<u>Effects of modes of train operations on passengers with disabilities: DPTAC feedback on the Draft Final Report 24th September 2018.</u>

DPTAC note that overall, much work has been undertaken on the current report and guidance documents however, on reviewing the latest iteration DPTAC believes the current draft guidance document offers scope for improvement.

DPTAC appreciate that the brief for the commissioned research does not extend to identifying where different modes of train crew operation are appropriate in terms of meeting the requirements of disabled rail using passengers, however, on reviewing the latest iterations of the research and guidance documents DPTAC believes that the guidance falls short on several counts. This needs to be further developed. A key objective of mitigations must be to restore certainty and confidence to passengers who depend on staff presence.

For example, the current 8 page guidance document only contains scant advice for TOC's to use to improve the rail journey experience of disabled passengers   Additionally, there is a risk to TOC's (and potentially DfT) that by failing to address this point they may fail to meet their Section 149 responsibilities of the Equality Act 2010.

In the case of a staffed station, disabled passengers can be given a reasonable degree of confidence that support will be available to help board / alight a DOO train if required. DPTAC does not oppose the extension of DOO in the right circumstances, and the Guidance can clearly play a part in its success. The issue here is the guidance doesn't offer advice on how a TOC needs to co-ordinate advertised on-train and station staffing levels to ensure passengers can be confident that assistance is always available, and the other needs of disabled passengers can be met. It would be useful for the guidance to offer mitigation advice for TOC's to address this point.

In terms of DCO services, the presence of on-board staff preserves the ability to provide staff visibility and boarding/ alighting assistance at unstaffed and part-staffed stations (the great majority of all stations). DPTAC's view is that relevant DCO services should be advertised as having, *and should always have,* on-train staff (i.e. should not under **any** circumstances be run as DOO, when calling at unstaffed stations). It seems wholly inadequate, as is suggested in para 2.1 of the draft Guidance, that the train might run without staff. Whether this happens 1%, 5% or 25% of the time, the impact on disabled passengers' confidence to travel, and on the operator's legal and reputational risk, is substantial.

A necessary mitigation for DCO services, in the absence of an operational requirement, is therefore that DfT/ORR should implement a contractual or a regulatory obligation, via Franchise Agreements or Operating Licences, that services calling at unstaffed stations must run DCO as planned and advertised, and never as DOO. We feel that this Guidance should therefore make it clear that, to restore the confidence of disabled passengers, on-train staffing levels/ methods of train operation should be both advertised and guaranteed.

Disabled passengers need to be given confidence to use DCO services calling at unstaffed stations: it is never acceptable that for supposed operational convenience a disabled passenger could be abandoned alone on a platform – including in all weathers and late at night. Adequate staffing and rostering can prevent this ever happening, and the Guidance needs to be much more robust on this issue.

A further concern of the detail in the report is that accessibility issues are raised but potential solutions-driven mitigations to address such issues are not detailed in the draft guidance document.

Rather than creating a point by point critique of where concerns exist in the report, we suggest that DPTAC Rail Working Group members meet with the Steer Davies Gleave report authors to discuss observations on the report, and use this as an opportunity to highlight where the guidance needs to offer a solutions-based approach for TOC's and DfT to implement.