



Revolutionising a service

Creating a world-leading
online tribunal service
through a fresh approach
to Digital Transformation

**Traffic Penalty
Tribunal**
England and Wales

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About the Traffic Penalty Tribunal

Established in 2000, the Traffic Penalty Tribunal (TPT) decides appeals against penalties issued for traffic contraventions by charging authorities in England (outside London) and Wales.

This includes appeals against civil enforcement penalties issued by local authorities for parking, bus lane, littering from vehicles and (in Wales only) moving traffic contraventions, as well as appeals arising from road user charging enforcement.

The road user charging schemes for which the TPT sees appeals for include the:

Dartford-Thurrock River Crossing ('Dart Charge'), where the charging authority is the Secretary of State for Transport

- Mersey Gateway Crossing ('Merseyflow'), where the charging authority is Halton Borough Council
- Durham Road User Charge Zone, where the charging authority is Durham County Council.

The TPT decides appeals for ~25,000 cases a year, arising from both civil and road user charging enforcement.

The TPT comprises 30 part-time adjudicators (wholly independent lawyers whose appointments are subject to the consent of the Lord Chancellor) working remotely with the support of 14 administrative staff, who provide customer support and process appeals.

The TPT is funded by a Joint Committee of over 300 local authorities: Parking and Traffic Regulations outside London (PATROL). PATROL fulfils a statutory duty to make provision for the independent adjudication.

The TPT adjudicators are independent, judicial office holders exercising a judicial function and not employees of the Joint Committee. Together they constitute the independent and impartial tribunal for the determination of appeals made to them. The adjudicators and their administrative staff are, for convenience, described collectively as the Traffic Penalty Tribunal.

The relationship between the Adjudicators and the PATROL Joint Committee is largely derived from and governed by the *Traffic Management Act 2004* and *Transport Act 2000* and the regulations made under those two Acts.

A Digital by Default mind-set

We live in a 'Digital First' world, where digital technologies are ubiquitous, underpinning the human experience at every turn: accelerating innovation, providing efficiencies and improving accessibility.

In what Deloitte has described as the 'ascent of Digital', such technologies have become the enabler for unprecedented innovation and transformation of public services. Crucially, however, digital technologies have also led to an increase in public expectation that the products, services and experiences they demand will always be just a few clicks away.

The appeals process for parking tickets and other motoring penalties, however, has historically been typified by piles of paperwork and time-consuming statutory processes for all parties.

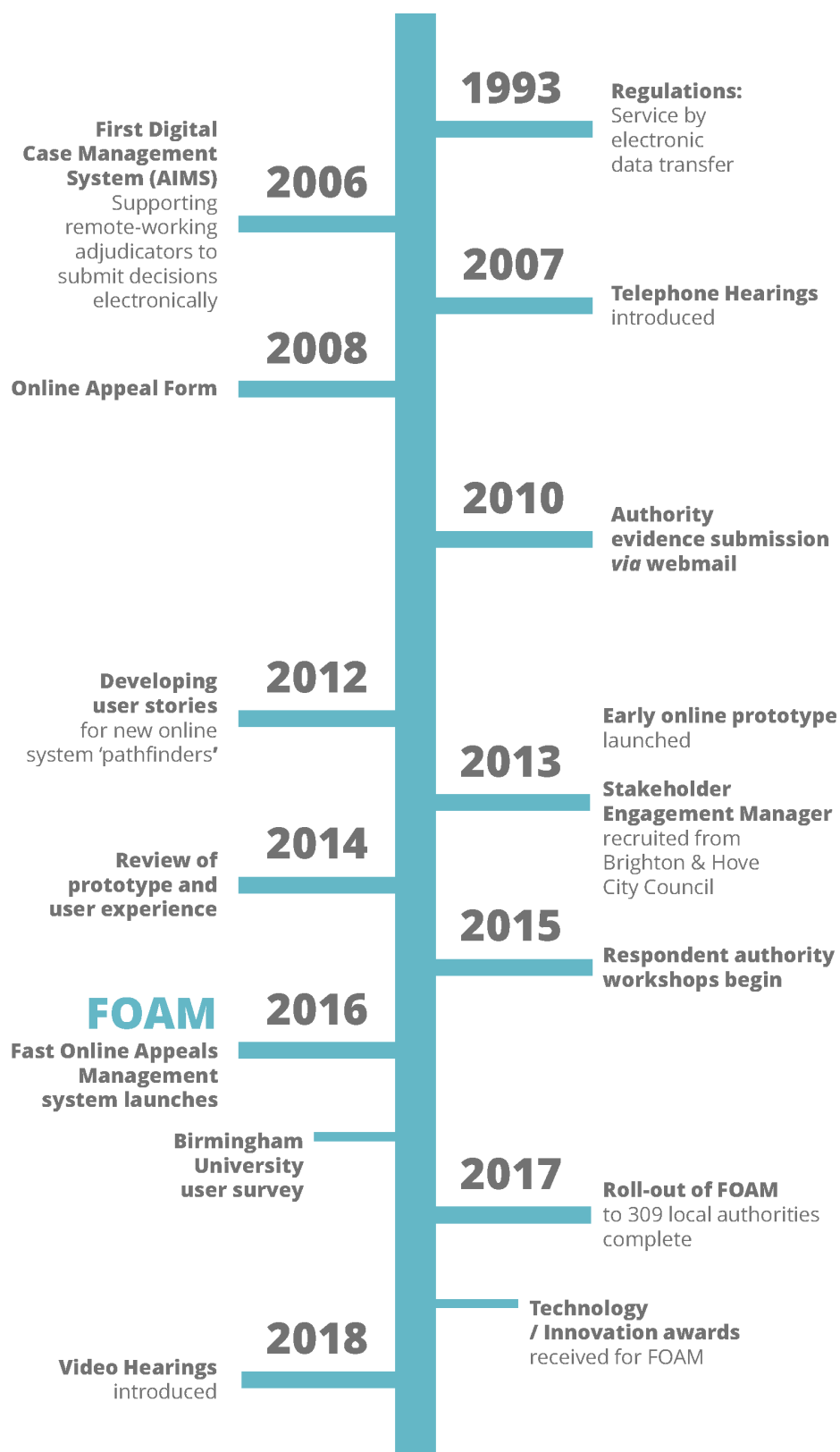
Since its inception, the TPT has always been driven by the guiding principles of Accessibility, Transparency, Proportionality, Velocity and Finality in the way it provides adjudication.

With a 'Digital by Default' mind-set, however, striving to embrace new and emerging technologies over the last decade and beyond – always with the experience of the user at the centre – the organisation has been able to channel these principles into a revolution in the way it manages appeals.

The result is a complete digital transformation of the organisation, with the continual refinement and enhancement of the last 13 years producing a world-renowned service offering for our users – one that is more accessible and transparent than ever, swift, scalable, supportive of modern working practices and efficient for the age of austerity.



Digital Transformation: A timeline



Going Digital: It's not all about technology

Despite the advances the digital transformation has brought to the service offering of the TPT, at the heart has always been the belief that embracing new technologies must be accompanied by a thorough review of business processes, always keeping the end user at the centre and keeping customer service and transparent communication at the forefront.

Back in 2006, when TPT adopted its first Digital Case Management system (AIMS), three elements were placed at the heart of its new approach. These have remained consistent throughout the past decade and were integral to the development of our latest Fast Online Appeals Management (FOAM) system, which was launched in 2016 (see Page XXX).

- **Content / Communications**

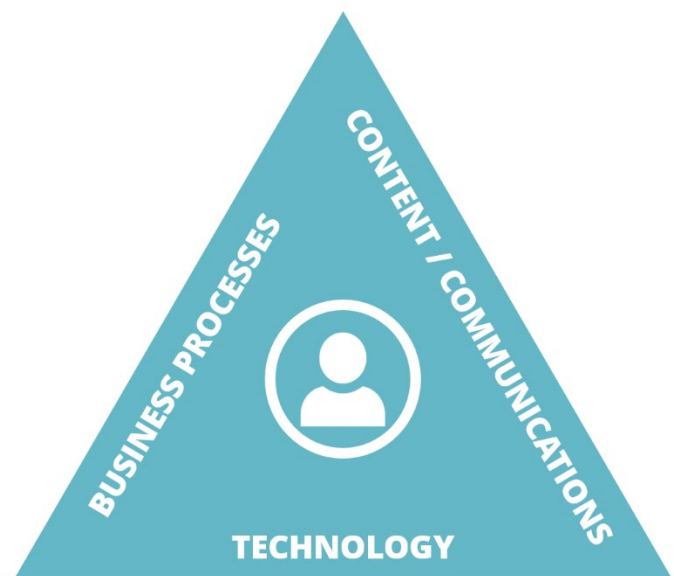
All content and communications must explain how appellants can correctly engage with the process. Signposting ensures appellants appeal initially to the local authority and understand that TPT is always the last resort. This in turn frees up time for administrative staff to assist appellants who have already exhausted the local authority appeals process.

- **Business Processes**

Understanding the needs of appellants and respondents; and how these can be matched by a clear, transparent, and expedited appeals process is vital to avoid frustration and further unnecessary complaints.

- **Technology**

Underpinning these factors is the digital platform itself, serving as the bedrock of the appeals process. The platform brings together the communications and business processes into a transformed holistic user experience.



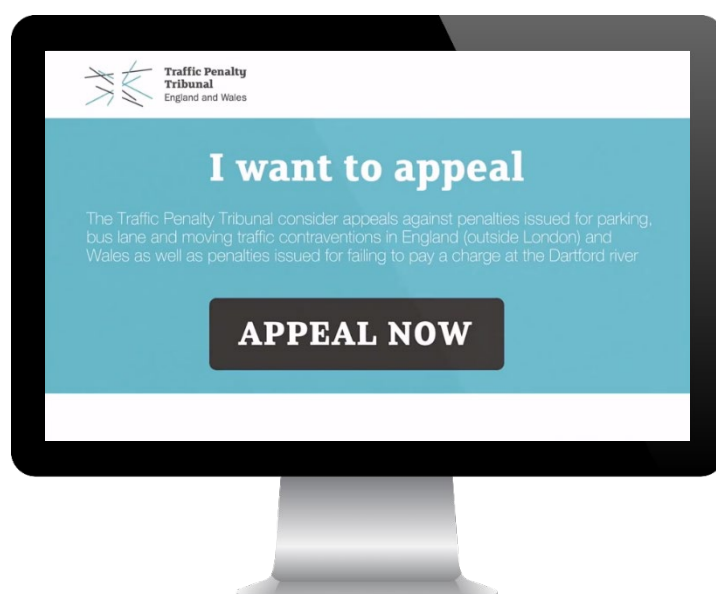
Fast Online Appeals Management (FOAM) system: An award-winning exemplar of online tribunals

2016 brought the TPT's most advanced and radical digital innovation to date. FOAM is a next-generation, fully online case management system. Powered by an intuitive user interface, FOAM has the functionality and tools to bring together the two parties of an appeal – Appellant and Authority – in real-time, allowing them to make their case and express themselves in a richer and more compelling way than ever before.

Coming a decade after the first Digital Case Management System (AIMS), FOAM is the culmination of the TPT's rigorous focus on refining and interweaving content, communications, business process and technology together to provide the optimum user experience.

Key features of FOAM: At a glance

- Appeals submitted and processed fully online.
- Both parties (Appellant and Authority) have a holistic view of an appeal, with TPT Adjudicators and Administrators able to interact at appropriate times.
- Evidence is submitted and reviewed online, with comment and annotation functionality.
- All users can communicate and respond in real-time through a number of channels, including instant messaging and Live Chat.
- Appeal decision provide either as e-Decision or following a Telephone Hearing.
- Accessible on all devices with access to the internet (Smartphones, tablets, laptops).



Not everyone can get online... the importance of Assisted Digital

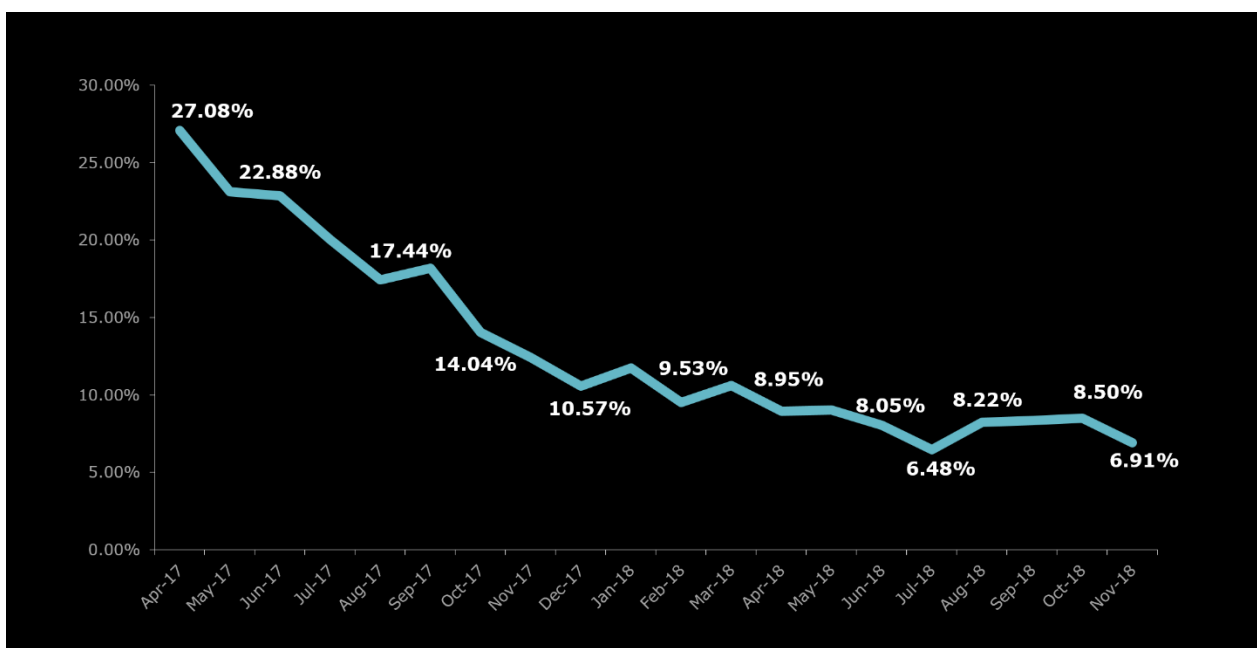
While >90% of all appeals the TPT sees are now processed online through FOAM, the revolution that the new system has brought to the service offering of the organisation does not mean that the user experience of those who are offline – or of those who need extra support to take advantage of the online system – has been diminished.

On the contrary, the advent of FOAM has freed up the TPT’s customer services team from routine administrative tasks involved with processing the paper cases of old to offer enhanced Assisted Digital support for those who need it – retaining a ‘human touch’ to complement the online system.

For most Appellants who come to the TPT, it will be their first and perhaps their only experience of engaging with a judicial process; and for those people – albeit a small percentage of people – who are not savvy with online behaviours, it can be especially daunting.

In line with the stipulations set out in the Government’s Digital Service Standard, Assisted Digital at the TPT provides an active form of customer engagement with Appellants, to ‘walk through’ the online appeal submission process and / or complete it on their behalf (by proxy). Contact with the TPT customer service team remains available throughout the process should they need it, including through the instant messaging and Live Chat functionality within the FOAM system.

While the support is there for those Appellants who need it, the percentage of cases submitted by proxy continues to reduce (see below).



Keeping on top of our 'Supply Chain': Alignment with Authorities key

One of the key triumphs of the FOAM system is the way in which its workflow aligns with the system processes of the enforcement authorities' party to appeals. This is the result of continual engagement and synchronisation with these authorities throughout the development process.

This engagement included a series of pathfinder workshops with a number of 'early adopter' authorities, which included critical buy-in and commitment from their IT teams to ensure the system would be implemented and deployed effectively. Regular workshops and training with authorities continued right through the eventual roll-out of the FOAM system.

At a more granular level, engagement throughout the development process helped to ensure specific functionality of the system dovetailed with authorities' practice and processes:

- **Shared PIN code**

To register an appeal through the FOAM system, Appellants are provided with a unique PIN code. This is mapped to the Penalty Charge Notice (PCN) number originally issued by the Authority and provided in the Notice of Rejection (NoR) of Representations issued following initial unsuccessful representations to the Authority. The NoR letter introduces the TPT and provides instructions on how to appeal online using the PIN code. Once an Appellant has registered an appeal, the Authority is notified automatically and provides authentication for the case to proceed. The Authority retains visibility of the appeal, responding through a bespoke case management dashboard.

- **Digital Traffic Regulation Order (TRO) Library**

TRO documents – detailing civil enforcement schemes – are provided by authorities and hosted online by the TPT. The library is synced into FOAM for quick reference and document linking throughout the evidence submission and decision making process.

- **'Triage questioning'** for appellants during the appeal registration process, developed through insight into enforcement authority processes.



Development: The importance of establishing an end-to-end process

A critical strand of the pathfinder workshops conducted with the 'early adopter' local authorities was to clearly outline an end-to-end process of the civil enforcement journey at an early stage.

The establishment of an accurate end-to-end journey would define the development of FOAM system, allowing for the creation of a system that takes its users through the civil enforcement process seamlessly, most notably in terms of interactions with local authority systems and processes.

Consequently, there was no requirement to make assumptions at earlier stages of development and the FOAM system could be rolled-out in a phased Agile approach; but with the crucial difference that each phase constituted a *step* in the end-to-end journey.

Phase 1: Appellant portal developed

Phase 2: Authority portal developed

Phase 3: Adjudicator decision functionality developed

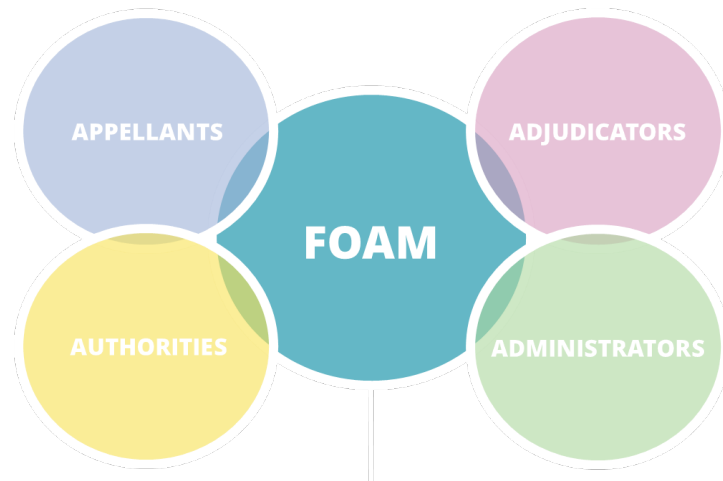
Phase 4: LAUNCH

When the 'beta' system was available, it was also invaluable to have authorities involved in the project to road-test the system. Development of the FOAM system was then continued in response to user experience.



Real-time interaction and intuitive tools

FOAM allows both parties (Appellant and Authority), together with TPT adjudicators and administrative staff, to have full visibility of each other's actions as an appeal progresses. Distinct colours within the system represent the different users within a case (see below).



The FOAM system then allows both parties to the appeal to easily make and present their case to the other, including:

- Written statements on appeal submission.
- Authorities are provided with a bespoke dashboard to manage cases.
- Upload of evidence, from photographs and video, to PDFs of documents, to screen captures of WhatsApp messages.
 - Evidence can be annotated and explanatory notes provide (see below).
- Review and comment functionality on evidence provided.



During the progression of a case, both parties are able to use a series of communication channels to ask questions of each other, provide comments or get in touch with TPT administrative staff for help and support through the process. Adjudicators may also communicate with the parties for clarification and to provide updates when the time comes to review the evidence provided and decide the appeal.

The communication channels provided within FOAM further broaden and enrich the functionality of the system as a live, real-time dispute resolution platform. They include:

- **Messaging**
 - Similar functionality to popular instant messaging platforms.
 - Files can be attached to messages.
 - Clarification and updates to evidence can be dealt with swiftly and effectively.
- **Live Chat**
 - Available both within FOAM and on the TPT website prior to appeal submission.
 - Transcripts can be attached to the case file of an appeal.
- **Email notifications**
- **Freephone customer services**

Adjudicator addresses point of law to Appellant and

Appellant acknowledges in context of their appeal

Authority agrees to discount of penalty charge payable

Messaging



Live Chat

~80% SAY ISSUE IS RESOLVED DURING LIVE CHAT WITH TPT STAFF

1 min, 6 secs

TPT STAFF AVERAGE RESPONSE TIME

Hearings: Impact of the online system

Hearings – where both parties to an appeal have an opportunity to put forward their case to a legal representative – have historically been a crucial element of general tribunal dispute-resolution practice. Such is the impact of the accessibility, functionality and efficiency delivered by the FOAM system, however, 90% of all decisions made require no hearing at all.

Once the evidence in a case has been submitted to FOAM by both parties and the case has progressed to the point of a decision being made, Appellants have the option to select either:

- **e-Decision:** A TPT Adjudicator will decide the appeal without a hearing or talking to the parties, often asking questions in a message and the parties replying promptly.
- **Telephone Hearing:** Once the authority evidence is submitted, the motorist can ask for teleconference with the adjudicator, with an Authority representative usually taking part.

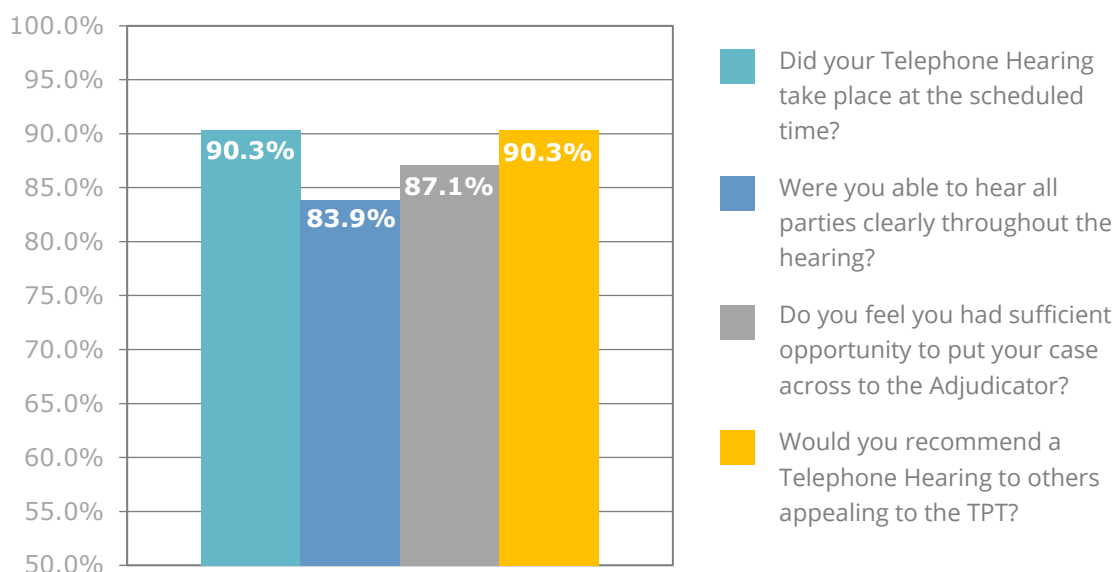
Telephone Hearings have replaced Face-to-Face Hearings as the primary TPT Hearing method (Face-to-Face is still an option, where circumstances necessitate it), requiring no travel or related costs by either party or the TPT, and a decision often given during a call. Feedback has been highly positive (see below).



I was impressed by your efficiency and fairness, and the effective interaction with the parties

**Rt Hon. Lord Carnwath,
Justice of the
Supreme Court**

Listened in on a Telephone Hearing



% Hearing participants surveyed; November 2018

Decisions and reviews

Following the Appellant deciding for an e-Decision or Hearing, the TPT Adjudicator makes their decision directly within the FOAM system. The Appellant and Authority are both notified instantly and can log-on to read the decision and explanation provided.

Both parties then have the opportunity to review the decision, with the resulting process completed end-to-end within directly within the FOAM system.

▲ What happens next?

The adjudicator's decision is final and binding on the authority and you.

In exceptional circumstances a decision can be looked at again. It is not grounds to ask for a review of the decision because the authority or you disagree with the adjudicator's decision.

You will be notified in the unlikely event that the authority asks for the decision to be reviewed.

Costs

The regulations say that costs are not usually awarded.

There are exceptions; the main one is if the adjudicator considers that the authority (or you) were wholly unreasonable in their approach to the case.

If you consider that this applies in your case follow this link <https://www.trafficpenaltytribunal.gov.uk/costs> to learn more and find an online form.

[For more information on applying for a review](#)

Reviews can only be made in exceptional circumstances, where one of the following four grounds applies:

- A Hearing was requested, but the case was decided before a hearing was arranged.
- TPT made an administrative error in processing the case.
- New evidence has become available since the decision that could not have been anticipated.
- There was an error in the law applied to the decision.



Less than 3% of cases result in a review application, and only **0.2% of cases** result in a different outcome, following a review

Digital Transformation and the online system: The impact

The digital transformation of the Traffic Penalty Tribunal and resulting deployment of the Fast Online Appeals Management (FOAM) system has brought about a revolution in the way parking and traffic penalties are processed.

While the significantly improved user experience for both Appellant and Authority throughout an appeal as a result of the FOAM system lies at the heart of this revolution, there has also been a huge complementary impact, in terms of accelerated outcomes, efficiencies and cost savings.

For Appellants and Authorities, case resolution times provide a clear window on the efficiency and usability of the online system and associated improved business processes.

12% OF CASES ARE NOW RESOLVED IN

ONE DAY

33% IN

7 DAYS

46% IN

14 DAYS

78% IN

28 DAYS

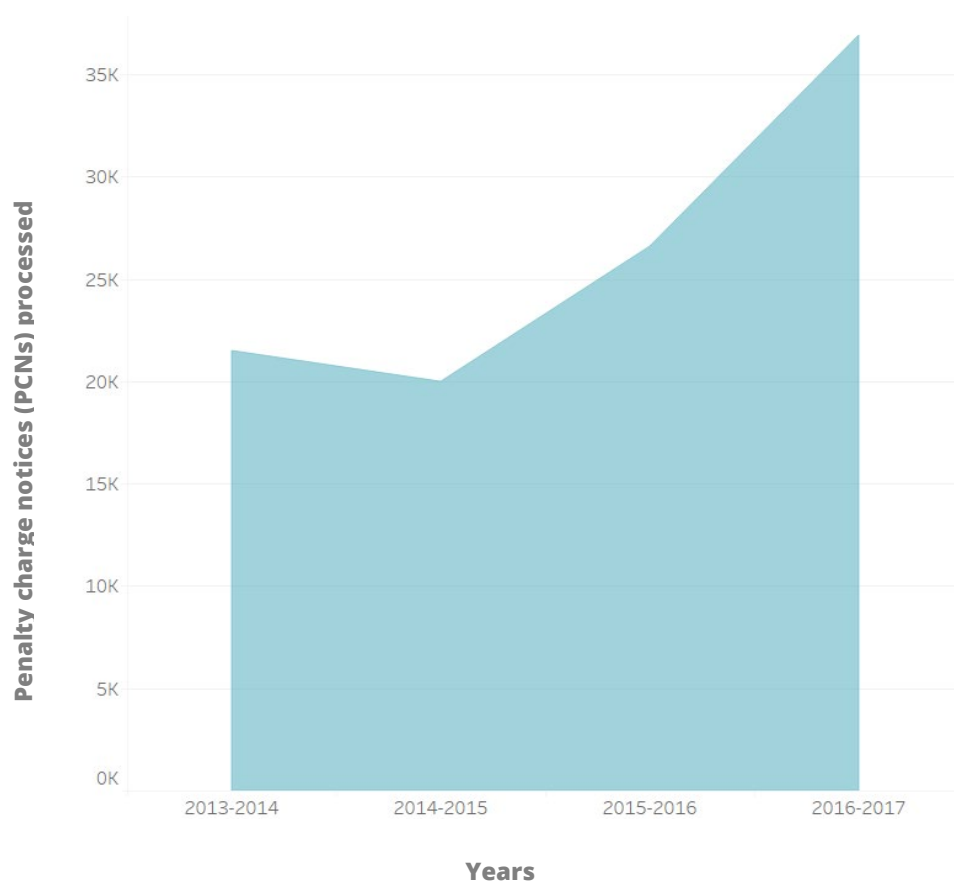


This efficiency has had a significant impact on the ability of the TPT to increase its workload by 85% since 2013 (see graph below), while also being able to reduce its variable costs by 57%.

The adoption of online systems since the digital transformation began, culminating in FOAM, has allowed the TPT to regularly absorb and scale to the workload associated with the arrival of new traffic enforcement schemes – and the resulting appeals against penalties issued by the enforcement authority in question.

For example, the introduction of the new Dartford-Thurrock River Crossing scheme ('Dart Charge') in November 2014 brought a surge in appeals to the TPT, which the online system in place at the time was able to accommodate. More recently, local authorities in England and Wales have been given civil enforcement powers for issuing penalties for littering from vehicles (*Littering From Vehicles Outside London (Keepers: Civil Penalties) Regulations 2018*). Appeals relating to this enforcement were able to be enabled through the FOAM system with ease.

In 2019, Local authorities in England and Wales are having plans for Charging Clean Air Zones (CAZs) approved by the Department for Environment, Food & Rural Affairs (Defra), as part of its Clean Air Strategy to reduce levels of nitrogen dioxide in towns and cities. The workload associated with appeals against the road user charging enforcement of Charging CAZs is the next challenge on the horizon for TPT's systems and processes.



The increased workload, together with the efficiency of the online system and transformed TPT business processes, have inevitably brought about significant savings for local authorities and the TPT, in terms of operational costs.

STAKEHOLDER AUTHORITIES HAVE REPORTED SAVINGS OF

£160 PER CASE

EQUATES TO SAVINGS OF

£4 MILLION

TO ALL AUTHORITIES IN TWO YEARS SINCE FOAM LAUNCH

DEVELOPMENT COSTS

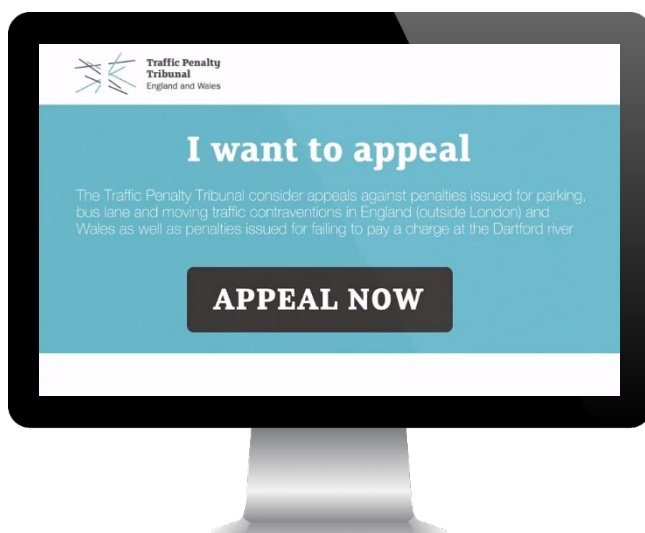
FOR FOAM HAVE BEEN BALANCED BY TPT

OPERATIONAL SAVINGS

TPT COST PER CASE

(INCLUDING ADJUDICATOR TIME)

£88



Lessons learned and ongoing evaluation

Despite the clear positive impact to the user experience, operational efficiency and costs associated with the processing of parking and traffic penalty appeals, the TPT is not standing still in its journey to refine and improve its service offering. Taking forward the lessons learned throughout its 13-year digital transformation, the TPT continues to engage with its stakeholders, primarily the appellants who have come through the online appeals process and the enforcement authorities, but also looking internally to the experiences of administrative staff and adjudicators.

Projects focused on refining the user experience of the FOAM system and related touchpoints of the appeals process (including email correspondence and TPT website content) are continuing.

Lessons learned

- **Technology must be accompanied by a thorough review of business processes**
Processes need to be efficient and designed to complement a digitised approach.
- **Do not underestimate the 'human touch'**
Technology should be used to free-up more time to provide human customer service, where required. In this way, both online appellants and those less comfortable with technology can receive a high quality service, for example through Assisted Digital.
- **Avoid data migration**
Cases are finite, so old systems can be closed off and archived (like the legal registers of old). Not having to migrate data removes one of the most popular obstacles of new IT systems and retaining multiple systems can feed positively into the ongoing change process.
- **There's Agile...and then there's Agile**
An end-to-end process must be established before launch: dispute resolution is an interactive process between the parties. Development can then continue in response to user experience.
- **Select committed stakeholders who share the vision**
Close alignment and synchronisation with key stakeholders, particularly enforcement authorities, was critical to the nuanced functionality of the FOAM system.
- **Start small and simple; but connected**
Quick wins fuel and accelerate the wider project.

[trafficpenaltytribunal.gov.uk](https://www.trafficpenaltytribunal.gov.uk)

help@trafficpenaltytribunal.gov.uk

+44 (0) 800 160 1999

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