

IFO

THE INDEPENDENT
FOOTBALL OMBUDSMAN



Chartered Trading
Standards Institute
ADR Competent Authority

The Independent Football Ombudsman is approved by Government under the Alternative Dispute Resolution for Consumer Disputes (Competent Authorities and Information) Regulations 2015

IFO COMPLAINT REF: 18/33

CUSTOMER CARE ISSUES AT
MANCHESTER UNITED

The Role of the Independent Football Ombudsman (IFO)

1. The office of the IFO has been established by the three English football authorities (The Football Association [FA], The Premier League and The English Football League [EFL]) with the agreement of Government. The IFO has been designated as the final stage for the adjudication of complaints which have not been resolved within football's complaints procedure. The IFO is an Approved Alternative Dispute Resolution Body and its findings are non-binding. IFO Adjudications will normally comprise two parts: an impartial assessment of the substantive complaint and a review of the procedure by which the complaint was handled. The IFO's role is to investigate the complaint and judge whether it was dealt with properly and whether the outcomes were reasonable for all parties concerned. Under the procedure agreed by the Football Governing Bodies, the adjudication of the IFO is final and there is no right of appeal against IFO findings.

2. The IFO must make clear that in investigating this complaint he has received full cooperation from Manchester United FC.

The complaint

3. A Manchester United supporter complained that the Club had failed to provide tickets for seats which meet his special needs, as notified to the Club. He claimed that his complaint had not been properly addressed and that he had not been treated with “understanding and decency”.

The facts of the case

4. The complainant registered with the Club for the 2018-19 season as a disabled supporter, but not one who required a wheelchair space. He claims that he notified the Club of his wish to be seated away from the wheelchair section, “as I do not like to be identified as disabled”. In the ballot for tickets for the Brighton away game the complainant was successful and received a ticket for an “amenity” seat. He contacted the Club to request a carer’s ticket (which he needs for some away but not home games). What followed is factually disputed between the parties. The Club said that they were willing to give him a new pair of tickets in exchange for the one already issued, but the complainant maintains that he was never contacted. He also claimed that he asked the Club to check that the seat was not in the wheelchair section, whereas the Club maintains that the calls were only about the missing carer’s ticket. He managed to get to the Amex Stadium unaided and attend the match on 18 August, but was most disappointed to find that he was seated in what he described as a wheelchair seat. His distress was compounded by the fact that the match was covered on live TV, which meant in his mind that he was being identified as disabled to the wider world. The Club has provided the IFO with photographs of his allocated amenity seat which was located in the wheelchair section, adjacent to a carer’s seat. The complainant protested to the Club and his complaint was escalated from the customer service team to their manager and then to Head of Venue. He remained dissatisfied with the responses from the Club who, he claimed, “have lied to me, they degraded me”. [The Club strongly denies this and refutes that they have ever lied to or degraded the complainant]. He referred his complaint to the IFO on 22 November 2018.

The investigation

5. The IFO carefully reviewed the case papers submitted by the complainant, along with the report on the complaint provided by the Club. On 13 December the IFO visited Old Trafford and met with the Head of Customer Services and Experience and the Customer Services Manager, who explained the background to the complaint and how it had been dealt with. In response to the IFO reporting that the complainant was also alleging victimisation (on the grounds that he had not been successful in any ballot since he raised his complaint), the Manager informed the IFO that he had in fact already been allocated a ticket for the away game at Newcastle United in January 2019. Reassurance was also provided that complaint records are kept in a system separate from the ticket details and that ballots are run automatically without reference to previous or ongoing complaints.

The findings

6. The dispute between the complainant and the Club is characterised by a number of factual disputes, which it is difficult for the IFO to resolve. First is the matter of whether the complainant formally told the Club of his special needs. Second is the question of whether the Club contacted him to discuss the arrangements for providing a carer's ticket. Third is a dispute over whether it was Brighton or Manchester United who arranged for the specific ticket allocation. Each is discussed in turn.

7. The complainant informed the IFO that he had joined MUDSA, the Club's disabled supporters' association and on joining had explained his specific needs. It would appear that he assumed that his requirements would have been transferred to the Club. The IFO understands that MUDSA, while having a close association with the Club, is an entirely separate and independent entity and would never have informed the Club in detail about any supporter's confidential requirements. On receiving the complaint, the Club reviewed all telephone calls from the complainant and identified that no mention was ever made of his wish to be seated away from the disabled section. When the complainant contacted the Club about the Brighton ticket, he was assured that he would be contacted by phone and he claimed that the Club did not call him. There are no recordings of outgoing calls, but the Club cites notes on the log which suggest that attempts were made to contact the complainant and

messages were left. However, it is apparent that this was not successful. Perhaps some loose wording in the Club response led the complainant to claim that the Club gave conflicting answers about who had allocated the tickets. In fact, the tickets were allocated to individual supporters based on their ticket type (standard/wheelchair/amenity) issued by Manchester United after consulting a stadium plan provided by the home club. Manchester United were obviously unable to influence the configuration of the home club's stadium, even if they had wanted to.

8. While the IFO is unable to fully resolve these factual disputes, it is abundantly clear that there were failures of communication which led to misunderstandings. In recognition of the distress caused to the complainant and the lack of follow up prior to the Brighton game, **the IFO recommends that the Club apologises to the complainant for failing to contact him successfully about the provision of a carer's ticket and considers providing a goodwill gesture.**

9. The IFO believes that both parties should draw a line under the previous misunderstandings and move forward on the basis of a clearer mutual awareness of the complainant's specific requests and of the limitations of the Club to meet them. After the history of this dispute, the Club is fully apprised of the complainant's preference for a seat not adjacent to a wheelchair or within the disabled section. The Club has assured the IFO that these details are now formally lodged on the Club's system and they will endeavour to meet the complainant's preference, without being able to guarantee that they will always be met. For his part the complainant must accept that the configuration of football stadiums may not make it possible for the Club to meet his specific (and somewhat unusual) request not to be co-located with wheelchair supporters. It is reasonable for the Club to ask the complainant to "proactively contact the club to confirm that any seat he is allocated is acceptable to him, in time enough for his for his booking to be amended or cancelled". In the light of the above clarification, the IFO trusts that the complainant and the club he supports can have a more fruitful relationship in future.

Conclusion

10. The dispute over the Brighton ticket soured the relationship between the complainant and the Club, exacerbated by communication problems on both sides. The matter has been fully investigated by the IFO and as a result there is the prospect of a stable relationship based on a better mutual understanding.

Professor Derek Fraser, Ombudsman

9 January 2019

Alan Watson CBE, Deputy Ombudsman