

A response from the Disabled Persons Transport Advisory Committee to the Office of Rail and Road's consultation 'Improving Assisted Travel – A consultation on changes to guidance for train and station operators on Disabled People's Protection Policy (DPPP)'

Introduction to our response

The Disabled Persons Transport Advisory Committee ('DPTAC') was established by the Transport Act 1985 and is the Government's statutory advisor on issues relating to transport provision for disabled people. DPTAC's vision is that disabled people should have the same access to transport as everybody else, to be able to go where everyone else goes and to do so easily, confidently and without extra cost.

Disability affects some around 14 million people in the UK. It includes physical or sensory impairments as well as 'non-visible' disabilities such as autism, dementia, learning disabilities and anxiety. For many people a lack of mobility or confidence in using the transport system is a barrier to being able to access employment, education, health care and broader commercial opportunities (for example shopping), and to a social life.

DPTAC has welcomed the comprehensive, inclusive and challenging approach that the ORR has taken to its Review of DPPP Guidance and passenger assistance, and has found its own engagement in the Review through the stakeholder Advisory Group particularly helpful.

DPTAC welcomes the opportunity to respond to this consultation, and has set out responses to the specific questions raised by the Office of Rail and Road ('ORR'), as well as making a number of more general suggestions at the end of its response.

We would welcome further engagement with the ORR as it finalises its revised Guidance, particularly on any matters relating to our response to this consultation.

DPTAC has no objection to our response being published in full by the ORR.

DPTAC response to consultation questions

We would like to make two general points with regard to the draft revised Guidance:

- Firstly that the ORR should consider whether the Guidance should give greater consideration to the very significant proportion of disabled passengers that do not require assistance and prefer to travel independently. We comment on this point specifically in our response to question 2.1, but believe that the ORR should consider the question more generally;

- Secondly that there needs to be greater clarity around the provision of assistance in the context of ‘spontaneous’ travel and ‘pre-planned’ travel. We deal with this point in more detail in the ‘Additional Points’ we have included at the end of our response.

Q1. What are your views on replacing ‘Disabled People’s Protection Policy’ with ‘Inclusive Travel Policy’ or ‘Accessible Travel Policy’?

DPTAC strongly supports replacing the term ‘Disabled Persons Protection Policy’ with either ‘Inclusive Travel Policy’ or ‘Accessible Travel Policy’.

The two alternative titles both have merits. ‘Inclusive Travel Policy’ has a useful synergy with the government’s wider ‘Inclusive Travel Strategy’, but carries the risk of being incorrectly interpreted as applying to all protected groups under the Equality Act.

On balance, therefore, DPTAC favours the use of ‘Accessible Travel Policy’, which has the advantage of clearly communicating the nature and purpose of the policy.

Q2. What are your views on our proposal to replace the current passenger-facing document ‘Making Rail Accessible: helping older and disabled people’ with a more concise, passenger-friendly document as set out in the draft revised guidance?

DPTAC believes that this would be a useful improvement, particularly if a template-based approach was adopted, with a view to ensuring a more consistent approach across all train operators and Network Rail. A template-based approach may also make it easier to translate documents into alternative formats.

A more passenger-friendly document would help disabled passengers understand better what they can expect from a train operator and/or Network Rail, and would allow them to plan journeys more confidently. It would be especially helpful for disabled passengers making a journey on a part of the rail network that they are not familiar with.

2.1 Is there anything you consider is missing from the required content?

We believe that the ORR should consider whether the leaflet should more broadly deal with accessible travel for all disabled people, not just those that require assistance. The primary purpose of the leaflet should be to help ensure that all disabled people have the confidence to make journeys on the rail network, including the many disabled people that prefer to travel independently.

A very significant proportion of the roundly 14 million people in Britain with a disability do not require assistance but do need information on the facilities and services provided by train operators and Network Rail in order to be able to confidently plan their journey. Many hearing impaired people, for instance, would feel empowered to travel independently if they knew that visual information was available at stations and on trains, at that ticket offices were equipped with hearing loops.

We accept that this potentially makes the document longer, but believe that the advantages of a broader approach strongly outweigh the potential disadvantages, particularly if a similar stylistic approach (i.e. concise and passenger friendly) was adopted for the additional information required.

2.2 Is this still a meaningful title for this leaflet?

The current title reads rather awkwardly, and we would suggest its replacement by a more straightforward and positive title. An alternative might be something along the lines of 'Making a journey by train: advice for disabled and older passengers.' This would also be a better descriptor in terms of the wider provision of information we advocate in section 2.1, above.

Q3. What are your views on our proposed requirement that stations and rolling stock accessibility information form part of the policy document, rather than the passenger leaflet?

We support this suggestion, but would highlight that detailed information on station and rolling stock accessibility is vital for disabled people planning a rail journey. The passenger-facing document needs, therefore, to make very clear where this information can be found.

We would suggest that the only exception to the proposed approach should be that from 2020 onwards the passenger-facing leaflet should highlight any passenger services which are operated using rolling stock that has been granted a PRM-TSI dispensation (noting the need for such dispensations to be described in plain English).

Q4. What are your views on the proposed changes to the approval and review process?

We support the suggested approach. It makes sense for disabled people, particularly those who are potential users of the services concerned to be involved in the development of Inclusive/Accessible Travel Policies. We also support the proposed changes to the timescales for the review and publication of such policies. It is important that a train operator's Inclusive/Accessible Travel Policy is available, online at least, from the first day of its operation.

4.1 Do you have any additional suggestions for improvement?

We would suggest that the proposed new approach, if adopted, should be reviewed to after two years of operation to assess its efficacy.

Q.5 What are your views on the wording of the classifications described in Appendix B of the draft revised Guidance provided at Annex A to this consultation?

We support, in principle, the proposal to adopt a standard classification of the extent to which stations provide step-free access, but would strongly emphasise the need for the definitions of each category to be easily understandable by passengers.

Whilst we appreciate that the current definitions have been developed for the purpose of allocating stations to one of the suggested categories, there is clearly a significant challenge involved in translating these definitions into simple but meaningful descriptors for passengers. This is particularly the case with categories B, C and D.

Q6. What are your views on the proposed introduction of mandatory checks on station accessibility information at the assistance booking stage?

We strongly support this proposal.

Q7. What are your views on the proposed development of passenger best practice guidance to inform passengers about what to expect at stations and during journeys, and the actions they can take to support rail staff in the delivery of assistance?

We strongly support this proposal. The guidance provided to passengers should also be integrated into staff training programmes.

DPTAC would welcome involvement in the development of such best practice.

Q8. What are your views on the proposed introduction of an assistance handover protocol for all GB mainline stations to improve the quality and consistency of information communicated between boarding and alighting stations?

We strongly support this proposal.

Q9. What are your views on the proposed introduction of a dedicated assistance line for all GB mainline stations to improve the reliability of communication between stations during assistance handovers?

We support this proposal.

Q10. What are your views on our training proposals? Do you agree with the proposed outline content?

We strongly support the proposal that refresher training should be undertaken every two years.

We support the inclusion of the elements defined in paragraph 4.13 as mandatory elements within train operator and Network Rail training programmes. However, we are concerned that they place insufficient emphasis on the practical help and assistance that can be provided by staff.

It is clearly important that staff have a good understanding of disability in a general sense including the legal and regulatory framework within which train operators and Network Rail operate, and the suggested mandatory elements in training cover this ground well. However, it is equally important that staff have a good understanding, at a practical level, of the kind of assistance that might be helpful for a passenger with autism for instance. For front line staff, at least, we would advocate a more balanced approach to the mandatory elements of training, with an equally strong emphasis on the practical aspects of providing help and assistance.

We would also advocate that a broader approach to training is adopted, with the requirement that all train operator management staff, and relevant Network Rail management staff, undergo disability training. In this case a greater emphasis on the legal and regulatory framework would be appropriate.

It is particularly important that the senior leadership teams of train operators and Network Rail undergo training. It is these individuals that will shape and define the culture of the organisations that they lead, and it is vital that they understand and support the need for a more inclusive approach to the services provided by their organisations.

We strongly support the involvement of disabled people in training programmes, and the mandatory provision of training to temporary agency and contract staff.

Q11. Do you agree that:

- operators should be permitted no more than two years to update and revise their training packages and provide refresher training to all their staff?

We support this proposal; in general two years is a reasonable timeframe for train operators and Network Rail to complete the necessary revisions to their training packages and undertake refresher training.

However, it is clear that there is quite a significant range in the quality and duration of training courses currently provided by train operators. In this context we suggest that priority should be given to securing improvements to those training courses currently judged to be the weakest (in duration and/or quality), with a one year to eighteen month timescale (depending on the number of staff that need to be re-trained) for revising such courses and completing refresher training.

- the refresher training should focus on priority areas for improvement for the industry as a whole, or should it be tailored to the priority areas for improvement for each individual operator?

It is important that all train operators and Network Rail address network-wide, systemic issues, but also importance that individual operators address any areas of weakness specific to that operator. It does not seem unreasonable or impractical, therefore, to adopt a balanced approach to refresher training that includes both network-wide and operator specific issues.

Q12. What are your views on our recommendations for RDG regarding the promotion of assisted travel via Passenger Assist publicity and the issuing of Disabled Persons Railcards?

We strongly support the proposal to make greater use of the Disabled Persons Railcard ('DPRC') to promote assistance. However, we are conscious of the risk of implying that anyone who is disabled needs to book assistance if they want to make a rail journey. Messaging needs to be carefully worded, therefore, to highlight that many disabled people can use the rail network without assistance but that assistance is available for those that need it. It would be sensible to provide information on the kinds of assistance available for different types of visible and non-visible disability when promoting Passenger Assist.

With the caveats above, we would strongly support the inclusion of a leaflet, which provides information on Passenger Assist, whenever a Disabled Person's Railcard is issued. This is considerable overlap between those passengers purchasing a DPRC and those who would potentially benefit from assistance, so it makes good sense to exploit this synergy in promotional terms.

We would also strongly advocate that whenever an online travel booking is made using a DPRC discount that a 'pop-up' box asks the ticket purchaser if they would like to book assistance. The tone and content of such message should be consistent with the principles described above. This requirement should not only apply to train operator websites/apps, but also licenced third party retailer (such as the Trainline) websites and apps.

Whilst supporting the much stronger promotion of Passenger Assist to DPRC holders, this should not obviate the wider need for the stronger and more creative promotion of Passenger Assist through a range of channels.

Q13. What are your views on our proposal to require operators to work with local authorities, service providers and disabled access groups to promote and improve the Passenger Assist service?

We strongly support this proposal.

In addition to local, train operator-driven activities, at a national level, promotion through national charities that provide practical support to disabled people (such as 'Action on Hearing Loss'), can also be an effective way of promoting Passenger Assist, and there may be a role for RDG in engaging with such charities.

Q14. What are your views on the proposal for more prescriptive website requirements?

We strongly support this proposal.

It makes good sense for there to be uniform adoption by train operators and Network Rail of the term 'Passenger Assist' to describe the booking and provision of assistance. This will eliminate a lot of current confusion.

The provision of a single page summary of information contained in the passenger leaflet linked to each operator's home page (i.e. one 'click' away from the home page) is not an onerous requirement, and could be an effective way of highlighting both the accessibility of each operator's services and Passenger Assist.

Q15. What are your views on the three options we have identified for reducing the notice period for booked assistance?

Option 3 would be an ideal approach, but we acknowledge that there are some significant challenges in achieving this. Given this we would advocate a phased approach, which at each stage was based on a single, national rule (or at least as close to it as possible) in order to eliminate some of the current confusion and remove the need for detailed planning on operator/route/time of travel basis. In this context, it might be sensible to agree a, say, five year, programme with operators/Network Rail and the franchising authorities that would move from the current position to as close to the ideal position as possible.

This would allow time for train operators and Network Rail to develop the required processes, adjust staffing levels, train staff, and agree financial adjustments with the franchising authorities and government. It would also allow new notice periods to be built into the specifications for new franchises (or whatever industry structure emerges from the Williams Review). It would also allow each phase to be properly tested to ensure that delivery was robust, as well as allowing train operators and Network Rail to monitor performance and make adjustments based on lessons learned.

Even within this approach, there are likely to be significant issues at some locations (unstaffed stations on rural routes for instance). We will comment on this more generally at the end of our response.

A more detailed exploration of how well the Merseytravel approach has worked might be instructive in developing the programme suggested above.

Q16. Do you consider that any reduction should be phased in? If so, how might this be implemented?

We would strongly support a phased approach. Please see our response to question 15.

Q17. What are your views on our proposals to strengthen how operators consider assistance provision for passengers where different modes of train operation are utilised?

We support the approach proposed, but would suggest that the ORR await the final conclusions from the research into this area that has been jointly commissioned by RGD and the DfT, before finalising the guidance to train operators. In general, this issue remains an area of significant concern to DPTAC.

Q18. What are your views on the proposal to introduce mandatory redress arrangements for assistance failure?

We strongly support the proposal to make redress arrangements for failures to provide Passenger Assist when booked a mandatory requirement upon train operators and Network Rail. We likewise strongly support the mandatory requirement to promote the existence of such arrangements (including their inclusion in the passenger facing and policy documents for each operator and Network Rail). We also believe that each operator and Network Rail should publish on their website and elsewhere a clear explanation of their arrangements, including the criteria that will be used to assess a failed assist and the specific redress payments that will be made.

We understand the rationale behind allowing train operators and Network Rail to choose their own redress arrangements, but are concerned that this will lead to a confusing proliferation of approaches. In this context we suggest that redress arrangements are reviewed in 2021 and the guidance amended if it is clear that a multiplicity of approaches is undermining or weakening the effectiveness of redress arrangements. Although outside the scope of this consultation, we would support the inclusion of unresolved disputes over Passenger Assist redress arrangements within the remit of the Rail Ombudsman.

Q19. What are your views on our proposal that operators be required to be able to receive a call via text relay? Are there any barriers to this being adopted by all operators?

We strongly support this proposal.

Q20. What is your view on our proposals to improve the accessibility of substitute and alternative transport provided by train and station operators?

PSVAR is now fully in place, and it should be a mandatory requirement upon operators that need to book rail replacement bus services to contractually require bus operators to provide PSVAR compliant buses.

Equally, train operators and Network Rail should proactively engage with taxi operators, particularly those with a good record on disability training, to explore the

availability of WAV's for the use of wheelchair-using passengers who may require this type of assisted travel when substitute or alternative transport is being used.

Q21. What are your views on our proposal to ensure that at every station passengers are informed how to contact a member of staff that is able to provide assistance and service information?

We strongly support this proposal, although noting the need for such information to be provided in a range of formats.

Q22: What are your views on our proposals for the carriage of scooters contained in the draft revised Guidance? Are there any other changes to operators' policies on scooters and mobility aids we should consider as part of the Guidance review?

We support the approach proposed but strongly believe that there needs to be a consistent approach across all operators.

It should be possible to construct a matrix of scooter types and rolling stock classes, which clearly indicates whether a particular type/model of scooter can be conveyed on a particular class of rolling stock. Once completed the matrix could be used all operators when communicating their acceptance policy for scooters. This should eliminate any potential confusion resulting from specific operators adopting different policies for the same rolling stock. RDG and/or RSSB would be well placed to develop such a matrix, use of which should be a mandatory requirement for operators.

Q23. What are your views on our proposals to clarify the guidance to ensure:

- (a) passengers do not unknowingly purchase tickets they cannot make full use of; and

We strongly support this proposal.

- (b) operators consider how, where reasonably practicable, passengers will be informed when an accessible toilet is out of order, providing sufficient time for alternative travel options to be considered as required.

We strongly support this proposal. It would also be sensible to ensure that best practice is shared in this area. LNER, for instance, provide a reporting tool that allows passengers to let them know by text when a toilet is not working.

Q24. Do you have any comments on the good practice areas listed? Are there other good practices that should be identified in the revised Guidance?

The examples good are very good, and could possibly form the basis of 'committed obligations' in future franchises.

We would suggest that the ORR considers whether point (4) in our 'Additional Points' below should be included within the revised Guidance, either in the main body of the Guidance itself (our preference) or as additional area of identified good practice.

Additional Points

In addition to our responses to the questions posed in the consultation document, we wish to make the following points:

(1) We believe that there is still a lack of clarity around the need for booked assistance, 'spontaneous' travel that still requires un-booked assistance, and 'turn up and go' travel by disabled passengers sufficiently confident to travel independently.

There needs to be a clear explanation by each operator of its policy with regard to booked assistance, and its policy with regard to the provision of assistance where this has not been booked. This needs to be realistic, particularly in the context of un-booked assistance, and not set unrealistic expectations.

For instance, in the case of un-booked assistance, this would presumably be provided where possible but may involve delay and cannot be guaranteed, and is more likely to be possible at, say, a major fully-staffed station, than a smaller, unstaffed station? If so this needs to be clearly explained both in principle and at individual station level. In this context it is worth noting the inconsistency between the fairly open-ended passenger commitment in 3.2A of the revised guidance and the more limited operator requirement set out in section 4.f ('where reasonably practicable').

We welcome the aspiration of providing assistance to those passengers that choose to travel spontaneously, but believe that it is only by providing realistic information that disabled passengers can plan their journeys with confidence.

Although outside the scope of this consultation, we strongly believe that there is a need for a detailed database of all stations, which provides a breakdown of their accessibility by broad type of disability (mobility impairment, visual impairment; cognitive impairment etc.), as well as the specific arrangements for booked and un-booked assistance at that location.

The information contained in such a database could be communicated widely, and be used as the basis for (much) better-informed journey planning by disabled people and for the provision of assistance by operators.

The detailed work in compiling such a database is outside the scope of this consultation, but some of the principles inherent within it (such as clarity on the need for booked assistance and provision of un-booked assistance) should be requirements within the revised Guidance.

(2) We have in a couple of our responses suggested that the new arrangements be reviewed after a period of time. In a more general sense, we believe it would be sensible to review the Guidance in its entirety every five years.

The ORR may wish to consider formalising such an approach in order to mitigate the risk of inappropriately long gaps between reviews as has happened with the current Guidance.

(3) Although completely outside the scope of this consultation, we wish to advocate that franchise bidders be required to submit draft Accessible/Inclusive Travel Plans as part of their franchise bids, and that evaluation of such plans be a scored component within the bid evaluation process.

Such an approach would embed accessibility more fundamentally into the franchising process, and mean that accessibility planning was already well-advanced when new franchisees mobilised ahead of taking over a franchise.

DPTAC will be raising this possibility with the DfT and wanted the ORR to be aware of the initiative when finalising the revised Guidance to operators (although we would not expect any such requirement, if adopted, to have any material impact on the contents of the Guidance in the short term).

(4) We would suggest that strong encouragement be given to train operators and Network Rail to develop and use 'travel training, 'buddying' and mentoring schemes should also be included in the Guidance. Such schemes have proved to be effective ways of giving people with a range of disabilities the confidence to use the transport network independently.

Such schemes lend themselves to partnership arrangements between train operators/Network Rail and local disability groups, special schools, charities and other third parties. However, there is also a role for the DfT and RDG in highlighting and sharing good practice in this area.

It is worth noting that such schemes can also provide material benefits to train operators in terms of understanding better how travel by disabled people can be most effectively supported.

(5) We would strongly advocate the use of the term 'non-visible' disability rather than 'hidden' disability, as the latter term can be taken to imply a degree of culpability on the part of a disabled person in not disclosing their disability.

DPTAC

18th January, 2019