

# Consumer Panel minutes

## 12-4pm Thursday 1 November 2018

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### Attendees

#### Consumer Panel

Jenny Willott (JW)	Panel Chair
Carol Brennan (CB) Helen Dolphin (HD) Trisha McAuley (TM) Walter Merricks (WM) Jacqueline Minor (JM) David Thomas (DT) Claire Whyley (CW)	On Skype
Harriet Gamper (HG)	From Item 3 onwards Panel secretariat

### Invited guests

Phil Dykins (PD)	CAA, Aviation Security (Item 6 only)
Tim Johnson (TJ)	CAA, CSP (not present for Item 4)
Rebecca Roberts-Hughes (RRH)	CAA, CSP
Kate Staples (KS)	CAA, OGC

### Apologies

None. The meeting was quorate.

### Declaration of interests

None.

## 1. Chair's Update

JW opened and welcomed KS who was observing from the CAA, as well as welcoming CB, DT, and JM to their first Panel meeting.

JW has held regular catch up meetings with senior CAA staff, as well as the Chair of the Heathrow Consumer Challenge Board. In September JW met Mark Swan, CAA Group Director for Safety & Airspace Regulation, and Chris Tingle, the CAA's Chief Operating Officer, and also visited the Shared Service Centre.

JW also attended regular quarterly catch ups with Airlines UK and Thomas Cook.

In October a meeting of the Chairs of Consumer Panels discussed work coming from the BEIS consumer green paper, the Citizens Advice super complaint on the loyalty penalty, and Brexit.

Also in October the Panel co-hosted a consumer roundtable with the Aviation Minister to gather the views of consumer organisations ahead of publication of the Aviation Strategy green paper. Attendees included CAA, the Competition and Markets Authority, Resolver,

Transport Focus and Which?. Airlines UK, the Airport Operators Association and UK Border Force also attended. The session was productive and the main topics of discussion were provision of information to consumers, where the Minister recognised the need to do more work on what information consumers need and will use; complaints and redress, where most attendees favoured mandating ADR, and various ways to improve the take-up of compensation were discussed; and the border welcome.

The Panel secretariat also updated on activities. Since the last meeting HG has attended a workshop jointly hosted by the DfT and the Institute for Open Data which focused on open data in aviation, Aviation Futures where the discussion centred on flying taxis, a UK Regulators Network working group on vulnerable consumers, and the Aviation Consumer Survey working group. HG also met with Treasury (HMT) alongside CAA colleagues to discuss the move of regulation of claims management companies from the Ministry of Justice to the Financial Conduct Authority. HMT were interested in evidence of detriment in aviation.

## 2. Update from Panel members

There was a longer than usual update from Panel members following activities over the summer break.

Panel members met with CAA staff working on NATS regulation on 15 August and 1 October to provide input on the consumer interest. The Panel's views were reflected in a letter sent to NATS CEO Martin Rolfe by the CAA in September. DT updated and summarised that the Panel believe there should be more focus on outcomes for consumers in the CAA's regulatory framework and that guidance to NATS ought to be updated. It would also be helpful for NATS to gather evidence on consumer issues. The Panel suggested the CAA use an approach similar to the regulation of Heathrow Airport Limited.

In September WM, JM, and JW met with Peter Bucks, who is Chair of the Airline Insolvency Review, and members of the review team. The meeting discussed issues such as levels of consumer awareness that things could go wrong, alternative ways of payment that mean holding lesser amounts of money or holding money for less time, and the impact on more vulnerable consumers. WM and JW will join an expert panel being set up by the review team which will provide advice as the final report is developed

HD updated on a meeting she had attended with Stanstead airport on the issues disabled passengers are experiencing, and a separate meeting which discussed the CAA's airport PRM performance framework with CAA staff, DfT and disability stakeholders.

HD attended discussions about the formation of a working group, facilitated by the ODI, which aims to set up a new standard, the 'Public Access Assessment'. This assessment will enable assistance dogs which are not recognised as Assistance Dogs UK dogs to receive formal recognition of their status.

HD also flagged that the Panel had been asked to provide recommendations to the DfT on car parking and surface access as part of the DfT's work around the Aviation Strategy. The Panel provided recommendations, including around car parking for passengers with disabilities and the importance of awareness of the consequences of decisions in this area, which can impact disproportionately on certain groups of passenger.

JW updated on a meeting with the CAA H7 team. Panel members will be asked to input on Heathrow's initial business plan in 2019-20 and the Panel will continue to be briefed on ongoing workstreams of interest. In the meantime a teach-in on H7 will be organised for new Panel members for early 2019.

JW also flagged that whilst the Heathrow Consumer Challenge Board looks at detailed questions relating to the H7 process, the Consumer Panel's remit extends to overarching policy questions. The CCB has raised questions that the Panel may wish to consider around

the border welcome and queues, slots policy and how/whether compensation arising from penalties could be passed to consumers. JW agreed with the H7 team that regular updates on the CCB's work will be provided to the Panel.

In addition, Panel members undertook a trip to Heathrow airport in October where they learned more about assistance provision, immigration and security arrangements, and operations control. Heathrow explained how signage around the airport was being improved. Panel members found the day enjoyable and informative and thanked Heathrow staff for setting it up.

WM updated on a meeting with the CAA Passenger Advice and Complaints Team (PACT) that took place in October. Attendees were impressed with the level of knowledge and commitment shown by the team. The team is likely to move to Gatwick next year and WM cautioned that the CAA should bear in mind potential impacts from the move, including loss of knowledge if members of this small team leave, and try to mitigate these.

CB attended the Aviation Consumer Survey working group also in October. The group looked at the initial findings of the latest wave of the survey and offered comments on where further in-depth analysis could be carried out. The CAA expects to publish the next wave by the end of 2018.

### 3. Panel input to Aviation Strategy

TM introduced a paper on the above subject. The Panel previously agreed to focus intensively on complaints and redress between April and December 2018 in order to feed into the Aviation Strategy. The Panel therefore provided advice to the CAA to inform the development of their policy in this area and their engagement with DfT, and engaged directly with the DfT, most recently co-hosting a roundtable on 16 October with the Aviation Minister (see Item 1 above).

The purpose of this discussion was to take stock of the advice given to date and indications of what will appear in the green paper, the impact the Panel has had so far and how this has been achieved, and to decide if/what input the Panel wishes to give next and what format that should take. The main focus was on complaints and redress, as this is the area the Panel has scrutinised most to date, but members also considered information provision to consumers and the border welcome.

#### Key comments/responses/questions

- The Panel agreed to prioritise first tier complaints data between November and January, including:
  - Desk research to look at what policies on complaints handling by airlines are currently available and how easy they are to find;
  - A sweep of other sectors to set out what information is gathered and published in other regulated sectors.
  - Research on what has been done on the complainant experience at the first tier by other regulators.
- The Panel would then summarise the results of the work and provide to the CAA in the context of suggesting what information the CAA could potentially gather and publish on first tier complaints handling.
- In addition the Panel agreed to organise a roundtable to explore good practice at the first tier.
- The Panel suggested reviewing the findings of the Aviation Consumer Survey on the experience of those that don't complaint ('silent sufferers').
- There was a request to meet with ADR providers in the sector to explore their work in more detail and gather their insights into how complaints are handled at the first tier.

- In terms of a response to the Aviation Strategy, this of course depends on the content of the green paper once published, but the Panel were in favour of responding and thought this could be done in various formats.

### Actions

- Prioritise work on first tier complaints: desk research and paper to be completed and provided to CAA.
- Organisation of roundtable on good practices, to take place in early 2019.
- Once the green paper is published, invite the DfT team to the Panel to discuss the content and likely response.

## 4. Draft Consumer Panel annual report

HG introduced the draft annual report, which covers key Panel activities and outputs across the year. The report covers the period of 1 April 2017 to 31 March 2018.

### Key comments/responses/questions

- Overall Panel members considered the report read well and covered the key areas of work.
- More focus should be given to the areas of H7 and the Aviation Strategy.
- Panel members mentioned the impressive CAA response to Monarch and considered this ought to be highlighted.
- The language around 'access' and 'vulnerability' was considered, and CW made the point that vulnerability covers far more than physical access.
- The transparency section could be expanded to cover the considerable amount of work carried out by the Panel in between formal meetings.
- As the period covered included work done by Panel members who had subsequently left, their biographies should also be included.

### Actions

- Panel members to send any further drafting comments to HG by email.
- HG to amend draft based on comments and circulate to the Panel Chair via email for final sign off.
- The final Annual Report will be presented to the CAA Board in December.

## 5. CAA strategic update

TJ gave an overview of strategic developments at the CAA, including:

- Dame Deirdre Hutton's appointment as CAA Chair has been extended to July 2020;
- The Heathrow Development Consent Order process is currently underway and is a particular focus for the organisation at the moment. The CAA will shortly consult on surface access policy in respect of Heathrow;
- The Airspace Modernisation Strategy is another area of focus, and needs to be delivered by the end of 2018. The CAA is liaising closely with Government on this;
- The CAA successfully bid for funding from the BEIS Regulators Pioneers Fund, and will now set up a team to support a project that includes a 'regulatory lab' that will bring together relevant bodies to unblock legislative and regulatory barriers to innovations like flying taxis.

TJ also covered the CAA's Brexit planning, emphasising that the CAA is not part of the negotiations and needs to plan for various possible outcomes. The UK will continue to recognise licences issued in the EU but it is not yet clear whether the EU will reciprocate. The CAA is currently recruiting to re-establish capability to deal with safety certifications. The Government technical notices were discussed and TJ said the CAA is also making preparations in the consumer area. The key booking season for holidays typically starts on

26 December, and so the CAA will consider what information consumers should be offered ahead of that.

### **Key comments/responses/questions**

- The Panel noted the update, offered support to the CAA in considering potential consumer communications, and underlined the importance of ensuring consumers have access to clear and unambiguous information.

## **6. Aviation Security annual report to Panel**

PD presented a report on the work of the Aviation Security directorate over the last year to the Panel, covering work impacting on consumers over the course of the last year. The Government leads in the Aviation Security area and the CAA's role is to provide expert advice to Government, monitor implementation, and provide advice to industry.

PD spoke to the introduction of new rules requiring all major airports to screen a certain proportion of passengers using security scanners. The CAA worked with DfT to develop comprehensive new guidance and staff training for their use. This included ensuring airport security staff are trained to recognise and deal appropriately with passengers using certain medical devices such as insulin pumps, an area the Panel had input to in the past. Since then the Aviation Security team have carried out a number of further initiatives to improve the experience of these passengers and is currently working with airports and airlines, together with medical equipment manufacturers and a group representing insulin dependent passengers to ensure clear, consistent and correct information is available to them about the risks and alternative screening processes available.

PD also updated on initiatives to improve delays when passengers arrive late at the gate, and for remote check in of baggage (for example having baggage collected at home and sent to the destination). Trials of "next generation" screening equipment for cabin baggage are also underway, This equipment will not only bring security benefits, but could also mean passengers would in future be allowed to carry liquids on board aircraft, and the Panel may be asked to help develop communications for consumers if changes are made to current carry on baggage regulations.

### **Key comments/responses/questions**

- The Panel asked if wheelchair users can go through security scanners if they are able to walk through and would like to do so. PD confirmed that they can and said security staff should ask wheelchair users if they would like to do this.
- The Panel noted high levels of satisfaction with the balance between security and convenience at UK airports, and satisfaction with the security experience.
- The Panel thanked PD for an extremely stimulating and interesting presentation.

### **Actions**

- PD to contact HG for Panel input on communications in due course.

## **7. Any other business**

Potential agenda items for the February Panel meeting are: horizon scanning (including new technology such as drones), the Aviation Strategy (as the green paper is likely to have been published prior to the meeting), and discussion on datasets collected by CAA.

The secretariat asked if Panel members would like to have more guest speakers at meetings and took an action to arrange this.

Temporary cover arrangements for the secretariat position are underway and will be communicated to JW by TJ as soon as possible.