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Time better spent.

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# **EASTLINK CUSTOMER ADVOCATE REPORT**

**Q3 2019 (1 JULY 2019 – 30 SEPTEMBER 2019)**



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## 1. EASTLINK CUSTOMER ADVOCATE'S MESSAGE

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I have completed the first quarterly period ever undertaken by an EastLink Customer Advocate. This document is my report on EastLink Customer Advocate activities for Q3 2019, and on the transition from the previous TCO Tolling Customer Ombudsman scheme to the EastLink Customer Advocate.

On 30 June 2019, EastLink ceased to be a member of the previous TCO Tolling Customer Ombudsman scheme.

On 1 July 2019, EastLink managing director Charles Griplas appointed me to the role of EastLink Customer Advocate.

As EastLink Customer Advocate, it is now my responsibility to provide EastLink customers with an independent review and decision-making process in relation to unresolved customer complaints.

I am committed to ensuring that unresolved customer complaints are investigated and responded to in a timely manner, and I promise that I will do my utmost to ensure that my findings are thorough and fair.

The EastLink Customer Advocate will publish a report quarterly. This is my first quarterly report, for Q3 2019.

The transition for EastLink customers from the previous TCO Tolling Customer Ombudsman scheme to the EastLink Customer Advocate has been smooth and without interruption. The number of cases processed for EastLink customers has actually increased following the transition, which indicates that EastLink customers are finding the new arrangements easy to access. For example, there are no forms to complete, sign and return.

I have encountered very little customer confusion during the transition. Out of 55 cases raised with me during the quarter, only one case needed to be referred to another tolling operator and the new TCO Tolling Customer Ombudsman.

Nearly half of all the cases raised with me during the quarter (24 out of 55 cases) have related to complaints about EastLink toll invoices. As a result, I have been working with EastLink's billing & credit department. Recently, EastLink made a change to its business processes to eliminate the possibility of a Transurban Linkt account holder receiving an EastLink toll invoice for a trip made on EastLink at around the same time as when the account is reactivated with Transurban Linkt following a period of account suspension. Following this change, the trip is now always charged to the Linkt account (unless rejected by Transurban, which is outside EastLink's control). This change will decrease the number of complaints about EastLink toll invoices.

During the quarter, I received a complaint about the EastLink website. Although the website issue was already known about by EastLink, it was previously considered to be low priority, and was not scheduled to be fixed until late 2020. My review of the case determined that this issue should be considered with much higher priority. I worked with EastLink's management team and information technology department to get the issue addressed through a website improvement just 11 days after the complaint was made to me.

In 21 out of 55 cases, although I found that EastLink was not at fault and the complaint should be rejected, I arranged for EastLink's customer service team to assist the customer with their predicament.

My focus in this quarter has been to reduce the elapsed time to close unresolved customer complaint cases. The elapsed time to close cases started at an average of 6.3 days in July 2019, reduced to 3.4 days in August, and decreased again to just 2.1 days in September. This is an excellent outcome for customers.

**Doug Spencer-Roy**  
EastLink Customer Advocate



## 2. ABOUT THE EASTLINK CUSTOMER ADVOCATE

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### 2.1 EASTLINK

EastLink is the 39km tollway in Melbourne's east, connecting the Eastern, Monash, Peninsula Link and Frankston Freeways.

EastLink was financed, designed, constructed and is now operated by ConnectEast Group, which is privately owned.

Construction of EastLink started in March 2005. EastLink opened to traffic in June 2008. The EastLink toll road concession agreed with the State of Victoria will continue until 2043.

Today:

- > EastLink carries a quarter of a million vehicles each day on average.
- > EastLink has more than 950,000 tolling tags on issue with EastLink account holders.

### 2.2 THE EASTLINK CUSTOMER ADVOCATE

For the resolution of unresolved customer complaints, on 30 June 2019 EastLink ceased to be a member of the TCO Tolling Customer Ombudsman scheme, and in its place created a new EastLink Customer Advocate role effective from 1 July 2019.

The EastLink Customer Advocate operates in accordance with:

- > The Australian Government's Benchmarks for Industry based Customer Dispute Resolution Benchmarks
- > The Australian Bankers' Association Guiding Principles – Customer Advocate.

The purpose of the EastLink Customer Advocate is:

- > To provide EastLink customers with an independent review and decision-making process in relation to unresolved customer complaints.
- > To make it easier for customers when things go wrong by helping to facilitate thorough and fair complaint outcomes and minimise the likelihood of future problems.
- > Not a substitute for the existing complaint handling processes and functions provided by EastLink's toll road operations, however, serves to enhance the customer's experience for the types of cases that until 30 June 2019 progressed through the TCO Tolling Customer Ombudsman.

The core objectives of the EastLink Customer Advocate are:

- > To enhance the existing complaints processes.
- > To ensure unresolved customer complaints are able to be escalated and responded in a timely manner.
- > Through an independent review process, to arrive at findings that are **thorough** and **fair**.

The EastLink Customer Advocate is functionally independent from EastLink's toll road operations, and therefore can make decisions independently. This independence is communicated to customers.

Accordingly, the individual appointed to the EastLink Customer Advocate role:

- > Must not be within the line management of EastLink's toll road operations departments, which deliver tolling, customer service, road/tunnel management and incident response (i.e. the Finance, Customer Service, Billing & Credit, Information Technology and Road Operations departments).
- > Must not be within the line management of the EastLink department that administers the KPI regime and risk management (i.e. the HR Risk & Safety department).
- > Must not be within the line management of the EastLink department that administers vehicle damage claims (i.e. the Legal department).

The EastLink Customer Advocate is sufficiently senior:

- > Reports directly to EastLink's Managing Director.
- > Has unfettered access to key business decision makers including every member of the EastLink Senior Management Committee.

The EastLink Customer Advocate has the power to:

- > At their request, help customers who have not been able to resolve a complaint through the existing complaint handling processes and functions provided by EastLink's toll road operations, and customers in particularly challenging or complex circumstances.
- > Conduct an independent review of the outcome of a customer's complaint.
- > Access any required information held by EastLink in order to conduct a thorough and independent review of a complaint.
- > Investigate problems, resolve issues and make decisions.
- > Through identification of trends and a deeper understanding of specific complaints, help EastLink's toll road operations improve its products, systems and processes by providing insights into customer perspectives and recommendations for improvement.
- > Engage with customer representatives, including community legal centres and other stakeholders.

EastLink is bound by the EastLink Customer Advocate's findings, including goodwill credits and/or toll/fee refunds awarded to the customer if applicable.

Irrespective of the EastLink Customer Advocate's findings, the customer continues to retain his/her legal rights. For example, the Magistrates' Court or VCAT (the Victorian Civil & Administrative Tribunal). VCAT is a tribunal that hears and decides civil and administrative legal cases in the State of Victoria. This includes consideration of, and decision making on disputes about the purchase or supply of products and services. This is communicated to customers when they are advised of the EastLink Customer Advocate's finding in their case.

The EastLink Customer Advocate is available free of charge to customers.

The EastLink Customer Advocate is contactable:

- > By email to [EastLinkCustomerAdvocate@connecteast.com.au](mailto:EastLinkCustomerAdvocate@connecteast.com.au)
- > By letter to The EastLink Customer Advocate, PO Box 744, Ringwood VIC 3134
- > By phone to (03) 9955 1700 during business hours.

Contact details for the EastLink Customer Advocate are:

- > Published on the EastLink website.
- > Provided to customers on request to the EastLink contact centre or in person at the EastLink customer centre.

The EastLink Customer Advocate does not require onerous or overly complex information from the customer in order to conduct an assessment and make a finding for a case. For example, printed and signed complaint forms are not necessary.

The EastLink Customer Advocate maintains its own records of all customer advocate cases.

The operations of the EastLink Customer Advocate will be audited by an independent auditor as part of EastLink's existing annual customer service and KPI audit.

The EastLink Customer Advocate will publish a quarterly report on the EastLink website.

### 3. CUSTOMER ADVOCATE CASES DURING THE QUARTER

#### 3.1 CASES RAISED

These case categories were created based on the cases during Q3 2019. In the future, new categories may be added.

Table 1: ECA cases raised

ECA CASES RAISED	Jul 2019	Aug 2019	Sep 2019	Q3 2019
Enquiry (service request, not a complaint)	1	1	3	5
Toll invoice	11	6	7	24
Account notice	0	1	0	1
Account payment	0	1	1	2
Account charge	0	1	0	1
Account charge for a sold vehicle	0	1	0	1
Account charge for an LPN error	0	0	1	1
Account closure	0	0	1	1
Faulty tag	0	0	2	2
Trip pass	0	1	0	1
Rental vehicle toll payment	2	1	1	4
Debt recovery	0	1	0	1
Customer service quality	2	0	0	2
Infringements (fines)	0	2	0	2
Debris damage	1	0	0	1
Signage	0	0	1	1
Litter	1	0	0	1
EastLink Trail	0	0	1	1
Privacy	1	0	0	1
Problem with another tollway operator	1	0	0	1
Unknown (e.g. customer withdrew case)	1	0	0	1
<b>TOTAL</b>	<b>21</b>	<b>16</b>	<b>18</b>	<b>55</b>

#### 3.2 CASES CLOSED

All of the cases raised during Q3 2019 have been closed.

Table 2: ECA cases closed

ECA CASES CLOSED	Jul 2019	Aug 2019	Sep 2019	Q3 2019
Q1 2019 cases closed (as at date of report)	21	16	18	55
Q1 2019 cases still open (as at date of report)	0	0	0	0
<b>TOTAL</b>	<b>21</b>	<b>16</b>	<b>18</b>	<b>55</b>

#### 3.3 CASE FINDINGS

In 38% of cases EastLink was not at fault, and even though the complaint was rejected, I arranged for EastLink's customer service team to assist the customer with their predicament. 24% of cases were fully upheld, and a further 22% of cases were partially upheld. In 15% of cases the complaint was rejected with no practical customer service assistance identifiable. 2% of cases required a referral to another tollway operator.

Table 3: ECA case findings

ECA CASE FINDINGS	Jul 2019	Aug 2019	Sep 2019	Q3 2019
Service expedited (no valid complaint)	9	4	8	21
Complaint upheld	6	5	2	13
Complaint partially upheld	3	5	4	12
Complaint rejected	2	2	4	8
Referred to another tollway operator	1	0	0	1
<b>TOTAL</b>	<b>21</b>	<b>16</b>	<b>18</b>	<b>55</b>

Most unresolved complaint cases involved complaints about modest sums – in particular, the fee component of a toll invoice but not the toll component. (In general, with toll invoice complaints, it is not the trip that is in doubt, but whether the trip is able to be charged to a valid account.)

This means that the refunds and credits awarded can vary significantly from month to month, depending on whether there are any of the more unusual, higher value cases during the month, and whether those complains are upheld or rejected.

Table 4: ECA case findings – refunds & credits

ECA CASE FINDINGS – REFUNDS & CREDITS	Jul 2019	Aug 2019	Sep 2019	Q3 2019
Refunds & credits awarded	\$386	\$323	\$29	\$738

### 3.4 ELAPSED TIME TO CLOSE CASES

The elapsed time to close ECA cases has been steadily reducing and is now just 2.1 days. This elapsed time includes weekend days and public holidays.

Table 5: Elapsed time to close ECA cases

ELAPSED TIME TO CLOSE ECA CASES	Jul 2019	Aug 2019	Sep 2019	Q3 2019
Average time to close cases (days)	6.3	3.4	2.1	4.0

#### Case Study

Issued by Victoria Police/Fines Victoria, infringement penalties (fines) are outside the scope of the EastLink Customer Advocate. However, during this quarter, I received a request from the mother of a customer who had and continues to experience serious mental health issues.

The customer had received a number of infringement penalties for failing to pay EastLink tolls.

The infringement penalties were issued around two years ago.

This year, the customer’s request for a review on the grounds of special circumstance had been declined.

The customer’s mother thought this was unfair and contacted me.

I arranged for EastLink’s billing and credit department to request that Victoria Police/Fines Victoria take another look at this customer’s situation.

As a result, the customer’s infringement penalties were withdrawn.

## 4. CUSTOMER ADVOCATE CASE TRENDS

### 4.1 HISTORICAL TRENDS

It is too early to identify trends over time.

Table 6: ECA cases trend

ECA CASES	Q3 2019	Q4 2019	Q1 2020	Q2 2020	Q3 2020	Q4 2020
Enquiry (service request, not a complaint)	5	-	-	-	-	-
Toll invoice	24	-	-	-	-	-
Account notice	1	-	-	-	-	-
Account payment	2	-	-	-	-	-
Account charge	1	-	-	-	-	-
Account charge for a sold vehicle	1	-	-	-	-	-
Account charge for an LPN error	1	-	-	-	-	-
Account closure	1	-	-	-	-	-
Faulty tag	2	-	-	-	-	-
Trip pass	1	-	-	-	-	-
Rental vehicle toll payment	4	-	-	-	-	-
Debt recovery	1	-	-	-	-	-
Customer service quality	2	-	-	-	-	-
Infringements (fines)	2	-	-	-	-	-
Debris damage	1	-	-	-	-	-
Signage	1	-	-	-	-	-
Litter	1	-	-	-	-	-
EastLink Trail	1	-	-	-	-	-
Privacy	1	-	-	-	-	-
Problem with another tollway operator	1	-	-	-	-	-
Unknown (e.g. customer withdrew case)	1	-	-	-	-	-
<b>TOTAL</b>	<b>55</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>

Table 7: ECA case findings trend

ECA CASE FINDINGS	Q3 2019	Q4 2019	Q1 2020	Q2 2020	Q3 2020	Q4 2020
Service expedited (no valid complaint)	21	-	-	-	-	-
Complaint upheld	13	-	-	-	-	-
Complaint partially upheld	12	-	-	-	-	-
Complaint rejected	8	-	-	-	-	-
Referred to another tollway operator	1	-	-	-	-	-
<b>TOTAL</b>	<b>55</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>

Table 8: ECA case findings – refunds & credits trend

ECA CASES – REFUNDS & CREDITS	Q3 2019	Q4 2019	Q1 2020	Q2 2020	Q3 2020	Q4 2020
Refunds & credits awarded	\$738	-	-	-	-	-

Table 9: Elapsed time to close ECA cases trend

ELAPSED TIME TO CLOSE ECA CASES	Q3 2019	Q4 2019	Q1 2020	Q2 2020	Q3 2020	Q4 2020
Average time to close cases (days)	4.0	-	-	-	-	-

## 5. CUSTOMER ADVOCATE CASE EXAMPLES

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This section only shows a very brief summary of each case example. The detailed circumstances of every case are unique, so these case examples should not be read as precedents for other cases.

### 5.1 CUSTOMER A (TOLL INVOICE COMPLAINT)

Customer A has a Transurban Linkt account and complained about EastLink toll invoices having been issued for vehicles linked to the account.

My investigation determined that the Transurban Linkt account was suspended at the time of travel and the EastLink toll invoices were issued correctly.

My finding was to reject the complaint, but also to extend the due date and provide some extra time to pay the invoices.

### 5.2 CUSTOMER B (TOLL INVOICE COMPLAINT)

Customer B has a Transurban Linkt account and complained about an EastLink toll invoice having been issued for a vehicle linked to the account.

My investigation determined that the vehicle was added to the Transurban Linkt account ten minutes prior to travel on EastLink.

My finding was that it was reasonable for Customer B to expect that the toll would have been charged to the Transurban Linkt account instead of an EastLink toll invoice and overdue notice being issued.

Based on the detailed circumstances of this case, the EastLink overdue notice was waived. The waiver amounted to \$19.02.

### 5.3 CUSTOMER C (ACCOUNT CHARGE FOR A SOLD VEHICLE)

Customer C has an EastLink account and complained about EastLink and CityLink tolls being charged to the account for a vehicle which had been sold.

My investigation determined that Customer C had omitted to remove the vehicle from the account at the time it was sold, when it was Customer C's responsibility to do so. EastLink had also issued five account statements to Customer C after the vehicle was sold which listed the vehicle as remaining on the account.

I noted that the front of each of these account statements included prominent text:

CHECK THAT THE VEHICLES LISTED  
OVERLEAF ARE UP TO DATE  
To add/remove vehicles or request new tags,  
login to your account at EastLink.com.au  
or phone us on (03) 9955 1400 during  
business hours.

Although Customer C was technically at fault, based on the detailed circumstances of this case my finding was to partially accept the complaint on a goodwill basis, and to provide a refund for the tolls incurred by the sold vehicle during the most recent two of the account statement periods only. The refund amounted to \$58.02.

### 5.4 CUSTOMER D (RENTAL VEHICLE COMPLAINT)

Customer D had a rental vehicle and complained about receiving EastLink toll and toll processing fee charges from their rental company even though they had purchased an EastLink trip pass for their trip.

My investigation determined that Customer D had made two errors:

- > Vehicle licence plate number was incorrect (zeroes instead of letter oh's)
- > The EastLink trip pass was purchased after travel instead of prior to travel on EastLink.

I also advised Customer D:

- > That the rental company concerned has registered the vehicle for tollway travel across Australia via a Sydney tollway operator called RMS, and that the rental company offers an optional toll payment program for their customers.
- > It is EastLink's understanding that the rental company advises their customers that if the customer chooses to make a direct payment to a tollway operator using a tollway pass then the pass must be setup prior to using the toll road (and I provided an example).
- > The relationship between Customer D and the rental company (including the terms and conditions of the rental agreement, their invoices and the "Toll Administration Fee" charged by the rental company to Customer D) remains a commercial matter between the Customer D and the rental company.

Although Customer D was technically at fault, based on the detailed circumstances of this case my finding was to partially accept the complaint on a goodwill basis, and to provide a refund for the EastLink trip pass. The refund amounted to \$6.36.

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