

Passenger welfare at times of major disruption

Guidance for non-designated airports

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Chapter 1

Introduction

- 1.1 Air travel is a complex consumer service, bringing together multiple stakeholders, including airports, airlines, travel agents, ground handlers, air traffic controllers, security and border control, caterers, surface transport providers and maintenance services. Most of the time, these organisations interface seamlessly, providing a hassle-free experience to the vast majority of the 230 million passengers who fly in and out of the UK every year.
- 1.2 However, complexity also means that when things go wrong, the impact on passengers can be particularly severe. The industry has hit the headlines for the wrong reasons a number of times in recent years, for example:
- Global chaos caused by the Eyjafjallajökull ash cloud in spring 2010, followed by major European airports struggling during periods of heavy snowfall later in the year.
 - Computer failures at NATS in December 2013 led to the grounding of hundreds of UK flights, while flooding at Gatwick a few weeks later on Christmas Eve seriously disrupted thousands of passengers' travel plans.
 - During the 2014 summer holiday season, baggage handling problems at Heathrow and Gatwick caused significant inconvenience and distress to passengers.
- 1.3 Such events have sparked considerable political interest in aviation's resilience. Three independent reviews of the issue have been published in the last four years: the Department for Transport's (DfT) reviews of aviation and other transport modes' responses to snow (2010) and other extreme weather events (2014), and the Transport Select Committee's inquiry into events at Gatwick on Christmas Eve 2013 (2014).
- 1.4 In all three publications, recommendations for improvements in the aviation sector largely focused on airports. This reflects their status as physical 'pinch points' in the system, where multiple stakeholders come together, as well as their role as a central provider capable of coordinating many of the activities of those stakeholders.

- 1.5 By managing the causes and consequences of disruption effectively and efficiently – which may include coming to arrangements with airlines to help them discharge their specific legal responsibilities – airports will ensure they fulfil their own duty of care to passengers. In doing so, they will not only provide passengers with the service they expect, but also reduce the risk of political interest turning into demands for regulatory intervention to improve resilience, and help to avoid significant financial and reputational damage to their own organisations and to the wider aviation sector.

Purpose of this guidance

- 1.6 In response to the issues and challenges set out above, the Civil Aviation Authority (CAA) and the Airport Operators Association (AOA) have developed a set of key principles and recommended practices to help airports check they have the right type of procedures and plans in place to deal with disruption, and provide useful suggestions and reassurance as to how airports can plan ahead. This will help ensure that passengers get the outcomes they expect when travelling by air.
- 1.7 The UK's airports vary greatly in terms of their size, capacity, passenger mix, proportion of transfer passengers, and transport and other surrounding infrastructure. We have therefore been careful to focus on core principles that we think all airports – in cooperation with airlines and other stakeholders – should adopt to inform their approaches to addressing the risks and impacts of disruption.
- 1.8 At Heathrow and Gatwick, which, as large airports with market power, are covered by the Civil Aviation Act 2012 licensing regime, the principles identified in this guidance are largely already implemented, or are in the process of being implemented. In line with their licence conditions, both airports published operational resilience plans in October 2014.
- 1.9 This guidance is, therefore, mainly intended to support airport boards, management and operational staff at the UK's other large airports (which we define as serving over one million passengers a year¹), where the CAA has no powers to regulate resilience. The principles, which often reflect existing arrangements at many airports, have been voluntarily agreed and are sufficiently flexible to allow businesses to identify the best ways to adopt them, as should be the case in a competitive market. Examples of how airports take different approaches to managing the same disruptive

1 Table 01, [CAA UK Airport Statistics](#)

event can be found in the AOA's 2014 Snow Planning Survey. Sections 2 (on management) and 3 (on communications) reflect many of the principles in these guidelines.

Basis for this guidance

- 1.10 This document draws heavily on a 2014 report for the CAA by the independent transport consultancy Steer Davies Gleave (SDG). SDG was commissioned by the CAA to assist it in developing licence conditions for operational resilience at Gatwick and Heathrow, but many elements of the best practice specification it produced are applicable to other airport operators.
- 1.11 We have also sought to reflect the recommendations made in the [Transport Select Committee report](#) on the events at Gatwick on Christmas Eve in 2013, and DfT's [independent Transport Resilience Review](#), published in 2014.
- 1.12 Airports should also consider the guidance provided within the international standard [ISO 22301:2012](#). Certification to this standard will demonstrate the airport's commitment to business continuity, including the overarching need to take account of customer welfare.

Chapter 2

What do passengers expect?

- 2.1 Airports are complex operations where many different organisations interact. However, what unites them is that they are all there to provide, either directly or indirectly, a service to passengers. It therefore makes sense to start with a clear, jointly agreed view of what all passengers expect when they travel by air, and then identify and address the risks that could prevent their expectations from being met.
- 2.2 At the most basic level, regardless of who they fly with and how much they pay for their ticket, consumers travel by air with a justifiable expectation that they and their baggage will be safely transported from their point of departure to their point of arrival at the expected time. If this does not happen, and they still wish to travel, passengers expect to be looked after until they can take their flight. What this means for individual passengers depends on the degree of disruption experienced, but it should be possible to establish a simple order of needs:²
- Information about the status of their flight can provide certainty and reassurance to passengers. Providing information at the earliest possible opportunity can prevent people travelling to the airport before they need to. If passengers are already airside then clear and timely information can provide reassurance and help keep them calm.
 - A clean and comfortable environment to wait in until their flight is ready to depart, with clean and hygienic facilities.
 - Access to free drinking water and reasonably priced food. For significant delays (i.e. over two hours), airlines are obliged to ensure passengers have access to suitable refreshments.
 - The ability to communicate easily, as well as the ability to find out about or rearrange their onward travel arrangements at their destination. Again, with significant delays airlines are obliged to provide access to communications.

2 This order of needs broadly reflects the findings of a 2014 survey by the CAA (unpublished). This one-off survey on the passenger experience during disruption was conducted as an add-on to the CAA's Passenger Survey. Approximately 2,500 interviews were conducted at Heathrow, Manchester, Gatwick, Luton, and Leeds-Bradford airports.

- Accommodation, and transport to and from it, if disruption continues overnight, including being able to return home if practical. Once more, this is legally the obligation of airlines.
- The ability to easily make a complaint and obtain redress (including financial compensation if appropriate) at a later date, usually once the passenger has completed their journey.
- Confidence that steps will be taken to provide a better experience the next time they fly, leading to future purchases.

2.3 The legal responsibilities of airports and airlines are set out in the following subsection. However, the primary concern for passengers is not who looks after them but that they are looked after. Airports, airlines and other service providers must therefore collectively ensure the welfare of passengers in situations of disruption. This is best delivered cooperatively between the organisations and approaches to managing risk, contingency plans and delivery mechanisms, passenger communication, practice events and learning lessons must be designed to encourage and facilitate such cooperative behaviours.

2.4 Procedures for how airports will deal with situations where airlines do not fulfil their obligations to passengers should be set out clearly and communicated with airlines. Airlines should be given the opportunity to fulfil their obligations using their own resources before any remedial airport action is implemented, unless other arrangements have been agreed in advance.

Legal framework

2.5 Regardless of the practicalities, it should not be overlooked that the passenger's contract – and therefore the legal responsibility for looking after them – is not with the airport but the airline. As highlighted above, under [EU Regulation EC261/2004](#), airlines have specific obligations to passengers whose flights have been disrupted, including the provision of food and drink, the means to contact friends and family, and overnight accommodation (including transport to and from it) if necessary. Under EC261/2004, airlines must give priority to disabled people and people with reduced mobility (PRMs), and unaccompanied children when discharging their responsibilities.³

3 There is more information about legal rights during disruption at the [Resolving Travel Problems](#) area of the CAA website: <http://www.caa.co.uk/default.aspx?catid=2226&pageid=15601>

- 2.6 The CAA is responsible for ensuring compliance by airlines with EC261. In October 2014 it informed the 15 largest airlines serving the UK that they would be required to report over the next 18 months on their level and method of compliance with their obligations to provide information on legal rights and welfare to disrupted passengers. The CAA intends to publish a compliance report annually covering these areas.
- 2.7 However, under the Occupiers Liability Acts for England and Wales (1957), Northern Ireland (1957) and Scotland (1960), airports do have a duty of care to ensure that visitors will be reasonably safe at all times when using their premises. At a minimum, this means taking steps to protect people from the health and safety consequences that can result from disruptive events. These include overcrowding, extreme temperatures, wet and slippery floors, food and drink not being available, unclean toilets and the build up of litter. Such problems can be exacerbated by the way airports are, for security reasons, split into landside and airside areas: if passengers are already airside they cannot easily leave the airport site and are essentially 'captive'; if they are landside they may be unable or unwilling to leave the airport because surface transport is unavailable or there is uncertainty about their flight status.
- 2.8 Airports also have responsibilities under [EU Regulation EC1107/2006](#) to assist disabled people and PRMs to move around the airport and embark and disembark aircraft. These responsibilities apply equally during normal operations and times of disruption. Again, ensuring compliance with EC1107/2006 is the CAA's responsibility.

Chapter 3

Good practice principles

- 3.1 This guidance endorses the view presented in the 2014 Transport Resilience Review that resilience has three layers to it⁴:
- Firstly, it is about increasing physical resilience to the causes of disruption, so that when disruption is experienced, people and goods can continue to move.
 - It would be both very difficult and prohibitively expensive (and therefore not in the interests of passengers) to ensure total physical resilience, so secondly it is equally about ensuring processes and procedures to restore services and routes to normal as quickly as possible after disruptive events have abated.
 - Thirdly, it is essential to ensure clear and effective communications to passengers and transport users so that the impact of disruption on people and businesses is minimised.
- 3.2 The model set out above, which also emphasises the importance of clear and effective communications, describes a widely recognised approach to business continuity management (BCM). BCM describes a set of processes to avoid or reduce the risk of disruptive events taking place by targeting the *causes*, and a further set of processes to manage and mitigate the *impacts* of such events when they do occur. These two sets of processes often appear in the risk management literature as a 'bowtie' diagram (see Figure 1, below).

4 While the context for the Review was extreme weather, the model has wider application to all causes of disruption.