

# Consumer Panel minutes

## 9-1pm Thursday 2 February 2017

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### Attendees

#### Consumer Panel

Keith Richards (KR)	Chair	Trisha McAuley (TM)
Sarah Chambers (SC)		Adam Scorer (ASc)
Ann Frye (AF)		Anthony Smith (AS)
Steven Gould (SG)		Claire Whyley (CW)
Robert Laslett (RL)		

#### Invited guests

Dame Deirdre Hutton (DDH)	CAA (Chair)	Rebecca Roberts-Hughes (RRH)	CAA (PPT)
Andrew Haines (AH)	CAA (Chief Exec)	Harry Farmer (HF)	CAA (PPT)
Tim Johnson (TJ)	CAA (PPT)	Stephen Gifford (SGi)	CAA (CMG)

#### Apologies

None

Minutes by Anne-Marie Hopcroft, Panel Secretary

### 1. Initial Consumer Panel discussion on work plan priorities and future of the Panel

The Consumer Panel held a discussion on its work plan priorities and the upcoming review of the Panel.

### 2. Update on the Tracker Survey

HF provided the Panel with a summary of the results of the second wave of the Tracker Survey, which took place in Autumn 2016, highlighting the key differences with the first wave which took place in March 2016. It was noted that the results from the second wave were largely aligned with those from the first wave, in particular highlighting the work still to be done on consumer choice and the handling of travel problems. HF also outlined how the survey will develop going forward in line with the CAA's information needs and priorities. In particular, it was considered that the CAA would benefit from more information on the composition of passengers travelling with a disability or reduced mobility, and on how better to provide consumers with delay and performance data.

#### Key comments/responses/questions

- In response to a question from KR, RRH confirmed that the questions set for the second wave of the survey had been amended in light of input from the Panel.
- The Panel welcomed the work that had been undertaken on the survey and, looking to the future, were keen to see how the CAA would review, and act upon, the results of the survey.

- The Panel were also keen to receive more information about the survey results and future timings.

*Passengers travelling with a disability or reduced mobility:*

- Recognising that there had been significant growth in this passenger group, CW felt that the survey could be helpful in better understanding the reasons behind this growth.
- RL/AS noted the challenges of obtaining quantitative data in respect of the composition of this passenger group and suggested that this could be supported through more qualitative work once the survey had highlighted the areas to explore. Also, recognising that there could be sensitivities around self declaration, it was considered that supporting the survey with wider demographic information from sources such as the Office of Disability Issues and Office of National Statistics would be helpful. AF also suggested using the survey to better understand why passengers may not have requested special assistance that could have been available to them.

*Delay and performance data:*

- TJ highlighted that delay was becoming an increasing issue as passenger numbers continued to grow in a capacity constrained environment.
- SC/CW encouraged PPT to consider consumer response to severe delay in terms of choice rather than cost. It was recognised that flyers experiencing frequent delays, particularly on the same route, were likely to respond differently than less regular travellers.

## Actions

- The report of the second wave tracker survey findings will be circulated to Panel Members together with timings of future activities

## 3. Discussion with CAA Chair and Chief Executive

KR welcomed DDH and AH to the meeting and introduced the item by highlighting the forthcoming review of the Panel. He noted the progress that had been made in embedding the Panel and the opportunities for the Panel to add more value via the work plan priorities in future. KR noted that the CAA had listened to, and incorporated, advice from the Panel but there was still further progress that could be made on culture change. As part of the developing discussion between the Panel and the CAA, KR invited SG to present his views focusing on Alternative Dispute Resolution (ADR) as an example of whether the CAA's policy on this reflected its primary duty to consumers and gave any indications about the culture of the organisation. This included a history of the CAA's role in complaint handling and issues for future consideration.

## Key comments/responses/questions

- DDH/AH/TJ highlighted the CAA's commitment to having a Consumer Panel and were keen that the forthcoming review identifies how to improve the effectiveness of how the CAA and Panel work together. DDH emphasised the significant improvement that had been made thanks to the Panel to refocus CAA mindset to be more consumer focused, but she recognised that further progress could be made.
- DDH thanked SG for a thought provoking presentation but highlighted concerns about some inaccuracies. DDH wanted the Panel to be aware of the significant efforts that had been undertaken by CAA teams to drive forward the ADR agenda and the strong intent to make this a consumer focussed policy.
- Following the discussion it was agreed that the Panel's interpretation of CAA culture and activity may have developed as a result of receiving more tactical information

rather than a wider strategic context. DDH suggested the forthcoming review of the Panel could usefully help to determine how and when the Panel could receive information from the CAA to understand the strategic context. ASc noted that the wider stakeholder community would also benefit from knowing more about how the CAA is using its 'shadow influence' to gain positive outcomes for consumers. KR highlighted the need for the Panel to be the CAA's 'critical friend' and DDH welcomed this approach.

- DDH responded to a number of the specific concerns in the presentation:  
*Lack of coordination across sectors:* the Panel was briefed on the work undertaken at Chair and Chief Executive level through the UK Regulatory Network (UKRN) and noted DDH's request for the UKRN to host a consumer conference to bring together consumer bodies to develop an overarching consumer agenda.  
*Making effective use of regulatory powers:* DDH recognised that the CAA had not historically taken a strong stance but noted the increased levels of enforcement activity that had taken place. In addition, at senior levels, the CAA was using reputation as an effective tool to encourage industry compliance with good success.  
*Relationship between CAA and DfT:* DDH considered that the CAA had a constructive working relationship with the Department which was beneficial to both parties.
- DDH took the opportunity to brief the Panel on some of the CAA's key priority areas relating to runways, airspace and Brexit and AH shared the work undertaken by CAA to address congestion, an area where the CAA had no legal remit but yet provided significant consumer risk. RL noted that the CAA's priority areas did not necessarily align with the Panel's work plan priorities. DDH considered that the work plan and forthcoming review of the Panel would help steer how to work going forward. The Panel were keen to highlight that although they meet four times a year, they are able to provide support outside meetings. SC considered that CAA teams had been reluctant to draw on Panel experience but emphasised that Panel members wanted to be used and useful. DDH highlighted that the information duties work was a particular area where Panel input would be helpful.
- KR was concerned that the Panel would be constrained by work plan priorities and not be sighted on other areas of consumer interest where the Panel could add value. DDH considered that PPT's role would be to ensure the Panel was being involved in the appropriate workstreams.
- CW felt that the discussion had highlighted the timeliness of the review in order to better understand the roles and interactions between the CAA and the Panel. TJ noted that focussing on a smaller number of issues and allocating Panel Members to those issues would help build relationships and knowledge of their context.
- DDH emphasised that the CAA welcomed constructive criticism from the Panel and, conscious of constraints on the Panel's capacity, was keen for the Panel to focus on its work plan priorities but highlighted that this would not preclude the Panel considering other issues that the CAA and Panel want to review. The Panel supported this approach.

## Actions

- AH will attend the Panel twice yearly to provide a strategic overview to the Panel supported by a twice yearly update of media and regulatory activity.
- PPT to ensure that papers to the Panel are supported by a cover note that provides contextual information.
- PPT to circulate AH's recent speech which refers to the CAA's four key principles for UK aviation post-Brexit.

## 4. Update on the extra runway capacity and H7 Consumer Challenge Board (CCB)

SGi provided the Panel with an update on progress with the economic regulation of new runway capacity, in particular, CAA priorities and timetable.

### Key comments/responses/questions

- It was highlighted that the Department for Transport had, on the day of the meeting, published the draft Airports National Policy Statement, which would be the first step in how the Government would approach this significant national infrastructure project. This would be followed by the Development Consent Process, which would be carried out in the context of the NPS. TJ noted that this was a different approach than had been taken previously by but that it would not limit evidence gathering.
- In response to a question from SC on whether the CAA were reflecting on models such as the Thames Tideway Tunnel, SGi noted that there was a workstream looking at how other large regulated infrastructure projects were delivered and the lessons that could be drawn from them.
- SGi briefed the Panel on the work that DfT had requested under Section 16 of the Civil Aviation Act 1982 to oversee the engagement process between Heathrow Airport Ltd (HAL) and airlines. It was noted that this work would overlap with the remit of the CCB.
- The CCB was further discussed and it was noted that a Chair had been appointed with the announcement due week commencing 6 February. It was anticipated that the Board would consist of 4-6 members and operate beyond Constructive Engagement to the end of 2019. One of the key roles for the CCB would be to work with HAL to ensure consumer focus in its R3 Business Plan. It was noted that although the concept of the CCB had been established prior to the decision on runway capacity, the Chair had been appointed post-decision and so they would have been aware in the change of scope of the Board. TJ noted that the CAA will be writing to both the Panel and the CCB to set out their respective remits and this would also provide an opportunity to make introductions between the two groups.
- The Panel recognised the scale of work involved and offered their support to the CAA. They were keen to highlight the importance of the input of the Panel and CCB to ensure focus remained on the consumer (including freight). KR felt that the Panel would also want to maintain scrutiny of the CAA's role and engagement with the CCB.

## 5. Panel discussion on delivery of the work plan priorities

The Consumer Panel held a discussion to decide which Panel members would support the activities within the prioritised Work Plan.