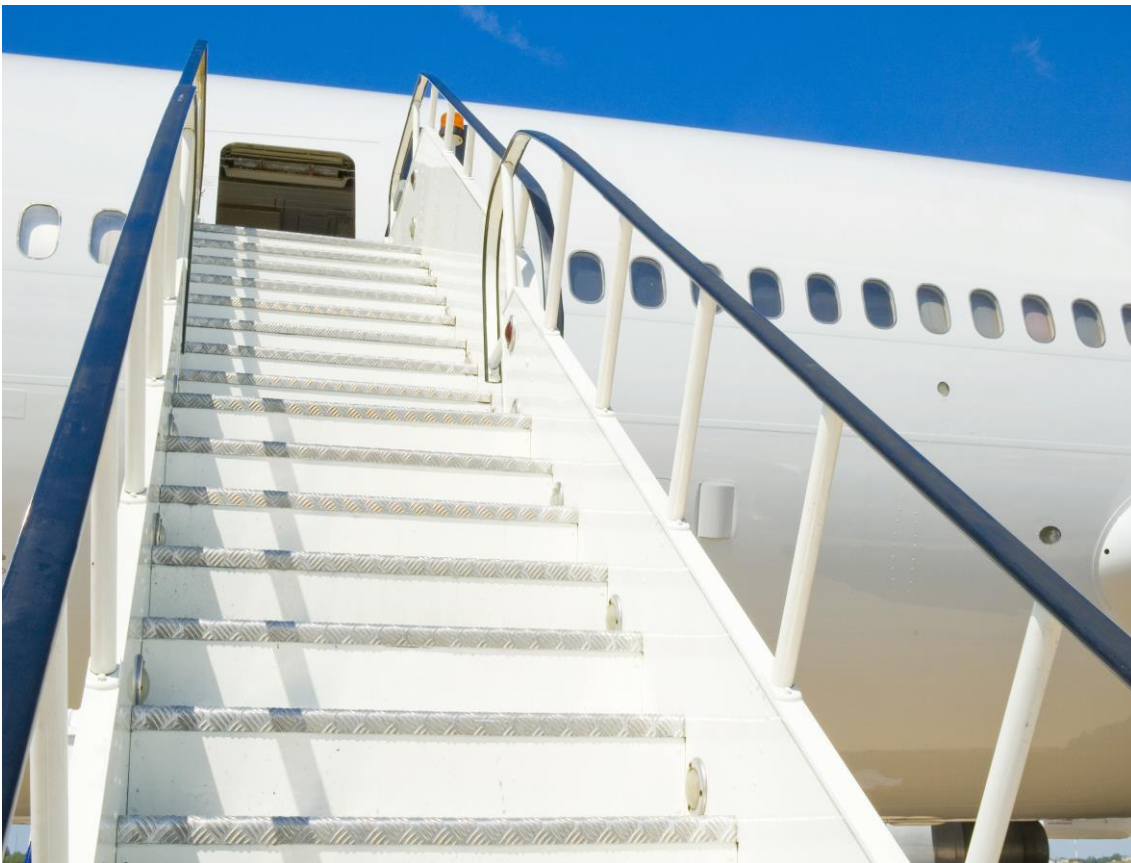


# CAA Consumer Panel

Annual Report for the year ended  
31 March 2023



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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 small group of independent experts, who bring together deep consumer expertise and experience along with strategic thinking, applying this in a practical way to improve the aviation experience for consumers. Panel members' 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 interests 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 gathers intelligence, in order 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 potential 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 last three years have been particularly turbulent for the aviation sector and following the lifting of all remaining travel restrictions in March 2022, numbers of air passengers started to rapidly rebuild towards pre-pandemic levels. While we were pleased to see passengers once again travel more freely, at the start of the period covered by this report, there were very high levels of disruption, which impacted a large proportion of passengers and in particular affected passengers in vulnerable circumstances. As a result, the Panel's work at the start of the year remained heavily focused on the ongoing impact of the pandemic and its aftermath.

Following work by the CAA, Department for Transport and industry stakeholders to reduce delays and rebuild resilience and capacity for those flying, progress was made, and we have been pleased to see that lessons appear to have been learned, as despite increasing passenger numbers in 2023, we have not seen the same levels of disruption as there were at Easter 2022. However, the real test will be in summer 2023 and beyond, when passenger numbers are expected to be very close to pre-pandemic levels, and we hope that customer satisfaction can also start to rebuild from the low levels seen since the pandemic.

Unfortunately, in the area of compensation, complaints and alternative dispute resolution, there is still work to do, particularly in the case of passengers of Wizz Air but also other airlines, who have endured many months of poor customer service and delayed compensation payments some of which are still ongoing as we write this report. The Panel will continue to support the work of the CAA to try to resolve outstanding complaints against Wizz Air and other airlines as soon as possible and put measures in place to ensure future passengers do not suffer the same poor service.

This year the Panel has enjoyed being able to increase its focus and impact on non-pandemic related work, and we have worked on a much broader range of issues than in the last couple of years. This has included a focus on new technologies and the importance of engaging with consumers at an early stage of development. We have enjoyed working with the CAA's Innovation Team to look at Advanced Air Mobility and quantum technologies, considering where the consumer interest lies, the role of technology developers and where there is a need for further policy development by the CAA.

The Panel has continued to consider consumer attitudes towards the environmental impact of flying, building a relationship with the CAA's new Environmental Sustainability Panel and exploring consumers' need for improved and trusted environmental information to help inform and shape purchasing decisions. This will be an expanding area of work in the future, as consumers' interest in and understanding of the impact aviation has on the environment continues to grow.

We are also pleased that the CAA has worked with the Panel to develop a new consumer strategy, which is intended to sit under the CAA's overarching strategy. We feel the strategy is an important step in helping clarify the CAA's consumer role and further promoting consumer interests across the organisation.

Finally, during this reporting year, there have been significant changes both in the CAA and in the membership of the Panel. At the end of the year, there have been a number of senior staff changes at the CAA, with the departure of Richard Moriarty as Chief Executive and other senior staff moves. On the Panel, we have welcomed four new members this year and said goodbye to Walter Merricks, who made significant contributions particularly in the areas of complaints and dispute handling. As we move into the new year and new staff and members settle into their roles, we look forward to seeing the recommendations of the Public Body Review and working with the CAA to further embed consumers at the heart of aviation decision-making.

A handwritten signature in blue ink, reading "Jenny Willott". The signature is written in a cursive, flowing style.

The Right Hon Jenny Willott OBE  
CAA Consumer Panel Chair

## Chapter 1

# How we work

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## Our aims

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The Panel exists 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 protection outcomes. We want to see markets and regulation that focus on the clear interests of existing and future aviation consumers and that work well to ensure effective airline competition on price and service quality. This holds true even more so as the sector builds back from the pandemic and disruption in 2022, as high levels of trust will power the recovery, ensuring consumers feel confident to travel and book ahead. Airports should provide an affordable, good quality and consumer-focused service; empowered consumers should be able to make informed decisions about which companies to use; airline services and airport environments should be designed and delivered to ensure accessibility to everyone, and people who may need extra help should be supported to make sure they can effectively access the market. And finally, when things go wrong, consumers should have quick, fair and easy access to redress.

## 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

# Understanding our impact

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This report covers the year to 31 March 2023. Over the year, we focused on the key themes from our September 2022 - April 2024 work programme of building the evidence base, driving better outcomes for consumers and influencing future frameworks. Below we set out the work we have undertaken over the year, along with our plans for the year to come.

We also have a number of important relationships with a range of stakeholders. As well as the CAA, these include industry representative bodies, other regulatory consumer panels and consumer organisations, and third sector bodies. As a small policy advisory body embedded within the CAA, these relationships allow us to work collaboratively and maximise our influence with decision makers. The stakeholders we met with over the course of the year are listed in Chapter 3.

## Building the evidence base

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In order to develop policy that reflects consumers' priorities and needs, and is correctly targeted, a strong evidence base is key. Our work programme committed us to continue inputting to the design of the Aviation Consumer Survey (the Survey) and other consumer research commissioned by the CAA. This involves providing advice on new questions and areas to explore, offering insights and analysis on key findings and considering how such findings can be used across the CAA to inform policy development.

**Deliberative research on consumer sentiment towards flying:** 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. The Panel input to the design of the research, including feedback on discussion guides, a diary task framework and proposed questions to research participants. Members also observed focus group sessions.

Savanta presented the research findings at the Panel's away day in July 2022, which was used to help shape areas of focus in the Panel's current work programme.

**Aviation Consumer Survey:** the Panel provided support to the latest wave (wave eleven) of the Survey in Q3 and Q4 2022. This included helping shape a number of the questions posed to consumers on their travelling experience in the context of the industry recovery from the pandemic and disruption. In particular, the Panel helped review the mix of pre-

existing questions and proposed new topical questions<sup>1</sup> so that the Survey ensures continuity and comparability with previous waves, while also considering emerging trends and possible changes in consumer behaviour. The Panel also input to the final presentation of the results. Among other things, the Survey found:

- Concern about Covid-19 remained the most prevalent barrier to flying (cited by 32%, although this had fallen markedly since October 2021), on a par with concern about budget constraints / the rising cost of living (29%). Concern about disruption / flight cancellation was the third most commonly mentioned barrier (15%).
- 61% of recent flyers said they experienced some kind of travel issue, the highest proportion since tracking began.
- In recent years, satisfaction had dropped sharply: satisfaction with the overall travel experience reduced from 90% in 2016 to 80% in 2022, satisfaction with UK airport experience declined from 79% in 2016 to 71% in 2022 and most strikingly, satisfaction with complaints handling declined from 71% in 2021 to 52% in 2022. Satisfaction with value for money also declined from 76% to 68% in just one year, potentially impacted by the rising cost of living and disruption.
- Disabled passengers were more likely to request assistance from the airport or airline than before the pandemic.

After the results were published, the Panel's Secretariat met with the CAA and Savanta to discuss how the CAA could promote and make better use of the Survey data across the organisation, which is being considered ahead of next wave in autumn 2023. The Panel is pleased that the CAA is working on this, as we have previously suggested that the CAA gives greater thought to how relevant research and datasets could be promoted and utilised across the CAA, as well as how data is highlighted externally and used by stakeholders.

**Deliberative research on consumer attitudes to ATOL protection:** to help inform the CAA's approach to ATOL reform, the CAA published consumer research in January 2023 to better understand consumer attitudes towards ATOL protection and their views on potential changes to the scheme. The research sought to understand the extent to which consumers value insolvency protection when purchasing a holiday as well as consumers' expectations on the financial resilience of travel companies and how this impacts their decision making. The Panel recommended the CAA undertakes this research in its response to CAP 2151 in July 2021, and helped input to the research design, workshops, and results as they took shape.

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<sup>1</sup> These included: the rising cost of living and its impact on consumers' ability to fly; accessibility and the experience of passengers at risk of vulnerability; passengers' experience of recent disruption; and the receipt of vouchers, refund credit notes or cash refunds for cancelled flights during pandemic restrictions.



The Panel is pleased that the CAA conducted this research and was particularly pleased that it was used to inform its recent consultation on ATOL reform (CAP 2496), to which the Panel responded. Please see below for further information.

**Airline website accessibility audit:** the CAA is undertaking an accessibility audit of airlines' websites which was largely prompted by the Panel's focus on the risks around digital exclusion in its new work programme. Part of the audit involved "speed dating" sessions which provided the CAA, airlines and Panel members with first-hand insights on how consumers with different accessibility needs use airlines' websites, and allowed them to interact directly with consumers. It also gave consumers the unique opportunity to express their lived experience of using airline websites (and apps) directly to the aviation regulator and several of the biggest airlines operating in the UK.

While anecdotal, this evidence is a powerful tool in raising awareness of a less-understood area of accessibility which arguably hasn't had sufficient focus. It also helps build industry stakeholders' understanding of the complex, wide-ranging, and sometimes conflicting, accessibility needs of consumers who book flights and request special assistance. We look forward to seeing the final results of the audit which are expected to be published later in 2023.

**CAA consumer insight work:** we have continued 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. We have also encouraged the CAA to undertake specific consumer research into attitudes towards the environment as well as innovation and new technologies, which we feel are particularly important areas for the CAA to understand. We are pleased that the CAA is exploring how best to implement the Panel's recommendation to undertake further research to test options with consumers on how environmental information could be presented: please see below for further information.

**Sharing learning:** we have continued to build good relationships and share learnings with external bodies, including consumer organisations, regulators and other Consumer Panels as well as the new Environmental Sustainability Panel. In recent months, members of the Panel met with Which? and the Consumer Council for Northern Ireland to discuss recent developments relating to aviation consumers, including consumer environmental information. The Chairs of four independent Consumer Panels (including the CAA's Consumer Panel) also meet periodically to discuss common areas of interest, which this year included discussions on sustainability and consumer environmental information, and developing best practice in measuring the impact of consumer panels.

**Concluding comments:** the evidence noted above has helped build a stronger evidence base of consumers' priorities and needs. It has supported the Panel's scrutiny of CAA and Government policy, enabling the development of more effective evidence-based proposals for change where needed. In particular, we referenced the Survey results in our response to the Government's call for evidence on the effectiveness and efficiency of the CAA

(Public Body Review) and the Transport Committee Inquiry call for evidence on accessible transport earlier this year.

## Driving better outcomes for consumers

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The Panel's focus is on improving the aviation experience for current and potential aviation consumers. Whilst a key concern is price, it is also important that accessible, useful, comparable information on quality is available so that consumers are able to make informed comparisons and vote with their feet. Where outcomes are regulated or influenced by the CAA, our aim is to ensure that the consumer interest is reflected throughout the policy development and regulatory design process and as part of monitoring and enforcement. In particular, the needs of consumers at risk of vulnerability should be taken fully into account so they are able to participate in the market effectively, and we believe consumers need to be able to seek quick and fair resolutions when things go wrong, with complaints data used systematically by industry to inform improvements over time.

**Mitigating the impact of significant disruption on consumers:** throughout 2022, passengers suffered an unacceptably high level of disruption and short-notice cancellations which received considerable press coverage and was of significant concern to the Panel. This was mainly due to pent-up demand following two years of Covid-19 travel restrictions; staff shortages across the aviation ecosystem as many workers lost or changed jobs during the pandemic; and the time it took to complete security vetting and training before staff could work airside. Disruption was also exacerbated<sup>2</sup> by other factors.

In response to this, the Department for Transport (DfT) developed a 22-point plan setting out the actions it was taking (with the CAA where applicable) to support the aviation sector, minimise passenger disruption and improve consumer confidence ahead of the summer peak. The plan focused on three areas: (1) ensuring the industry delivered a realistic summer schedule; (2) supporting passengers; and (3) supporting industry to recruit, retain and train staff. The key activities included in the plan which the Panel helped support are set out below, along with our views on their effectiveness in improving consumer outcomes and confidence.

*Industry engagement and guidance:* we were pleased that the DfT and CAA worked closely with industry stakeholders to ensure summer schedules were deliverable and that appropriate joined-up resilience and contingency plans were put in place. We were also particularly pleased that the CAA took proactive action in writing to airports and airlines in April 2022 underlining its expectation of joint co-operation and planning to manage resource challenges and to remind them of their legal obligations to passengers. This was followed by correspondence, including a joint DfT/CAA letter on five expectations of industry stakeholders to de-risk the summer period as well as further letters and guidance

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<sup>2</sup> Including air traffic control problems in Europe; adverse weather; Covid-19 related staff sickness; strikes; and IT outages.

from the CAA.<sup>3</sup> In particular, the CAA tackled the industry over widely reported unacceptable failings in special assistance services, and required industry stakeholders to set out plans for additional measures to improve performance for this particularly vulnerable group of passengers. In December 2022, the CAA provided further advice to passengers in respect of UK Border Force strikes<sup>4</sup> and raised its significant concerns to Wizz Air regarding unprecedented volumes of alternative dispute resolution (ADR) complaints and delays in paying passengers what they are owed.<sup>5</sup> This situation is ongoing at the end of the period covered by this report, and the Panel continues to work with the CAA to ensure that passengers receive the compensation they are due and that measures are put in place so that this unacceptable consumer service does not happen again.

We are grateful to the CAA for regularly briefing the Panel and seeking its views on ongoing disruption issues which allowed us to challenge, advise and seek assurance that all efforts were being made to mitigate consumer detriment and drive better outcomes in the face of a challenging and fast-evolving operational environment. The Panel Chair also met with Airlines UK in summer 2022 to discuss the ongoing disruption and steps being taken by airlines to mitigate consumer detriment.

*Aviation passenger charter:* the Panel, along with the CAA, industry stakeholders and consumer groups, was invited by DfT to input to the development of an aviation passenger charter as a one-stop information guide for passengers informing them of their rights and responsibilities. The Panel attended several workshops to help develop the charter, drawing on members' cross-sector expertise of other best practice charters and providing feedback on what it should cover and how it could be presented and promoted to consumers to have the most impact. Although the charter is a well-intentioned initiative, we feel it was of little practical help to consumers: it lacked visual impact and could have been more consumer friendly and accessible, as it required the reader to access many other sources of information via hyperlinks. Further refinement is needed so that future iterations of the charter are more focused on consumer needs.

*Groundhandling review:* DfT undertook a review of the groundhandling market to seek opportunities to improve quality and consistency of service. The Panel was disappointed that it was only able to provide limited input to the review given the significant knock-on impact that poor groundhandler performance had on consumers in 2022. We are, however, grateful for the CAA's work in briefing the Panel on the review, which has now been published.

*Concluding comments:* we recognise that rebuilding levels of capacity, resilience and staffing within a fragile recovering aviation ecosystem post Covid-19 was always going to

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<sup>3</sup> <https://www.caa.co.uk/our-work/about-us/correspondence-with-airlines-and-airports/>

<sup>4</sup> <https://www.caa.co.uk/news/uk-civil-aviation-authority-issues-advice-to-passengers-ahead-of-border-force-strikes/>

<sup>5</sup> <https://www.caa.co.uk/news/regulator-raises-concerns-with-wizz-air-following-complaints/>

be challenging and probably lead to some disruption, and that some causes of disruption were outside parties' control. However, it is our view that serious service failings that materialised in 2022 could have been avoided with better management, planning and co-ordination between all parties and joined-up information provision across the entire passenger journey.

That said, we are pleased that at Easter 2023 we did not see a repeat of the disruption of Easter 2022, particularly in the context of growing passenger demand. This suggests lessons appear to have been learnt since last year and Government, CAA and industry action has had an impact on improving consumer outcomes and confidence. However, we remain very concerned with outstanding ADR complaints and delays in paying passengers what they are owed following last year's disruption, particularly by Wizz Air as well as other airlines. We strongly support the action the CAA has taken and continues to take to address these issues within its limited existing powers and continue to support the CAA being given more effective enforcement tools (closer to those of other regulators) to reduce the likelihood of this happening to consumers in the future. At the same time, we are working with the CAA to help it make the fullest possible use of existing powers where this best benefits consumers, whilst we await new legislation.

**Accessibility:** the Panel responded to the Transport Committee Inquiry call for evidence investigating the accessibility of transport services. Among other things, we set out our views on how effective current aviation legislation is in ensuring accessibility for all and identified a number of barriers in the aviation ecosystem which, if addressed, could improve outcomes for passengers with accessibility needs.

We are also encouraged that the CAA took the initiative to consult on an airline accessibility framework, to which the Panel input. We consider this will complement the airport accessibility framework and encourage a more joined-up approach to special assistance across the aviation ecosystem.

As noted above, the CAA is also undertaking an accessibility audit of airlines' websites which was largely prompted by the Panel's focus on the risks around digital exclusion as set out in its work programme. We hope the audit will shine a light on a particularly important aspect of accessibility and drive improvements across the sector.

**Sustainability and the environment:** the Panel helped shape and responded to the CAA's recently published call for evidence on consumer environmental information (CAP 2395) to ensure it has a strong consumer focus. Among other things, the Panel urged the CAA to undertake further research to test various options with consumers on how environmental information could be presented most effectively. We also noted that a lack of consensus around the method for calculating emissions and the fact that the science in this area is still evolving, need not prevent the CAA progressing this important work. Once the framework is introduced, we feel that iterative changes to the inputs or types of data that determine the hierarchy or ranking of green credentials can be made over time without needing to change the front-end method of presentation that consumers see.

The Panel has also engaged with the CAA's new Environmental Sustainability Panel, with Panel Chairs and Secretariats meeting regularly and a workshop held with both Panels in January 2023 to discuss ways of working and future opportunities for joint working and collaboration. We look forward to future collaboration and joint work in areas such as consumer environmental information and greenwashing.

### **Economic regulation**

*H7 price control review:* the CAA has continued to work to enhance the consumer voice in its approach to the Heathrow airport price control review (H7), through working with the Panel in workshops most recently in respect of its Initial and Final Proposals, and Decision. We welcome the ongoing constructive engagement from the H7 team to update and seek views from the Panel on its developing proposals, which were reflected in material submitted to the CAA Board to provide quality assurance.

In particular, the Panel supports the introduction of Outcome Based Regulation (OBR) which is an initiative advocated by the Consumer Challenge Board (CCB) and Panel in recent years. The move to OBR is expected to drive better consumer outcomes, by ensuring the approach to service quality regulation better reflects aspects of service that consumers most value, underpinned by robust consumer evidence. We particularly support the introduction of new reputational incentives that cover aspects of service quality such as baggage misconnections, punctuality and service to passengers with reduced mobility. We also support the CAA's proposed continuous improvements process for OBR and look forward to inputting to the OBR mid-term review in 2024.

*NR23 price control review:* the CAA has continued to engage the Panel on its price control proposals for the economic regulation of NATS En Route plc (NR23), including its Initial Proposals and Provisional Decisions, with a focus on how the team was taking account of consumer feedback in respect of service quality and whether targets for environmental performance and delay were sufficiently challenging. We would like to thank the NR23 team for seeking Panel members' views on its emerging proposals throughout the price control review process, which were reflected in material submitted to the CAA Board to provide quality assurance.

In particular, the Panel asked the NR23 team to consider setting out the impact its proposals would have on consumer charges in order to make technical information more understandable to consumers. In response to this, the team converted its proposals into approximate charges per passenger per flight, which the Panel welcomes.

**PACT workshop:** we held a workshop with the CAA's Passenger Advice and Complaints Team (PACT) and the Consumers and Markets Group (CMG) to consider how the consumer complaints handled by the CAA could be used to drive industry improvements and how the CAA could bring about greater airline and airport accountability, and more efficient and effective complaint resolutions. We welcome the CAA's efforts in arranging the workshop, which was a good initial step and look forward to being updated on progress in due course.

## Influencing future frameworks

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The Panel recognises that many significant changes and challenges are currently taking place in the aviation sector, in the context of building back after Covid-19, recovering from disruption, significant aviation legislative and policy reform and the rapid development of new innovative technologies. Within this context, we have sought to improve outcomes for consumers by helping to ensure the right frameworks are in place.

Over the last year, the Panel has engaged on a wide range of topics. We are pleased that the Panel's visibility and impact is extending to wider areas across the CAA, and that less obvious policy areas are considering the consumer interest at an earlier stage. While this is an ongoing process, we welcome efforts to help build the Panel's impact and visibility across the CAA and externally. More specifically, the Panel has helped influence the following future frameworks:

**Public Body Review:** as part of the Government's review of the effectiveness and efficiency of the CAA, the Panel Chair met with the independent lead reviewer on three occasions to discuss the Panel's views on topics including how well the CAA carries out its consumer related functions and engages with the Panel. The Panel provided a response to the Review's call for evidence. Among other areas, we reiterated our strong support for the CAA being given effective enforcement powers and mandating ADR in the aviation sector. We also said that we consider the CAA generally engages effectively with the Panel as part of a mature, open and constructive two-way dialogue built over several years. Where issues arise, the CAA has demonstrated that it is open to working through these and taking appropriate steps to address the Panel's feedback. We consider the Review and its findings could be important to the future operating framework of the CAA and we hope its findings will build on current arrangements, and allow the Panel to continue acting as the CAA's independent critical friend.

**Consumer Strategy:** we recently helped shape the CAA's proposed consumer strategy, which will sit under the CAA's overarching strategy. We strongly support this, and consider it is helpful in clarifying the CAA's consumer role and could help further promote consumer interests across the CAA. We look forward to seeing an updated version of the strategy and providing further input as required.

**Innovation:** the Panel is particularly pleased with progress made in the area of innovation, to understand how consumer interests might apply in the context of new technologies. We feel we have had a tangible impact in influencing the important future frameworks set out below in the interest of consumers, which is encouraging.

*Advanced Air Mobility:* CAA colleagues have been proactive in engaging with the Panel on how the "Consumer Principles" could apply in the context of Advanced Air Mobility (AAM), via pre-engagement with the Panel's Secretariat and workshops with members. This led to a paper presented to the Panel setting out how the Principles could apply to AAM and subsequent guidance to industry (which the Panel helped shape) which has now

been published.<sup>6</sup> This is an example of where the CAA has listened and responded to Consumer Panel feedback and where members have helped shape an important future framework in the interests of consumers. In addition, our focus in this area has helped trigger more joined up policy development across the CAA's consumer and innovation teams, who are considering how consumer protection could potentially apply to new technology frameworks in the future. We are also pleased that the CAA has encouraged developers to engage with consumer and disability groups to understand their needs and priorities.

*Horizon scanning:* one area in innovation that is gaining more traction and investment is quantum technologies, which has transformative potential for the aviation sector and more broadly, as well as significant implications (both opportunities and risks) for consumers. CAA colleagues held a workshop with Panel members seeking input on how quantum technologies might impact consumers, and what the CAA's potential role could be in this space. While this technology is some way off being developed, this is a good example of the CAA taking early account of the consumer interest in shaping its work.

*Autonomy:* the Panel input to the Law Commission's project looking at autonomy in the aviation sector.<sup>7</sup> The Panel's Secretariat undertook pre-engagement with the Law Commission and in February 2023, a workshop was held to discuss the potential impact increased automation could have on aviation consumers. Members also set out views on whether current consumer legislation is ready for greater use of automation, identifying possible gaps, uncertainties and opportunities. We look forward to continuing to input to the Law Commission's project over the coming months.

*Future Flight Challenge:* the Panel Chair and Secretariat met the Future Flight Challenge Director and staff at UK Research and Innovation (UKRI) to discuss their work, particularly their programme engaging with members of the public and consumers, and the Panel's work with the CAA's Innovation Team on embedding the consumer interest when developing new technologies. In March 2023, the Panel Chair spoke at a Community Integration Panel event for the Future Flight Challenge, which considered the role that public and consumer engagement could play when helping industry design accessible technologies.

**ATOL reform:** as noted above, the Panel responded to the CAA's recent consultation on ATOL reform (CAP 2496). We consider this is an important future framework and think there is a strong case for rebalancing how the ATOL scheme is funded to protect consumers. We agree with the CAA's aims for ATOL reform, and strongly support the CAA seeking to achieve these aims while still facilitating a competitive market that provides choice, and value to consumers as well as appropriate protection.

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<sup>6</sup> <https://caa.co.uk/CAP2539> and <https://caa.co.uk/CAP2538>

<sup>7</sup> [Aviation autonomy - Law Commission](#)

We noted that we were pleased the CAA took on board our feedback to undertake consumer research to help inform its approach to ATOL reform and that the findings of this research have been reflected in the CAA's consultation. However, we feel more could have been done to explain the "so what" in terms of what different reform options could mean for consumers, not just industry stakeholders. The CAA has done this to some extent, but we would encourage it to go further as it finalises its approach to ATOL reform.

## Priorities for 2023 – 2024

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The impact of the Covid-19 pandemic and disruption on the aviation industry has been enormous, and the industry is still recovering and rebuilding. In recent months, the terms of some Panel members ended and new faces have arrived. In September 2022, we published an eighteen-month work programme focused on the following themes:

- Learning lessons and rebuilding consumer confidence and trust in response to the post pandemic sector recovery and 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.

As set out in this report, we have made progress against these areas over the last year. As we look to deliver the second half of our work programme, our plans include:

- Continuing to support passenger confidence and making sure the consumer voice is heard as recovery from the pandemic and disruption proceeds, with a focus on ensuring lessons are learnt and the disruption experienced in 2022 is not repeated.
- Continuing to work with the CAA to make sure the regulator retains focus on the consumer interest throughout its work.
- Ensuring the needs of those at risk of vulnerability are recognised and prioritised.
- Supporting the CAA's call for more effective consumer enforcement powers and helping shape how this could best be delivered by Government, and at the same time working with the CAA to help it make the fullest possible use of existing powers where this best benefits consumers whilst we await new legislation.
- Continuing to input to a wide range of CAA policy areas as they progress including ATOL reform, innovation, environmental sustainability, economic regulation, the proposed airline accessibility framework and airline website accessibility audit.



- Continuing to press for improvements in protection, redress and how consumer complaints are dealt with by airlines and airports, with a particular focus on ADR and resolving outstanding consumer complaints.
- Considering how the CAA can offer a more customer focused approach to the services it offers consumers and the public.

## Chapter 3

# Transparency

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## Expenditure

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The Panel cost the CAA £ 77,112.30 in Chair and member fees and expenses in the year to 31 March 2023.

## Panel meetings

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In the year ending 31 March 2023, the Panel met formally four times. The minutes of these meetings are published on the CAA website (<https://www.caa.co.uk/Our-work/About-us/CAA-consumer-panel>). In addition, various sub-groups of the Panel worked on individual workstreams throughout the year.

## Terms of Reference

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The Panel's Terms of Reference are published on the CAA website (<https://www.caa.co.uk/Our-work/About-us/CAA-consumer-panel>).

## Working with stakeholders

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The Panel primarily interacts with the CAA, providing advice and engaging with staff at all levels. In addition, in 2022 - 2023, as part of its work with stakeholders the Panel engaged with:

- Airlines UK
- Communications Consumer Panel
- Consumer Council for Northern Ireland
- Department for Transport
- Financial Services Consumer Panel
- Heathrow Area Transport Forum (HATF)
- Legal Services Consumer Panel
- UK Research and Innovation (UKRI)
- Which?

## Chapter 4

# Panel members and secretariat

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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 a 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 until December 2020 was 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 was appointed to the Panel in October 2018. She recently completed a six year term as a member of the Office of Rail and Road (ORR) Consumer Expert Panel. She is Chair of the Qualifications and Awards Board for the Chartered Trading Standards Institute. Carol is also a member of a working group on consumers in vulnerable circumstances at Consumer Scotland. She also works with BEUC, the European Consumer Organisation, to moderate consumer education events. Between 2015 and 2019, Carol was Chair of the Scottish Legal Complaints Commission Consumer Panel. During 2019/2020, Carol chaired a team of experts on consumer education and produced a policy options paper for the European Commission. Her 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 disability charity. Helen now works as an independent mobility specialist advising Government, public, commercial and professional bodies on how to improve accessibility. She is currently working for Great British Railways Transition

Team as the Engagement and Consultation Lead for the National Rail Accessibility Strategy. Helen is a member of the Disabled Persons Transport Advisory Committee (DPTAC), Joint Chair of the Heathrow Access Advisory Group, Chair of the Motability Consumer Panel, Chair of East Midlands Railway Inclusivity Group and a Member of the National Centre for Accessible Transport Advisory Committee.

### **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 worked on 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 also 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, 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 (member until April 2023)**

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 and a member of the Advisory Board of the Centre for Competition Policy at the University of East Anglia.

### **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 in 2018 a member of competition and enforcement decision committees at the Payment Systems Regulator and the Financial Conduct Authority. Since 2016 he has run his own consulting practice focusing on economics, regulation and disputes, largely 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 currently works in the General Counsel's Division of the Financial Conduct Authority, 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.

## Secretariat

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### **Freya Whiteman (Secretariat since April 2022)**

Freya is a Policy Principal in the CAA's Consumers and Markets Group, assigned to support the Panel. She is an experienced consumer, regulatory policy and legal professional who is passionate about making aviation more accessible for consumers, with a track record of delivering a number of CAA publications, consumer focused policies and legislative change. Previous roles include working in economic regulation on the H7 price control review to deliver a more consumer focused approach to service quality regulation (Outcome Based Regulation) and modernising the CAA's regulatory toolkit for NATS En Route Plc under the Air Traffic Management and Unmanned Aircraft Act 2021. More recently, she has led on the CAA's airline website accessibility audit.