

# CAA Consumer Panel

Work Programme:

September 2022 – April 2024



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# About the CAA Consumer Panel

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## Who we are

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The CAA Consumer Panel is a group of ten independent experts, who bring together deep consumer expertise and experience along with strategic thinking, applying these in a practical way to improve the experience for commercial air passengers. The Panel member's biographies can be found at the end of this document.

## What we do

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The Panel acts as a non-statutory critical friend, giving expert advice to the CAA as policy is being developed, and making sure the consumer interest is central. The Panel's objective is to champion the interest of consumers.

The key activities of the Panel are to:

- Help the CAA to understand fully, and take account of, the interests of consumers in its policy development and decisions.
- Use existing CAA research, request the CAA undertakes new targeted research, and gather intelligence to understand the aviation consumer experience.
- Provide the CAA with feedback from a consumer perspective on the effectiveness of its policies and practices.

## Our remit

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The Panel focuses on the interests of current and future aviation consumers. Citizen or community issues, such as noise from flightpaths, do not fall under our remit.

## Chair's Foreword

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The Consumer Panel's last work programme was published in Spring 2020, as the Covid-19 pandemic was just starting to be felt across the world. We had hoped that it would be long behind us by the time we drafted our latest workplan, to cover the period from 2022 to Spring 2024, however its impact is still being felt throughout the aviation industry. The impact of lockdowns and restrictions has significantly shaped our latest plans, as the industry struggles to rebuild post-pandemic, to reach levels of activity seen before 2020 and to ensure good quality services to passengers.

Aviation passengers in 2022 have been hugely affected by delays, cancellations, and poor customer service, with vulnerable passengers particularly poorly served. Our workplan covers a number of areas that will impact how fast and effectively airports and airlines are able to improve services, and the ability of the CAA to drive this improvement.

The strands of our plan are:

- Building the Evidence Base, including shaping consumer research and ensuring decisions are based on sound evidence;
- Driving Better Outcomes for Consumers, including working with the CAA to learn lessons from post-pandemic disruption, and ensuring rapid improvements to services for vulnerable consumers; and
- Influencing Future Frameworks, including ongoing Government consultations on areas such as CAA powers and ATOL reform.

Further details of our work across these three areas are laid out in our workplan.

Key themes running throughout our work will be rebuilding consumer confidence given the impact of the pandemic and recent disruption, considering the potential exclusionary effects of changes in the use of technology and vulnerability, and the impact of economic circumstances, inflation and cost of living increases on the affordability of aviation and the ability of passengers to fly.

Sitting within these overarching themes, we have identified specific areas of work for the next 18 months, including environmental sustainability: climate change will be the biggest challenge facing the aviation sector over the next three decades, and passengers will play a key part in shaping the services of the future, and must be at the heart of decisions about the future of the industry. We will work with the newly established CAA Environmental Sustainability Panel exploring areas of overlap, including the provision of environmental information for consumers, to ensure that we make the best use of the expertise on both panels.

We will also have a strong emphasis on innovation and the need to embed accessibility and consumer insight into the development of new technology and innovative practices. Finally, the needs of vulnerable consumers will run through all of our work, informing our priorities and ensuring we focus on equity and accessibility across the CAA's work. We will consider whether the development of new technology and changes in society are impacting who is vulnerable to ensure that aviation remains accessible to all those who wish to fly.

The next 18 months will be crucial in the aviation sector, as passengers return to flying after the pandemic, but in a new context with rising cost of living challenges and the uncertainty of the broader macroeconomic environment, and a heightened interest in climate change. The Consumer Panel will be agile and adapt to changing circumstances as required, to ensure we work with the CAA, airlines, airports and the whole aviation ecosystem to ensure that consumers' needs are at the heart of decisions.

**Jenny Willott**

A handwritten signature in blue ink that reads "Jenny Willott". The signature is written in a cursive style with a large, stylized 'J' and 'W'.

CAA Consumer Panel Chair

## Chapter 1

# The Panel's vision

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## What we want to see for aviation consumers

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The Panel is here to make sure that the consumer interest is placed at the heart of the CAA's work helping the CAA uphold consumer choice, value and fair treatment and improve consumer outcomes. We want to see markets and regulation that have the clear interests of current and future aviation consumers at their heart and that work to ensure effective airline competition on price and service quality. Airports should provide an affordable, good quality and consumer focused service, while empowered consumers are able to make informed decisions about which companies to use. Airline services and airport environments should be designed and delivered to ensure accessibility for everyone, and consumers who may need extra help should be supported to make sure they can effectively access the market. And when things go wrong, consumers should have quick, fair and easy access to redress. This will in turn help the CAA to deliver its mission of improving aviation and aerospace for consumers and the public.

## How we prioritise our work

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The Panel is a small, specialist policy resource for the CAA and delivers high quality, evidence-based advice in a way which is designed to maximise its impact. The Panel therefore prioritises its work carefully, asking five key questions before embarking on any given project:

- Is the issue important for aviation consumers?
- Does it fall within the Panel's remit?
- Is it an area where the CAA is best placed to effect change?
- Is it (or should it be) a priority for the CAA?
- Is it an area where the consumer voice is less understood or not represented which could benefit from additional focus?

The Panel will also prioritise the interests of consumers it considers to be at greater risk of vulnerability throughout its work.

## Chapter 2

# Assessing the evidence

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## Aviation Consumer Survey

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Our primary evidence base is the CAA's Aviation Consumer Survey (the Survey), an annual nationally representative survey of 3,500 UK consumers, which measures attitudes and behaviour towards flying over time.

The Survey aims to:

- Increase understanding of flying behaviours and attitudes towards flying, including barriers for non-flyers, as well as priorities for choosing future flights;
- Increase understanding of perceptions of the aviation industry in the areas of safety, choice, value and fair treatment, environmental performance and security;
- Measure satisfaction with the flying experience; and
- Increase understanding of attitudes towards experiences of disruption when flying and the handling of any subsequent complaints.

The Consumer Panel was instrumental in introducing and developing the Survey and regularly inputs to help shape the Survey, which is a significant strategic tool for measuring consumer satisfaction with the aviation experience.

The latest wave of the Survey was undertaken in Autumn 2021 (wave 10). In addition to the usual questions, the Survey also explored consumer attitudes towards ATOL protection, Covid-19 and the environment.

At the time of publishing this work programme, the CAA's selected research agency has started the field work for the next wave of the Survey (wave 11) which is likely to be published before the end of 2022. The Panel will continue to input to the design of the latest wave and use its findings to help shape its work plans set out below.

## Deliberative research on consumer sentiment towards flying

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To supplement the Survey, the CAA commissioned Savanta to undertake a deliberative piece of consumer research to understand the impact of Covid-19 on consumers' sentiment towards flying and the future of air travel. The research was undertaken in Q2 2022, and included a deep dive on the disruption being experienced at the start of the Summer season. Among other things, the research found that:

- Anxiety about flying was initially high after the relaxation of the strictest controls on flying in Summer 2020. However, those who had flown over the course of the pandemic quickly gained confidence and knowledge after their first journey. Reflecting the final easing of restrictions in early 2022, most of those who are yet to fly or reduced the amount they travelled are looking to get back to their normal pre-pandemic flying behaviour. This suggests pandemic related anxiety has eased and there is an appetite for consumers to return to travel, and that streamlining Covid-19 processes and providing clear information online could help facilitate this and build consumer confidence.
- The most notable impact of the pandemic is that it has served to intensify the negative peak pain points across the journey, namely the booking process, check-in and security and the flight itself. Those travelling with additional challenges and who are vulnerable tend to be more anxious and their levels of anxiety have remained higher. These negative pain points are likely to have been exacerbated by the recent disruption over Easter and Summer 2022, which suggests particular focus is needed to address these areas to ease anxiety and so that consumers feel supported, especially for those who are vulnerable.
- Trust in airlines and airports has also been eroded as a result of perceived poor communication and ‘penny pinching’ behaviour over refunds and vouchers. This is likely to have been exacerbated by the recent disruption with lengthy queues at some airports and flight cancellations by some airlines. This suggests regular, clear and honest communication is essential to rebuild consumer trust and confidence.
- Consumers have become more risk averse through the pandemic and have a broad desire for more financial guarantees and flexible policies from airlines should things go wrong. This is expected to be a lasting change in consumer behaviour which will have likely been further impacted by the recent disruption. However, despite being more risk averse, and anxious over plans changing or money being lost, consumers continue to place high value on air travel for leisure and want to return to their pre-Covid-19 behaviour. This suggests the main area of concern is around the disruption caused by staff shortages, while the rising cost of living is expected to be an increasing barrier in the coming months. This is not impacting the desire to fly yet, but may do in the future. This indicates improving the consumer experience through clear, honest communication and customer care will help rebuild consumer confidence and trust in the industry.



## Chapter 3

# Work plans 2022 - 2024

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In light of the evidence set out above and recent developments, the Panel intends to deliver the following commitments between September 2022 – April 2024. These plans will take into account the dynamic and fluid environment in which we are working and we are particularly mindful of the recent impact the Easter and Summer 2022 disruption has had on consumers and air travel as well as the ongoing sector recovery following the pandemic. We will therefore remain flexible and if other issues arise we will use our criteria (set out in Chapter 1) to check and if necessary, reprioritise work.

## Building the evidence base

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The Aviation Consumer Survey continues to be the primary source of evidence on the consumer experience. The CAA also intends to conduct an annual piece of deliberative research to supplement this. The Panel will continue to input to the design of the survey and future deliberative research, provide advice on new questions and areas to explore, and offer insights and analysis of the results.

To help inform the CAA's approach to ATOL reform, the CAA recently commissioned consumer research to understand, amongst other things, consumer attitudes to ATOL protection. The Panel recommended that the CAA should undertake this research and has helped input to its design. The research will be published at the same time as the CAA publishes its proposals for ATOL reform and will be used to help inform the Panel's future work plans.

We will continue to make the case for the CAA to conduct a gap analysis and use this to inform decisions on what further targeted research is needed in order to understand the aviation consumer experience and help shape the response of the CAA and others as we move towards a sector recovery following the pandemic and learn lessons from the recent disruption. We will also encourage the CAA to undertake consumer research in new areas such as attitudes towards innovation and new aviation technology, and emerging trends that are likely to impact consumers.

Taken together, we will draw on this evidence to help shape the priorities and areas of focus in this work programme.

## Driving better outcomes for consumers

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The Panel will continue to provide input to the CAA, and more widely, to help improve the experience of aviation consumers. As part of our 'business as usual' and in addition to the CAA, we work with other regulators, Government, aviation businesses, consumer representatives, accessibility groups and others to maximise our impact. We will continue to do this.

At the time of developing this work programme, we were mindful that the cumulative effects of the pandemic and disruption experienced over the Easter and Summer 2022 have led to poorer outcomes for consumers, and that factors in the wider economy such as the rising cost of living and political uncertainty are also likely to come into play. While we will remain flexible and adapt to future priorities and changes in the sector and wider economy as well as new consumer evidence, our work programme will focus on the following themes:

- Learning lessons and rebuilding consumer confidence and trust in response to the post pandemic sector recovery and recent disruption.
- Ensuring broad and diverse consumer participation in the aviation market continues, and considering how to mitigate the potential risks of exclusionary effects from wider economic, market and regulatory changes so that those who want to travel can continue to do so.
- Understanding the medium and longer term implications of the pandemic, disruption and wider changes in the economy on consumer behaviour, attitudes and priorities, and what this might mean for the future structure of the aviation sector and regulatory landscape, including the impact of new technology.

With this in mind, over the course of this work programme we will:

- Work with the CAA to consider how the industry can learn lessons from the recent disruption to support and rebuild consumer confidence and trust, with a focus on improved communication and information provision on delays, cancellations, re-routing and redress. We will also work with the CAA to consider how negative pinch points in the consumer journey and residual anxiety resulting from the pandemic can be improved.
- Continue to prioritise and advocate the needs of consumers at risk of vulnerability throughout our work. This involves considering how lessons can be learned from recent accessibility failings and working with the CAA on how to improve airport and airline accessibility performance, including the accessibility of the booking process and apps to mitigate the risk of digital exclusion.
- Work with the CAA on relevant areas in its recently published Environmental Sustainability Strategy, including inputting on the provision of trusted, accurate, comparable and meaningful environmental information to consumers and other environmental issues.
- Work with the CAA and input to the CAA's work on ATOL reform, including exploring the scope for improving consumers' understanding of how ATOL works and offers protection, how the scheme can be simplified and considering the impact the rising cost of living and uncertainty in demand might have on the financial health of ATOL holders, and what this might mean for consumers.
- Work with the CAA in the area of innovation and the development and integration of new technology to ensure the consumer voice, accessibility, inclusive design principles and consumer protection are factored in at a suitably early stage of policy development and design.

- Continue to press for improvements in protection, redress and how consumer complaints are dealt with by airlines and airports. We will continue to advocate for mandatory alternative dispute resolution (ADR) and enforcement powers for the CAA as set out in our response to recent Government consultations.
- Input to the design of new messaging to consumers regarding allowing liquids and gels on aircraft where advanced screening technology is in place.
- Explore the consumer interest in the context of airspace modernisation.
- Consider how we can ensure broad and diverse consumer participation in the aviation market continues and explore how to mitigate potential exclusionary effects that might arise in response to changes in the wider economy and market, and changing consumer behaviour. Such exclusionary effects could include the risk that travel becomes less affordable and accessible, due to the rising cost of living and reduced capacity and choice of destinations; digital exclusion due to the increased use of technology, artificial intelligence and automation; and the effects of increased levels of environmental consciousness on attitudes towards flying.

We will also continue to input on ongoing areas such as economic regulation and the UK's withdrawal from the European Union.

## Influencing future frameworks

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The Panel recognises the many significant changes and challenges taking place in the aviation sector and wider economy at this time. Within this context, we will seek to improve outcomes for consumers by helping to ensure the right frameworks are in place. We will:

- Input to the CAA's broader strategic thinking on consumer matters including the review of its new strategy and inputting on other future frameworks including economic regulation and competition, ATOL reform, environment and sustainability and future accessibility and innovation frameworks.
- Input to relevant aspects of the Government's policy and legislative agenda insofar as these impact aviation consumers including in respect of the response to and lessons learnt from recent disruption, mandatory ADR and enforcement powers for the CAA and other areas that arise.
- Stand ready to influence post-EU withdrawal regulatory frameworks where these impact on aviation consumers.

## Chapter 4

# Who we are

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## Chair

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### **Rt Hon Jenny Willott OBE, Chair**

Jenny was appointed to the Panel in January 2018. Jenny was Member of Parliament for Cardiff Central for ten years, serving as Consumer Affairs Minister, with responsibilities including consumer policy, competition policy and employment law, Women and Equalities Minister and as a Government Whip. She is now the Director of Enterprise and Innovation at St Mary's University, Twickenham, and a Non-Executive Director for the Independent Parliamentary Standards Authority. Prior to entering Parliament she worked in the voluntary sector, including as Chief Executive of Victim Support South Wales and Head of Advocacy for UNICEF UK.

## Members

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### **Carol Brennan**

Carol is an Honorary Reader in Consumer Policy and former Director of the Consumer Dispute Resolution Centre at Queen Margaret University, Edinburgh. Carol is a member of the Office of Rail and Road Consumer Expert Panel. She is Chair of the Qualifications and Awards Board for the Chartered Trading Standards Institute. Carol is also a member of the working group on Consumers in Vulnerable Circumstances at Consumer Scotland. Between 2015 and 2019, Carol was Chair of the Scottish Legal Complaints Commission Consumer Panel. She recently chaired a team of experts on consumer education for the European Commission. Carol's research interests include consumer policy, complaint management, dispute resolution, consumer empowerment and customer experience. Carol draws on her research to influence new developments in strategy, policy and practice.

### **Helen Dolphin MBE**

Helen is a committed campaigner on improving transport for disabled people. After becoming disabled in her early twenties Helen trained as a journalist and worked for ITV Anglia News as a news reporter. She followed this by taking up the role of Director of Policy and Campaigns for a national disabled charity. Helen now works as an independent mobility specialist advising government, public, commercial and professional bodies on how to improve accessibility. She recently gained a degree in law and carries out equality law work for Fry Law. Helen is a member of the Disabled Persons Transport Advisory Committee (DPTAC), Chair of the Joint Committee on the Mobility of Disabled People (JCMD) and Chair of her local mobility assessment centre East Anglia Driveability (EAD).

**Jennifer Genevieve**

Jennifer is a Deputy Director at the Office of Road and Rail, with responsibility for the ORR's Periodic Review of Network Rail. She has worked on economic regulation, competition policy and consumer protection within sector regulators and industry in roles spanning the rail, aviation, water, financial services, telecoms and broadcasting sectors. She was previously Head of Stakeholder Engagement & Policy at Thames Water, leading work on the business planning process for the industry price review. She has also been involved in the setting of charges at airports across Europe as Head of Airport Regulation and Policy at easyJet. Jennifer served for six years as a member of the Financial Services Consumer Panel. She previously worked in strategy and competition policy at Ofcom.

**Rick Hill MBE**

Rick has had a varied career in both the voluntary sector, film/tv industry and media regulation. Chairman of Northern Ireland Screen Commission 2008-2013, he took the lead role in developing digital content, supporting new programme and delivery formats in the film/tv sector. Rick has also worked in Consumer advocacy. He was Chairman of the General Consumer Council for Northern Ireland, a member of Consumer Focus UK Board and Chairman of the Scottish Government Consumer and Competition Working Group. Deputy Chairperson of the Independent Press Standards Organisation until 2020 and he is currently the Communications Consumer Panel Chairperson and the Northern Ireland Member. Rick also chairs the Telecoms Industry Forum and the UK Communications Consumer Forum.

**Walter Merricks CBE**

Walter's career over the past 20 years has involved work with ombudsman and complaint services, competition and consumer protection systems and regulatory bodies in the retail financial services, gambling, surveying and legal services, press, telecoms, energy, copyright licensing and ATOL protection sectors. He was the inaugural Financial Ombudsman and worked with the Financial Services Consumer Panel between 1999 and 2009. He recently served for six years on the board of the Gambling Commission, and now chairs the boards of IMPRESS (the Independent Monitor for the Press), and of JUSTICE, the law reform charity.

**Jacqueline Minor**

Following a short period lecturing in law at the University of Leicester, Jacqueline Minor joined the European civil service, first at the Court of Justice and subsequently at the European Commission. After more than 20 years' working on Internal Market issues, including a period as Director responsible for Consumer Policy, she served as Head of the Commission's Representation in the UK from 2013 until retirement in 2017. She is a member of the Board of Governors of the University of Brighton, an Honorary Senior Fellow of Regent's University, London and a Governor of the National Institute for Economic and Social Research.

**David Thomas**

David is a chartered accountant and an economist. He was appointed a specialist panel member at the Competition and Markets Authority in 2017 and since 2016 has run his own consulting practice focusing on economics, regulation and disputes in the communications sector. David was a director of competition and regulatory finance at Ofcom where he had responsibility for, among other things, price controls. After leaving Ofcom he established and led KPMG's global economics and regulation practice.

**James Walker**

James is the founder of [Resolver.co.uk](https://www.resolver.co.uk), a free online complaints service that James grew to help over 18 million consumers a year to resolve their disputes. He has advised the Government on consumer issues and is a Board Member for Consumer Scotland, Collaboration Network and the Dispute Resolution Ombudsman. A winner of Social Entrepreneur of the year, James is a non-executive for a number of start-ups including Rightly and JamDoughnut. His focus is on helping businesses deliver market-leading customer service, while helping consumers understand and exercise their consumer rights. James also has three national weekly consumer columns.

**Vaughan Williams**

Vaughan is a consumer protection and regulatory lawyer with expertise in industry-based ADR and in regulatory compliance and enforcement. He has recently joined the Financial Conduct Authority as a Lead Associate Counsel, and previously worked for a number of years at the energy regulator Ofgem where he was a senior lawyer in the enforcement team. He was previously Principal Investigator at the Telecommunications Industry Ombudsman in his native Australia. Vaughan has also spent time in the community sector, having been Secretary of the Public Transport Users Association in Melbourne and representing that organisation on a number of advisory and advocacy bodies including the working party that established Victoria's Public Transport Ombudsman. He is a supervising lawyer at the Waterloo Legal Advice Service and sits as a magistrate on the South East London bench.