



Office of the Ombudsman

2020 Annual Report

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A Message from the Office of the Ombudsman

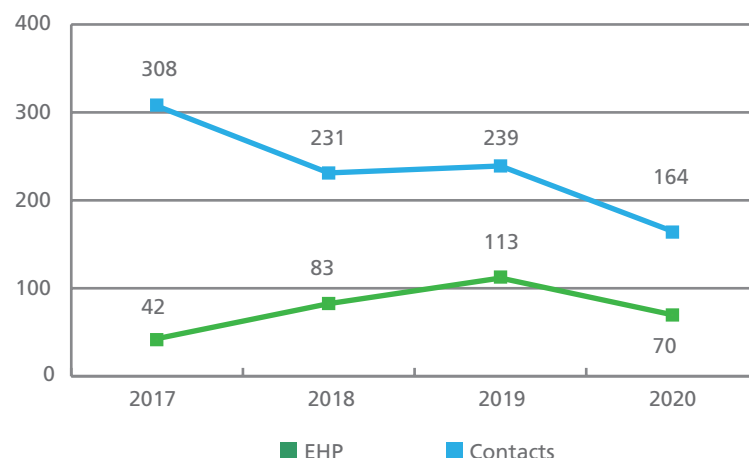


Though 2020 was more difficult than any of us could have imagined, it forced us to pause and re-evaluate what’s most important, on an individual basis and more broadly as a society. We recognized the significance of social connectedness and learned how to achieve it virtually. We observed the true meaning of resilience.

Here in the Ombudsman’s Office, we too transitioned to working from home at the onset of the pandemic and it was our mission to ensure that we remained accessible and operational to serve customers during this challenging time. I’m proud that we were able to maintain our exceptional service standards and responsiveness. More than 90 per cent of the complaints that we received were handled within 10 business days and all of our 2020 cases have been closed.

We continue to experience a year-over-year decline in the volume of customer contacts with our office. In fact, we saw a 31% decrease in complaints and inquiries as compared to 2019. Applications for 407 ETR’s Exceptional Hardship Payment (EHP) Plan also fell by 36.1% compared to the previous year. This may be attributed to customer complaints being resolved earlier in the dispute resolution process, enhancements to processes and heightened customer awareness.

Complaints and Exceptional Hardship Plan (EHP) Applications Received Trend



Our ongoing work helps ensure the consistent and fair application of 407 ETR policies and it’s rewarding to facilitate positive change within 407 ETR. Of course, this wouldn’t be possible without the openness and cooperation between stakeholders. I would like to extend my sincere gratitude to all involved for the diligent work and effort contributed over the past year.

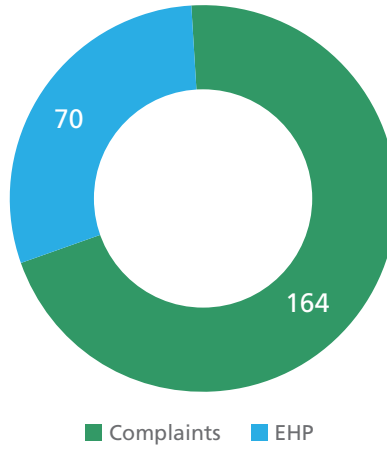
For additional information please [visit our website](#).

Sincerely,
Brian Fernandes
March 2021

Throughout this document, “the Office” refers to the Office of the Ombudsman. “407 ETR” and “the Company” refers to 407 ETR Concession Company Limited.

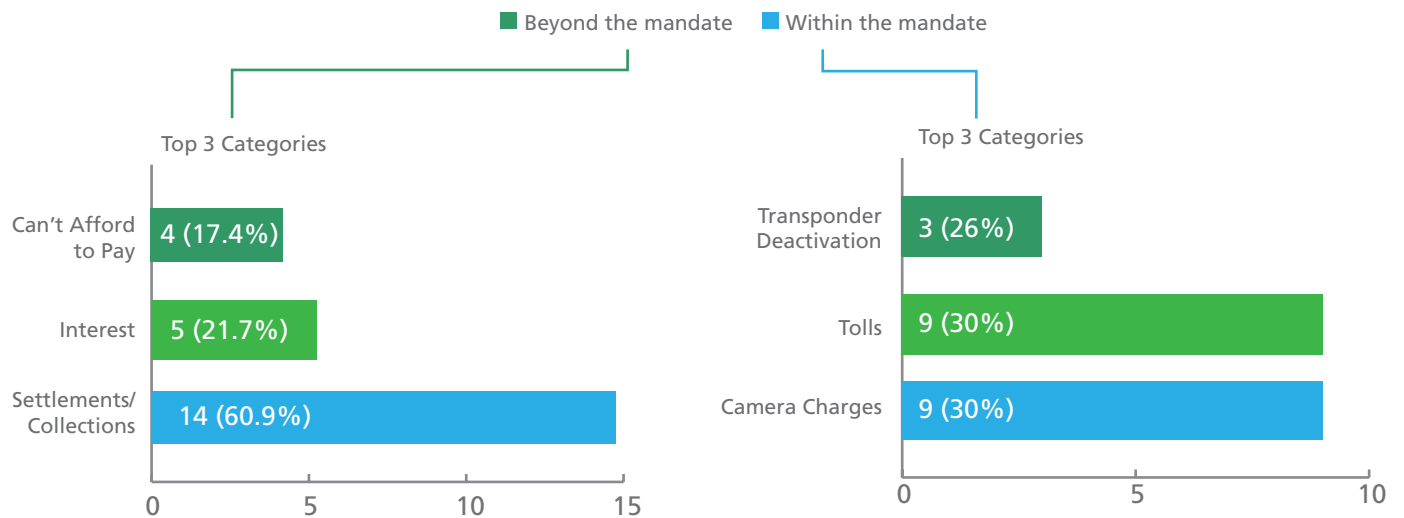
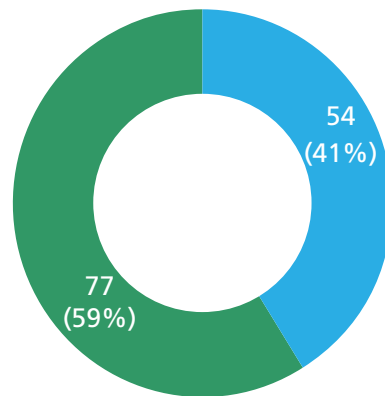
2020 Year in Review

Ombudsman's Contacts



Ombudsman's Complaints Review

Scope of Issues Reported

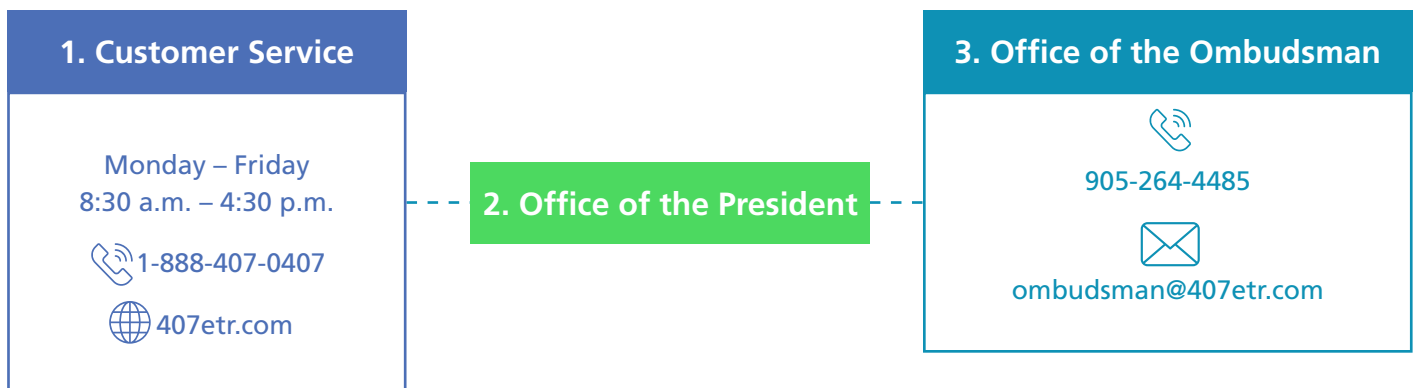


The Dispute Resolution Process

407 ETR has a well-defined dispute resolution process designed to assist customers and resolve their concerns. While the Ombudsman is an important component of the dispute resolution process, certain steps must be followed before engaging the Office of the Ombudsman. Following these steps provides the Company with an opportunity to review concerns and offer a reasonable solution.

If a customer is not satisfied with the outcome or resolution provided by a Customer Service Representative, the matter may be escalated to a Customer Advocate within the Office of the President. The Office of the President has a thorough dispute handling process and will review the complaint and the resolution provided by the Customer Service Representative. In order for the Advocate to review a complaint, we recommend that the customer state why they are not satisfied with the resolution provided by the Customer Service Representative.

If the complaint remains unresolved, the customer may request a review by the Office of the Ombudsman at 407 ETR by submitting their concerns in writing.



Ombudsman Mandate

The main objective of the Office of the Ombudsman is to impartially listen to customer issues as they relate to Highway 407 ETR and the Province of Ontario's Highways 407, 412 and 418, and to deliver a recommendation to assist parties in reaching a fair and reasonable solution. The role of our Office is to act objectively and not as an advocate for the Company, the Province or the customer. In order to adjudicate in a manner that is fair, transparent and unbiased, we require all submissions to be in writing. We review matters that are no more than 12 months old. Any recommendations we present are non-binding and our services are free of charge to all customers of 407 ETR and the Province of Ontario's Highways 407, 412 and 418.

In addition, we make proactive recommendations for process improvements and enhancements to the customer experience, and identify issues that must be handled with care.

Our Office manages the Exceptional Hardship Payment plan on behalf of the Company to assist customers who have accumulated significant outstanding tolls and fees and who are able to demonstrate that plate denial would pose a risk to their health and safety.

As a corporate office, we have no legislative power and cannot make recommendations to change, amend or influence laws or regulations, or otherwise impact customer pricing or fees.

We cannot:

- Review matters before the courts or have a legal ruling. Such matters are handled by lawyers on behalf of the Company.
- Reverse or overrule the decision of the Highway Operations department related to damage claims. We may however, review the complaint and the decision to determine whether proper procedures were followed.
- Engage in highway infrastructure and design. These matters adhere to strict provincial standards, guidelines and specifications; they are subject to inspections, and require formal approvals by the Ontario Ministry of Transportation.
- Hear matters involving policing and enforcement. 407 ETR works closely with the Ontario Provincial Police who monitor and enforce traffic laws on the highway.

In addition, the Office does not engage in financial settlements on customer accounts or award punitive damages.

Engaging the Office of the Ombudsman

After we have received a complaint in writing, we conduct a preliminary assessment to confirm if the issue falls within the mandate of the Office, and this may take up to three business days. During this time we may find:

- Insufficient information to assist in our investigation. We may request additional information to help us investigate the complaint.
- We will ask the appropriate stakeholder within 407 ETR for any relevant information.
- If the complaint falls outside of our mandate, we may refer it to the appropriate department for review.

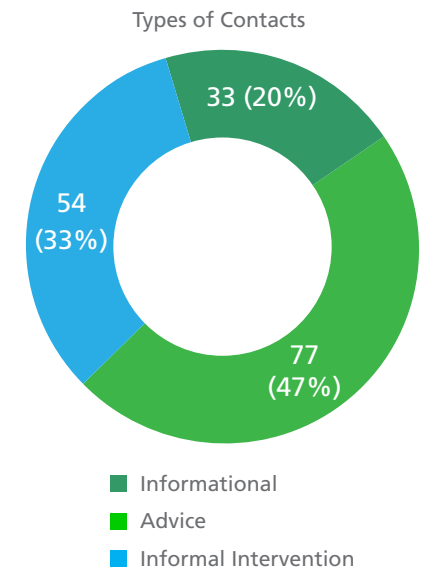
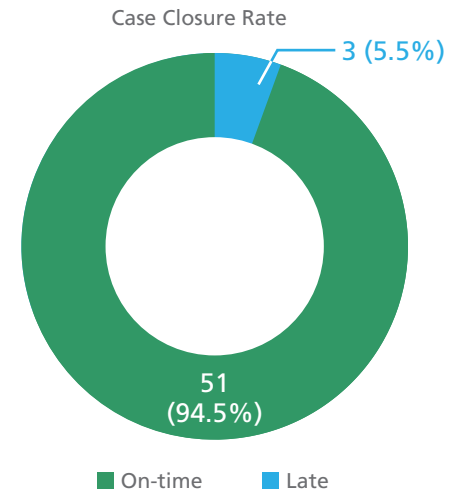
If a complaint falls within our mandate, we investigate the concerns and provide our final response in writing. We aim to complete our investigations within 10 days of the initial assessment period.

In 2020, out of the 164 contacts our Office received:

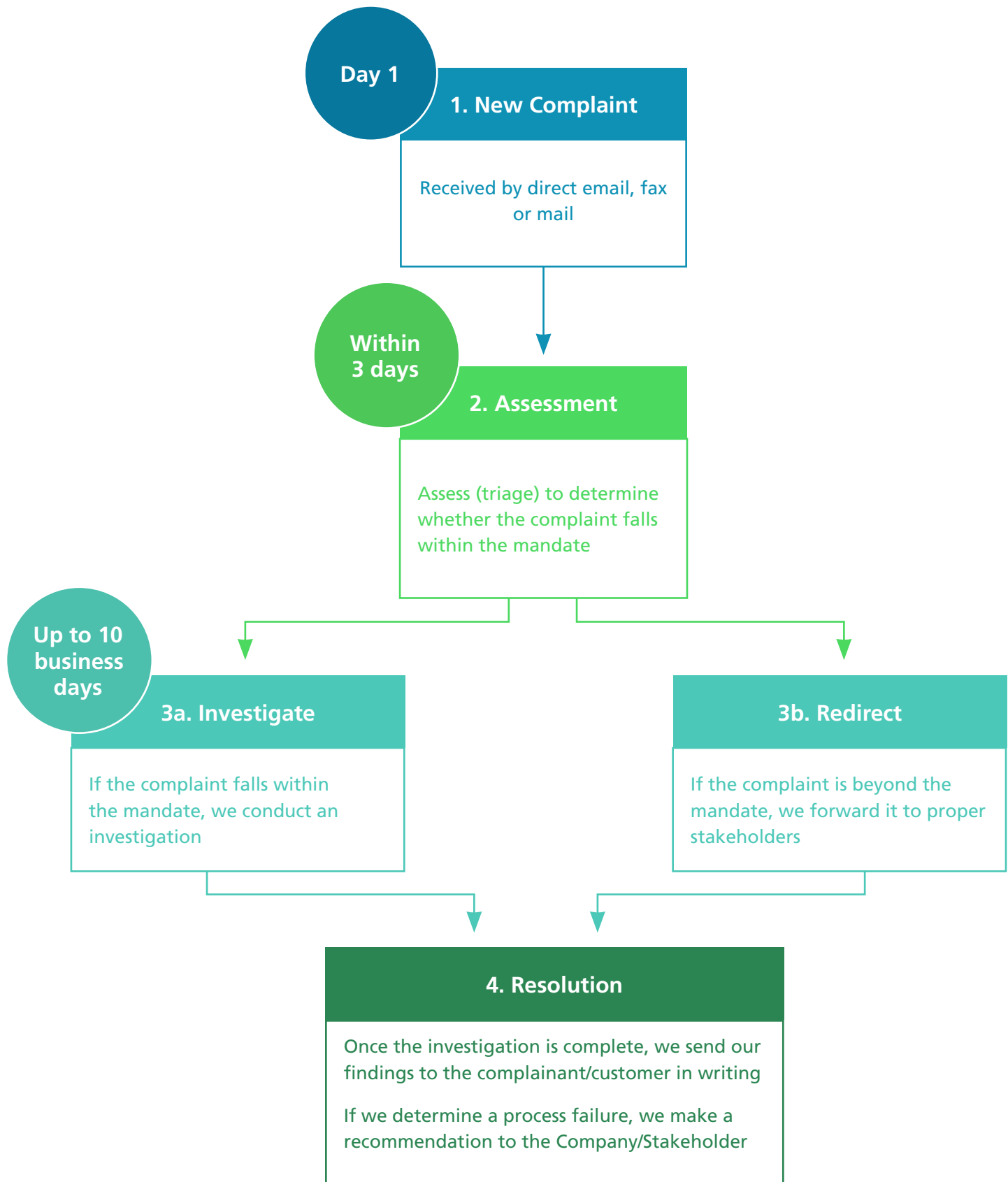
- 20% (33) of cases were classified as **Informational** which means the matter presented to the Office did not satisfy the requirements of an investigation or the customer requested general information.
- 47% (77) of the cases were classified as **Advice Referrals** which means the matter fell beyond the mandate or did not follow the dispute resolution process. The Office collaborates with other stakeholders where appropriate, and focuses on providing a timely resolution.
- 33% (54) of the cases were classified under **Informal Investigation** which prompted a full investigation of the matter presented by our Office.

After an investigation is complete, we communicate our findings, which may include our recommendation for a resolution or a summary of our position, supporting the solution offered by 407 ETR.

In 2020, the Office did not find any process or procedural failures to warrant recommendations to the Company. In addition, none of our 2020 cases were associated with the Province of Ontario's Highway 407 (east of Brock Road), Highway 412 or Highway 418.



Process for Contacting the Office of the Ombudsman

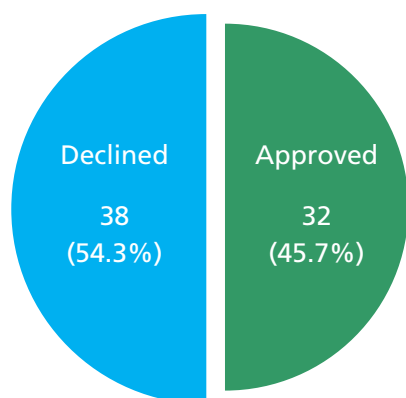


Exceptional Hardship Plans

407 ETR offers an Exceptional Hardship Payment Plan to assist customers who have accumulated significant debt with the Company, and who would suffer an exceptional hardship through the denial of their vehicle license plate permit. The review of these applications remains part of the responsibility of our Office. For more information about the program, visit [our website](#).

In response to the financial difficulties that customers were facing as a result of the pandemic, the Company temporarily suspended interest charges on customer accounts and halted all collection activities, including plate denial, between April and June 2020. To provide additional support, 407 ETR introduced the COVID-19 Repayment Assistance Program (RAP) for personal and business customers.

In 2020, our Office received a total of 70 applications for the Exceptional Hardship Payment Plan which represented a 36.1% decrease over 2019 (113 applications). Of those applications received, 32 (46.9%) were approved and 38 (53.1%) were declined because they were either missing supporting documentation, were incomplete or did not qualify.



Approved			
Accepted, currently in plan	12	10.6%	
Completed the program	4	3.5%	
Terminated due to plan default	3	2.7%	
Did not accept proposed plan	13	11.5%	

Declined

Customers who were declined were referred to 407 ETR's Account Receivables Department to discuss other re-payment options.

Did not complete application process (e.g. no supporting documentation)	30	26.5%	
Account does not meet qualifying criteria (e.g. presented a financial hardship)	8	7.1%	