 to the Data Protection Act 1998, as read subject to Part II of that Schedule and section 27(1) of that Act;

"data subject" has the same meaning as in section 1(1) of that Act;

"personal data" has the same meaning as in section 1(1) of that Act.

**From:** [Moriarty Richard](#)  
**To:** [REDACTED]  
**Cc:** [REDACTED]; [REDACTED]; [REDACTED]; [REDACTED]; [REDACTED]  
**Subject:** RE: Pax redress following disruption  
**Date:** 06 June 2017 09:22:46  
**Attachments:** [image001.jpg](#)

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Dear [REDACTED],

Thank you for your very helpful and timely responses below. I am pleased to hear that we are aligned on re-routing expenses. Also, I look forward to hearing the results from your post-disruption review. When do you expect this to have concluded?

As you will appreciate we are getting a significant interest in your stance on compensation. With this in mind we have a number of follow up queries on which we would welcome your views.

In relation to financial compensation, you say that BA will be paying fixed compensation under the Regulation where it is due. Could you please elaborate - what does this mean in practical terms? Does it mean that you will pay the fixed sum financial compensation for all flights that were cancelled or that suffered a long delay as a result of the IT failure? If so, could you please provide us with an estimate of the number of flights that this covers and the number of passengers that you expect to seek and receive compensation? If not, could you please explain why you have not adopted this approach?

No doubt you are already starting to see claims for out-of-pocket expenses and compensation ramping up. As you probably know, the CAA's own passenger complaint handling service has, in the past, struggled to cope with a sudden influx in claims whilst maintaining acceptable service standards, and so I am aware of the challenges you will be facing. Whilst it is for BA to ensure the quality of its own complaint handling, it is possible that the CAA will be asked to comment on it, especially if you develop a substantial backlog and there is a significant delay in processing claims. As such, I would appreciate being kept informed of how things are progressing on complaint handling. As a starting point, could you please provide some further information on the plans you are putting in place to ensure that consumers claims are processed quickly?

Many thanks,  
Richard

Sent with BlackBerry Work  
([www.blackberry.com](http://www.blackberry.com))

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**From:** [REDACTED] <[REDACTED]@ba.com>  
**Date:** Friday, 02 Jun 2017, 3:35 pm  
**To:** Moriarty Richard <[Richard.Moriarty@caa.co.uk](mailto:Richard.Moriarty@caa.co.uk)>  
**Cc:** [REDACTED] <[REDACTED]@caa.co.uk>, [REDACTED] <[REDACTED]@caa.co.uk>, [REDACTED] <[REDACTED]@ba.com>, [REDACTED] <[REDACTED]@ba.com>, [REDACTED] <[REDACTED]@ba.com>  
**Subject:** RE: Pax redress following disruption

Dear Richard

For ease I have set out the replies to your questions in italics under each of the questions in your email.

Kind regards

[REDACTED]

[REDACTED]  
[REDACTED]

British Airways plc

Waterside, PO Box 365, Harmondsworth, Middlesex, UB7 0GB (Sat Nav UB7 0GA)

T: [REDACTED]

M: [REDACTED]



---

**From:** Moriarty Richard [<mailto:Richard.Moriarty@caa.co.uk>]

**Sent:** 31 May 2017 13:39

**To:** [REDACTED] <[REDACTED]@ba.com>

**Cc:** [REDACTED] <[REDACTED]@caa.co.uk>; [REDACTED] <[REDACTED]@caa.co.uk>

**Subject:** Pax redress following disruption

Dear [REDACTED],

Thank you for your helpful responses over the bank holiday weekend and for getting back to me during what must have been a really hectic time for you and the BA colleagues. It is good to see that operations are now getting back to normal. I wanted to follow-up with you on a few points and also to seek clarification on your position in relation to customer claims going forward.

#### Re-routing expenses

1. [REDACTED]  
[REDACTED]  
[REDACTED]

2. [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED] I would also like to set out our expectation that consistent with the regulation, for BA to refuse a claim, it will need to demonstrate that it made the passenger an offer of a re-route in a timely manner, that the re-route offered was 'at the earliest opportunity', and that the availability of seats on other airlines (and also departing from and arriving at nearby airports) was taken into account in the offer that was made. Could you please confirm that your understanding on these points is consistent with ours?

*In all but the most exceptional disruption events, disrupted customers are re-routed by BA onto either BA or other carriers' services. Cases where they cannot be re-routed by BA are very exceptional and self-help claims for those exceptional circumstances are dealt*

*with on an ad-hoc basis, so there is no written policy I can share with you. Clearly in this particular disruption event, there will have been many customers who we were not able to rebook with us.*

*I can confirm that our understanding of the requirements of Regulation 261 on this point is the same as yours.*

3. We have had some questions from media about the information on BA's website regarding what passengers can claim for. Some concerns have been raised about why BA is referring consumers to their insurers. The second issue that we would like to raise with you is the section on "What you cannot claim for". This indicates that consumers who were re-routed to/from a different airport can't claim for transfer costs between airports or consequential expenses such as car parking. Where consumers have chosen to travel at a later date and have chosen a different route this would be reasonable. However, for passengers who chose a re-route at the earliest opportunity and were re-routed by BA, or had to book an alternative flight, we would expect BA to be paying for these types of expenses. Could you please confirm how you will be dealing with these types of claims?

- *Insurance: BA will pay customers the expenses they are entitled to claim from BA under Regulation EU261 whether or not they have travel insurance. We are changing the pages on ba.com that refer to travel insurance.*
- *In relation to transfer costs between airports and consequential expenses incurred by customers re-routed to/from a different airport, we will reimburse 261 expenses when customers were re-routed by BA to another destination. We do not reimburse these expenses where the customer removed him or herself from BA's care and made alternative arrangements without giving BA the opportunity to re-route or rebook them and that is the situation the page you are referring to is intended to deal with.*

[REDACTED]

## **Information rights**

1. It is good to hear that you personally saw passenger rights leaflets being proactively distributed to passengers in Terminal 5 and that the availability of leaflets was an issue covered at your Crisis Management Team meeting. We look forward to seeing the results of your post-disruption review and we would like to see how your processes and procedures for overseeing distribution of rights leaflets worked in practice and what information was recorded at Heathrow and at the other UK airports. *We will be in touch after our post-disruption review*
2. We also understand that BA was issuing tailored letters to passengers and it would be helpful if you could share examples of these letters with us.  
*To avoid delay these will follow separately.*



## Financial compensation

1. We expect that passengers will now begin making claims to BA for expenses and also for fixed sum compensation as set down in the Regulation (€250-€600). From the information we have seen in the media it appears that BA has committed to paying the fixed sum compensation. However, we wanted to be clear on this point before you begin handling passenger claims in order to avoid any misunderstandings. Could you please confirm whether you will be compensating passengers on cancelled flights or flights delayed by more than 3 hours?

*We will be paying fixed compensation under the Regulation where it is due.*

If you could get back to me by the end of the week so that we can ensure we are fully aware of your position that would be much appreciated.

Best wishes,

Richard

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Harmondsworth, West Drayton, Middlesex, England, UB7 0GB. Additional terms and conditions are available on our website: [www.ba.com](http://www.ba.com)

**From:** [Moriarty Richard](#)  
**To:** [REDACTED]  
**Cc:** [REDACTED]; [REDACTED]; [REDACTED]  
**Subject:** RE: Pax redress following disruption  
**Date:** 02 June 2017 15:46:33  
**Attachments:** [image001.jpg](#)

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Hi [REDACTED] - thanks for your response. We will digest and follow up with you and [REDACTED] any queries etc.  
Best wishes,  
Richard

Sent with BlackBerry Work  
([www.blackberry.com](http://www.blackberry.com))

---

**From:** [REDACTED] <[REDACTED]@ba.com>  
**Date:** Friday, 02 Jun 2017, 3:35 pm  
**To:** Moriarty Richard <[Richard.Moriarty@caa.co.uk](mailto:Richard.Moriarty@caa.co.uk)>  
**Cc:** [REDACTED] <[REDACTED]@caa.co.uk>, [REDACTED] <[REDACTED]@caa.co.uk>, [REDACTED] <[REDACTED]@ba.com>, [REDACTED] <[REDACTED]@ba.com>, [REDACTED] <[REDACTED]@ba.com>  
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[REDACTED]

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Waterside, PO Box 365, Harmondsworth, Middlesex, UB7 0GB (Sat Nav UB7 0GA)

T: [REDACTED]

M: [REDACTED]



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**Cc:** [REDACTED] <[REDACTED]@caa.co.uk>; [REDACTED] <[REDACTED]@caa.co.uk>  
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[REDACTED]

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*We will be paying fixed compensation under the Regulation where it is due.*

If you could get back to me by the end of the week so that we can ensure we are fully aware of your position that would be much appreciated.

Best wishes,

Richard

\*\*\*\*\*

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**From:** [REDACTED]  
**To:** [REDACTED]; [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** RE: Pax redress following disruption  
**Date:** 02 June 2017 15:41:13  
**Attachments:** [image001.jpg](#)

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Hi [REDACTED]

I will let our ba.com team know.

Please can I ask that you include [REDACTED] on any messages you send.

As it happens, I was able to pick this up straight away but generally it speeds up our response if you include her as given the hundreds of emails I get, I can be a bit of a bottleneck!

Thanks for your understanding

[REDACTED]

---

**From:** [REDACTED] [mailto:[REDACTED]@caa.co.uk]  
**Sent:** 02 June 2017 15:33  
**To:** Moriarty Richard <Richard.Moriarty@caa.co.uk>; [REDACTED] <[REDACTED]@ba.com>  
**Cc:** [REDACTED] <[REDACTED]@caa.co.uk>  
**Subject:** RE: Pax redress following disruption

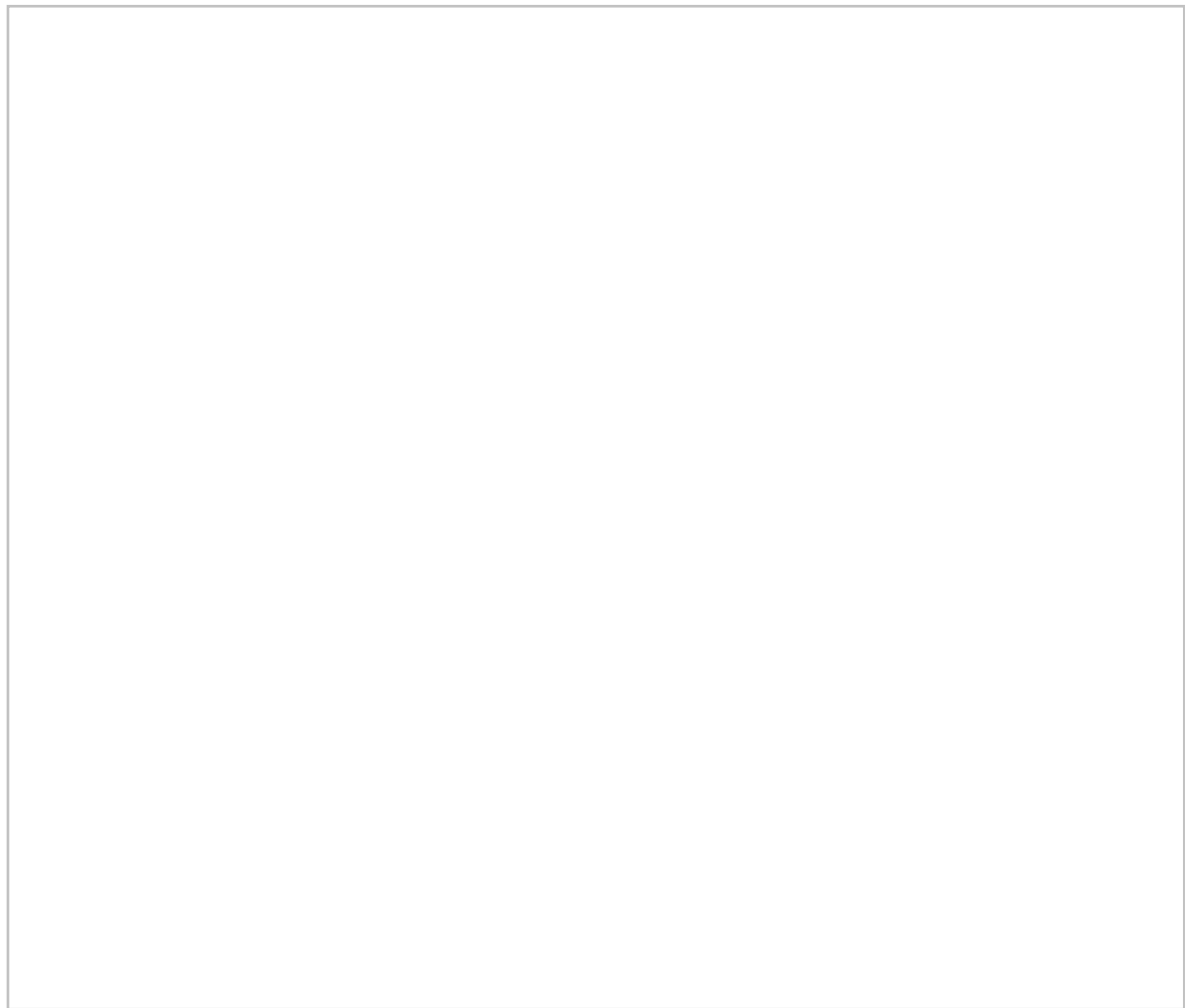
Hi [REDACTED],

An additional issue has come to our attention today. The information on your website on flight cancellation compensation still refers to the CAA as the body to which passengers should refer their complaints if they are not satisfied with how BA has dealt with their complaint (see screenshot below). Obviously this should refer to your ADR provider, CEDR.

Hopefully this is a consistency issue which can be fixed relatively quickly. Indeed, the reference to CEDR is correct in another part of your website - <https://www.britishairways.com/en-gb/information/help-and-contacts/index> (see the text under 'Making a complaint'). It might be worth reviewing other relevant areas of your website to ensure that the references to CEDR are present.

Thanks,

[REDACTED]



---

**From:** Moriarty Richard  
**Sent:** 31 May 2017 13:39  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** Pax redress following disruption

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[REDACTED]  
[REDACTED]
2. [REDACTED]  
[REDACTED]  
[REDACTED]

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<https://www.britishairways.com/en-gb/information/delayed-or-cancelled-flights>

#### Information rights

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If you could get back to me by the end of the week so that we can ensure we are fully aware of your position that would be much appreciated.

Best wishes,

Richard

\*\*\*\*\*

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are available on our website: [www.ba.com](http://www.ba.com)

**From:** [REDACTED]  
**To:** [Moriarty Richard](#)  
**Cc:** [REDACTED]; [REDACTED]; [REDACTED]; [REDACTED]; [REDACTED]  
**Subject:** RE: Pax redress following disruption  
**Date:** 07 June 2017 11:36:34  
**Attachments:** [image001.jpg](#)

---

Dear Richard

I confirm that we will be paying the fixed sum financial compensation for all flights that were cancelled or suffered qualifying delays under the regulation as a result of the power outage at our data centre. [REDACTED]

We have increased the number of claims handlers to cope with the expected increase in volume, both in our Newcastle call centre and by setting up a claims handling centre at our Waterside headquarters. We have also moved to 24/7 operation of our third party claims handling facility in India. We are aiming to pay claims within 14 days of receipt. This has been published on [ba.com https://www.britishairways.com/travel/flightops/public/en\\_gb?p\\_faqid=5780#](https://www.britishairways.com/travel/flightops/public/en_gb?p_faqid=5780#). We are monitoring the close out rate daily and I will let you know if circumstances change and there likely to be a material deviation from the standard we have set ourselves.

Regarding the post-incident review, my operations colleagues are gathering information from a wide number of people involved in managing the operation and disrupted customers, so it may be some weeks before this is available.

Kind regards

[REDACTED]

---

**From:** Moriarty Richard [mailto:Richard.Moriarty@caa.co.uk]  
**Sent:** 06 June 2017 09:23  
**To:** [REDACTED] <[REDACTED]@ba.com>  
**Cc:** [REDACTED] <[REDACTED]@caa.co.uk>; [REDACTED] <[REDACTED]@caa.co.uk>; [REDACTED] <[REDACTED]@ba.com>; [REDACTED] <[REDACTED]@ba.com>; [REDACTED] <[REDACTED]@ba.com>  
**Subject:** RE: Pax redress following disruption

Dear [REDACTED],

Thank you for your very helpful and timely responses below. I am pleased to hear that we are aligned on re-routing expenses. Also, I look forward to hearing the results from your post-disruption review. When do you expect this to have concluded?

As you will appreciate we are getting a significant interest in your stance on compensation. With this in mind we have a number of follow up queries on which we

would welcome your views.

In relation to financial compensation, you say that BA will be paying fixed compensation under the Regulation where it is due. Could you please elaborate - what does this mean in practical terms? Does it mean that you will pay the fixed sum financial compensation for all flights that were cancelled or that suffered a long delay as a result of the IT failure? If so, could you please provide us with an estimate of the number of flights that this covers and the number of passengers that you expect to seek and receive compensation? If not, could you please explain why you have not adopted this approach?

No doubt you are already starting to see claims for out-of-pocket expenses and compensation ramping up. As you probably know, the CAA's own passenger complaint handling service has, in the past, struggled to cope with a sudden influx in claims whilst maintaining acceptable service standards, and so I am aware of the challenges you will be facing. Whilst it is for BA to ensure the quality of its own complaint handling, it is possible that the CAA will be asked to comment on it, especially if you develop a substantial backlog and there is a significant delay in processing claims. As such, I would appreciate being kept informed of how things are progressing on complaint handling. As a starting point, could you please provide some further information on the plans you are putting in place to ensure that consumers claims are processed quickly?

Many thanks,  
Richard

Sent with BlackBerry Work  
([www.blackberry.com](http://www.blackberry.com))

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**From:** [REDACTED] <[REDACTED]@ba.com>  
**Date:** Friday, 02 Jun 2017, 3:35 pm  
**To:** Moriarty Richard <[Richard.Moriarty@caa.co.uk](mailto:Richard.Moriarty@caa.co.uk)>  
**Cc:** [REDACTED] <[REDACTED]@caa.co.uk>, [REDACTED] <[REDACTED]@caa.co.uk>, [REDACTED] <[REDACTED]@ba.com>, [REDACTED] <[REDACTED]@ba.com>, [REDACTED] <[REDACTED]@ba.com>  
**Subject:** RE: Pax redress following disruption

Dear Richard

For ease I have set out the replies to your questions in italics under each of the questions in your email.

Kind regards

[REDACTED]

[REDACTED]

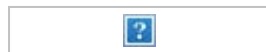
[REDACTED]

British Airways plc

Waterside, PO Box 365, Harmondsworth, Middlesex, UB7 0GB (Sat Nav UB7 0GA)

T: [REDACTED]

M: [REDACTED]



---

**From:** Moriarty Richard [<mailto:Richard.Moriarty@caa.co.uk>]

**Sent:** 31 May 2017 13:39

**To:** [REDACTED] <[REDACTED]@ba.com>

**Cc:** [REDACTED] <[REDACTED]@caa.co.uk>; [REDACTED] [REDACTED] <[REDACTED]@caa.co.uk>

**Subject:** Pax redress following disruption

Dear [REDACTED],

Thank you for your helpful responses over the bank holiday weekend and for getting back to me during what must have been a really hectic time for you and the BA colleagues. It is good to see that operations are now getting back to normal. I wanted to follow-up with you on a few points and also to seek clarification on your position in relation to customer claims going forward.

### Re-routing expenses

1. [REDACTED]  
[REDACTED]  
[REDACTED]

2. [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED] I would also like to set out our expectation that consistent with the regulation, for BA to refuse a claim, it will need to demonstrate that it made the passenger an offer of a re-route in a timely manner, that the re-route offered was 'at the earliest opportunity', and that the availability of seats on other airlines (and also departing from and arriving at nearby airports) was taken into account in the offer that was made. Could you please confirm that your understanding on these points is consistent with ours?

*In all but the most exceptional disruption events, disrupted customers are re-routed by BA onto either BA or other carriers' services. Cases where they cannot be re-routed by BA are very exceptional and self-help claims for those exceptional circumstances are dealt with on an ad-hoc basis, so there is no written policy I can share with you. Clearly in this particular disruption event, there will have been many customers who we were not able to rebook with us.*

*I can confirm that our understanding of the requirements of Regulation 261 on this point is the same as yours.*

3. We have had some questions from media about the information on BA's website regarding what passengers can claim for. Some concerns have been raised about why BA is referring consumers to their insurers. The second issue that we would like to raise with you is the section on "What you cannot claim for". This indicates that consumers who were re-routed to/from a different airport can't claim for transfer costs between airports or consequential expenses such as car parking. Where consumers have chosen to travel

at a later date and have chosen a different route this would be reasonable. However, for passengers who chose a re-route at the earliest opportunity and were re-routed by BA, or had to book an alternative flight, we would expect BA to be paying for these types of expenses. Could you please confirm how you will be dealing with these types of claims?

- *Insurance: BA will pay customers the expenses they are entitled to claim from BA under Regulation EU261 whether or not they have travel insurance. We are changing the pages on ba.com that refer to travel insurance.*
- *In relation to transfer costs between airports and consequential expenses incurred by customers re-routed to/from a different airport, we will reimburse 261 expenses when customers were re-routed by BA to another destination. We do not reimburse these expenses where the customer removed him or herself from BA's care and made alternative arrangements without giving BA the opportunity to re-route or rebook them and that is the situation the page you are referring to is intended to deal with.*

[REDACTED]

### **Information rights**

1. It is good to hear that you personally saw passenger rights leaflets being proactively distributed to passengers in Terminal 5 and that the availability of leaflets was an issue covered at your Crisis Management Team meeting. We look forward to seeing the results of your post-disruption review and we would like to see how your processes and procedures for overseeing distribution of rights leaflets worked in practice and what information was recorded at Heathrow and at the other UK airports. *We will be in touch after our post-disruption review*
2. We also understand that BA was issuing tailored letters to passengers and it would be helpful if you could share examples of these letters with us.  
*To avoid delay these will follow separately.*

### **Financial compensation**

1. We expect that passengers will now begin making claims to BA for expenses and also for fixed sum compensation as set down in the Regulation (€250-€600). From the information we have seen in the media it appears that BA has committed to paying the fixed sum compensation. However, we wanted to be clear on this point before you begin handling passenger claims in order to avoid any misunderstandings. Could you please confirm whether you will be compensating passengers on cancelled flights or flights delayed by more than 3 hours?  
*We will be paying fixed compensation under the Regulation where it is due.*

If you could get back to me by the end of the week so that we can ensure we are fully aware of your position that would be much appreciated.

Best wishes,

Richard

\*\*\*\*\*

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**From:** [REDACTED]  
**To:** [Moriarty Richard](#)  
**Cc:** [REDACTED]; [Haines Andrew](#); [Stephenson Richard](#); [REDACTED]; [REDACTED]; [REDACTED]  
**Subject:** RE: Urgent - re routing  
**Date:** 30 May 2017 11:09:54  
**Attachments:** [image001.jpg](#)

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Dear Richard

Sorry for the delay. It is still quite hectic here. In relation to your query on re-routing BA accepts that it has an obligation to offer customers a re-route option under Regulation 261. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

I hope this clarifies the position.

Kind regards

[REDACTED]

[REDACTED]

[REDACTED]

British Airways plc

Waterside, PO Box 365, Harmondsworth, Middlesex, UB7 0GB (Sat Nav UB7 0GA)

T: [REDACTED]

M: [REDACTED]



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**From:** Moriarty Richard [mailto:Richard.Moriarty@caa.co.uk]

**Sent:** 29 May 2017 18:27

**To:** [REDACTED] <[REDACTED]@ba.com>

**Cc:** [REDACTED] <[REDACTED]@caa.co.uk>; Haines Andrew

<Andrew.Haines@caa.co.uk>; Stephenson Richard <Richard.Stephenson@caa.co.uk>; [REDACTED]

[REDACTED] <[REDACTED]@ba.com>; [REDACTED] <[REDACTED]@ba.com>; [REDACTED]

<[REDACTED]@ba.com>

**Subject:** RE: Urgent - re routing

Dear [REDACTED] - thanks for the helpful response - especially so as I can imagine it has been around the clock handling since Saturday. I'm sure we will follow up in slower time on a number of points but there is one urgent one on which I would welcome clarification: your line/policy on compensating those pax that had to book away from BA with alternative carriers over the weekend. We have had a number of press queries on this so keen we understand your policy before we say something.



Best wishes,

Richard

Sent with BlackBerry Work  
([www.blackberry.com](http://www.blackberry.com))

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**From:** [REDACTED] <[REDACTED]@ba.com>  
**Date:** Monday, 29 May 2017, 5:19 pm  
**To:** Moriarty Richard <[Richard.Moriarty@caa.co.uk](mailto:Richard.Moriarty@caa.co.uk)>  
**Cc:** [REDACTED] <[REDACTED]@caa.co.uk>, Haines Andrew <[Andrew.Haines@caa.co.uk](mailto:Andrew.Haines@caa.co.uk)>, Stephenson Richard <[Richard.Stephenson@caa.co.uk](mailto:Richard.Stephenson@caa.co.uk)>, [REDACTED] <[REDACTED]@ba.com>, [REDACTED] <[REDACTED]@ba.com>, [REDACTED] <[REDACTED]@ba.com>  
**Subject:** Re: Urgent - re routing

Dear Richard

Thank you for your email. As you say, we are working extremely hard to ensure that our passengers make it to their destinations, that they are cared for while they wait, and that we are compliant with our obligations under EU261.

We are offering our passengers on cancelled flights, either a refund, or re-routing. We have implemented a commercial policy, which enables passengers on cancelled flights to 'book away' from the affected period, such that they can re-arrange their travel for later in the year, up to November. In addition to our obligations under EU261, our commercial policy extended to passengers on operating flights during the period [28-30 May](#), who may wish to book away to travel again by the end of November, or receive a refund if they no longer wish to travel.

In relation to re-routing, as you may have seen, we have been able to get some stability back in the network, which enhances our re-routing options.

In addition to offering passengers re-routing on our own services as they came back online, we also offered re-routing with 35 other airlines worldwide, including with other IAG airlines, with joint business partners, and with other carriers.

Where passengers re-booked themselves on other BA flights, before we had the chance to re-accommodate them, we are reimbursing them the difference in the price of the ticket.

In relation to your question on notification of rights oversight, as you know there is in place a procedure to record the notification of rights provision. However, as will appreciate the situation in the terminal has been far from normal. The staff there have been working tirelessly to ensure our passengers are looked after and receive their care and assistance and re-routing etc. As part of our post-disruption review we will specifically look at how notification of rights went during this event, but I can tell you now that I was personally at Terminal 5 for most of the day yesterday and today and I can confirm that notification of rights leaflets were being proactively distributed to customers at both airside and landside customer service desks and were also available at the gates. Indeed the availability of notification of rights leaflets was an issue that was specifically raised at our Crisis Management Team meeting on Saturday, so that sufficient stock was obtained for distribution

Kind regards



Sent from my iPad

On 29 May 2017, at 10:16, Moriarty Richard <[Richard.Moriarty@caa.co.uk](mailto:Richard.Moriarty@caa.co.uk)> wrote:

Hi  -

I appreciate it will be all hands to the pump at BA at the moment. But could I request from you urgent clarification on two points please:

1. Your approach and policy to re routing in light of the situation. Can pax book with alt carriers and reclaim cost? I assume so given 261 if you can't rebook them but can you confirm what you are saying to pax.
2. Whether you have activated the 261 oversight procedures in the undertaking you have agreed?

Would be grateful for clarification today given the pax and press interest in my first point. We are considering our press lines and will likely issue something later today.

Richard

Sent with BlackBerry Work

([www.blackberry.com](http://www.blackberry.com))

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## Stephen Rihanne

---

**From:** Stephenson Richard  
**Sent:** 29 May 2017 10:26  
**To:** [REDACTED]  
**Subject:** FW: Urgent - re routing

[REDACTED],

This email was sent during our call.

Just wanted to keep you in the loop.

We already have a statement on our website and we may review that later on but will await your update and interviews.

Thanks,  
R

Richard Stephenson  
Communications Director  
Civil Aviation Authority  
[REDACTED]

---

**From:** Moriarty Richard <[Richard.Moriarty@caa.co.uk](mailto:Richard.Moriarty@caa.co.uk)>  
**Date:** Monday, 29 May 2017, 10:16  
**To:** [REDACTED] <[REDACTED]@ba.com>  
**Cc:** [REDACTED] <[REDACTED]@caa.co.uk>, Haines Andrew <[Andrew.Haines@caa.co.uk](mailto:Andrew.Haines@caa.co.uk)>, Stephenson Richard <[Richard.Stephenson@caa.co.uk](mailto:Richard.Stephenson@caa.co.uk)>  
**Subject:** Urgent - re routing

Hi [REDACTED] -

I appreciate it will be all hands to the pump at BA at the moment. But could I request from you urgent clarification on two points please:

1. Your approach and policy to re routing in light of the situation. Can pax book with alt carriers and reclaim cost? I assume so given 261 if you can't rebook them but can you confirm what you are saying to pax.
2. Whether you have activated the 261 oversight procedures in the undertaking you have agreed? Would be grateful for clarification today given the pax and press interest in my first point. We are considering our press lines and will likely issue something later today.

Richard

Sent with BlackBerry Work  
([www.blackberry.com](http://www.blackberry.com))

## Stephen Rihanne

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**From:** [REDACTED] <[REDACTED]@ba.com>  
**Sent:** 31 May 2017 09:44  
**To:** Stephenson Richard  
**Subject:** RE: Update

**Categories:** Read

Thanks for letting us know, Richard.

---

**From:** Stephenson Richard [<mailto:Richard.Stephenson@caa.co.uk>]

**Sent:** 31 May 2017 09:39

**To:** [REDACTED] <[REDACTED]@ba.com>; [REDACTED] <[REDACTED]@ba.com>; [REDACTED] <[REDACTED]@ba.com>  
**Cc:** [REDACTED] <[REDACTED]@caa.co.uk>  
**Subject:** Update

Hi,

I just wanted to give you a quick update. We updated our statement yesterday which you can see here : <http://www.caa.co.uk/News/CAA-statement-on-the-disruption-affecting-British-Airways-flights/> We are due to tweet this shortly.

We've had a few calls – mostly seeking clarification over compensation, the possibility of a CAA investigation, ADR etc.. We are playing a very straight bat, as you can see from our statement on the website.

We will let you know if anything else develops this end but all quiet at this point.

Best,  
Richard

### Richard Stephenson

Communications Director  
Civil Aviation Authority

Tel: [REDACTED]  
Mob: [REDACTED] (Out of hours contact [REDACTED])

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## Stephen Rihanne

---

**From:** [REDACTED] <[REDACTED]@ba.com>  
**Sent:** 31 May 2017 10:05  
**To:** Stephenson Richard; [REDACTED]; [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** RE: Update

Hi Richard,

Thanks so much for sending that on. We have confirmed to journalists that we will be paying out on all EU261 claims – we have always said that we will fully comply with our legal obligations.

Please do keep us posted on developments, but I would hope that all will remain quiet.

Best wishes,

[REDACTED]

---

**From:** Stephenson Richard [<mailto:Richard.Stephenson@caa.co.uk>]

**Sent:** 31 May 2017 09:39

**To:** [REDACTED] <[REDACTED]@ba.com>; [REDACTED] <[REDACTED]@ba.com>; [REDACTED] <[REDACTED]@ba.com>  
**Cc:** [REDACTED] <[REDACTED]@caa.co.uk>  
**Subject:** Update

Hi,

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We will let you know if anything else develops this end but all quiet at this point.

Best,  
Richard

### Richard Stephenson

Communications Director  
Civil Aviation Authority

Tel: [REDACTED]  
Mob: [REDACTED] (Out of hours contact [REDACTED])

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