

Public Sector Equality Duty Assessment:

Proposed Changes to Disabled People's Protection Policy Guidance sections relating to Assisted Travel

Date: 23/10/18

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Introduction

This document records the analysis undertaken by the Office of Rail and Road (ORR) to enable the organisation to fulfil the requirements placed on them by the Public Sector Equality Duty (PSED) as set out in section 149 of the Equality Act 2010. The PSED requires the decision maker to pay due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
- advance equality of opportunity between people who share a protected characteristic and those who do not; and
- foster good relations between people who share a protected characteristic and those who do not.

In undertaking the analysis that underpins this document, where applicable, ORR has also taken into account the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD), and in particular

- Article 9: (Accessibility), which requires appropriate measures to be taken to ensure disabled people have access to transportation on an equal basis with others.
- Article 31: (Statistics and Data), which requires appropriate information, including statistical and research data, to be collected and disseminated.

Brief outline of policy or service

'Passenger Assist' is a service which must be provided by train and station operators to passengers who require assistance with their journey. This service has to be booked in advance – the notice period varies between operators, but does not exceed 24 hours (48 hours for international journeys). Under the terms of an

operator's Disabled People's Protection Policy (DPPP), assistance must be provided at all stations during the hours in which trains are scheduled to serve the station. Staff can help with journey planning, booking tickets and making reservations. They can also assist passengers at stations and onboard trains, for example boarding and alighting from trains, changing platforms or finding a seat. Passenger Assist is free and available to anyone – although the intention is that it is for people who need assistance due to a disability, a temporary impairment, or due to age.

In some cases, operators must provide alternative accessible transport to take disabled passengers to the nearest or most convenient accessible station. This applies where: the station is inaccessible to the passenger (e.g. due to steps); where substitute transport is provided due to e.g. engineering works, and this is inaccessible; or where there is disruption to services at short notice that makes services inaccessible.

Operators must also provide assistance to passengers where it has not been booked in advance, where reasonably practicable (a service informally known as 'turn up and go'). The ability of operators to assist will depend on various conditions at the time, including e.g. staff availability.

Operators must provide ramps at all staffed stations to facilitate the boarding or alighting from the train, whether assistance has been booked in advance or not. Where this assistance is needed at an unstaffed station, the operator must make a member of staff with a ramp available to deliver the assistance, where this has been booked in advance.

To support the reliable delivery of assistance as described above, the DPPP Guidance places several obligations on operators, including regarding: staff training; communication and awareness raising.

Proposed changes to the DPPP Guidance

Research, and feedback from users and non-users of Assisted Travel, indicates potential improvement opportunities, in particular regarding reliability and awareness.

To address these, the following changes to the DPPP Guidance are proposed (subject to the outcome of a formal public consultation):

Format of DPPP 'Passenger' and 'Policy' documents

We propose to rename DPPPs to either: 'Inclusive Travel Policies'; or 'Accessible Travel Policies'.

DPPPs are formed of 'Passenger' documents, available at staffed stations, and Policy documents. The 'Passenger' document will be a much shorter leaflet, and the 'Policy' document longer. We are consulting on whether stations and/or rolling stock information should be located in the 'Policy' document (with instructions on how to obtain this information contained in the revised 'Passenger Leaflet'). The draft structure of the 'Passenger Leaflet' document would include the following:

- Introduction
- Assistance (what is available and how to get it)
- What to expect: commitments to passengers

- Before travelling
- At the station
- On the train
- If things go wrong
- Where to get information and how to get in touch.

This will mean a more user-friendly 'Passenger Leaflet' is available at stations whilst ensuring more detailed policy information is available online (where it can easily be kept up to date).

Accessible journey information

We propose to require operators to classify all stations according to step-free access conditions. A working assumption is that the 5 categories specified in the 2015 RDG 'On Track' report will be used.

The use and wording of several text fields appearing on the National Rail Enquiries website will be mandated (data entered via the 'Knowledgebase' system). These include fields relevant to: step-free access; availability of assistance; and staffing information.

This will enable a clearer and more consistent communication of step-free access and assistance availability to both passengers and staff, helping raise awareness of accessible journey opportunities, giving passengers warning of likely barriers to access, and supporting reliable Assisted Travel.

Assisted Travel reliability

We propose to mandate a 'Handover Protocol' which will ensure that, for both booked and unbooked assistance, necessary information is passed reliably and accurately from staff assisting with boarding to staff due to assist with alighting.

This will be supported by a requirement to allocate a dedicated assistance phone number for each station (with responsibility to answer the phone allocated to a specific staff member at all times). All stations would have a dedicated number, but the phone and the person answering it need not be at the station - providing they are in a position to ensure assistance is delivered. The phone would be a mobile or another device capable of recording calls made.

These improvements are designed to reduce the incidence of failed alighting assistance, due to communication issues and/or uncertainty regarding who is responsible.

Staff training

We propose to mandate revised training to include 10 specified key elements, and specify timescales for their inclusion in training and for staff to receive training. Other new requirements include: refresher training to be delivered every 2 years; that classroom based training must be included; that reasonable efforts must be made to include disabled people in training delivery; that training must be up to date; and that agency and contracted staff must receive condensed training where reasonably practicable.

These proposals aim to give staff the skills, knowledge and support to help passengers travel with confidence and dignity, and improve reliability.

Raising Passenger Awareness

We propose to amend the DPPP Guidance to require operators to work with charities, local authorities, local service providers, local or regional access groups, and a group of users to promote Assisted Travel and obtain feedback, as well as reporting on this activity to ORR. We will also require that the term 'Passenger Assist' is used on each operator's website when describing the system to book and provide assistance, and key information, reflecting that presented in the passenger leaflet, is provided on a single page linked to on each operator's website homepage.

Notice period

The consultation asks for views on three options, all of which reduce the Passenger Assist notice period to which operators must as a minimum commit. The options are to reduce from the current 24 hours so that passengers can book:

1. Up to 10pm the day before travel;
2. A minimum of 6 hours before travel; or
3. A minimum of 2 hours before travel.

The options will all, to a greater or lesser extent, reduce network-wide inconsistency and passenger confusion regarding notice periods, and improve journey flexibility (in particular with options 2 and 3, regarding the time of return travel).

Modes of train operation

Assistance should be based on passenger needs, staff availability and station accessibility, in order that passengers are able to complete as much of their journey as is reasonably practicable by rail. We propose that operators consider a variety of means for providing assistance (e.g. alternative accessible transport) and the ability to use staff flexibly to ensure that assistance can be delivered either by train staff, station staff or mobile staff where such working practices are routinely operated or can reasonably be accommodated.

Redress

We propose that when booked assistance has not been provided as confirmed, the operator must provide appropriate redress to the passenger. The form and value of the redress may be determined on a case-by-case basis. The claim process must be promoted to passengers.

This will ensure every passenger receives redress when things go wrong with booked assistance, regardless of which operator they are travelling with. It will provide further incentive for operators to improve the reliability of Passenger Assist.

Accessible substitute transport and accessible alternative transport

We propose that the DPPP Guidance requires operators to work with third parties to:

- make reasonable endeavours to ensure drivers of rail replacement bus services and taxis have been trained to provide appropriate assistance to rail passengers. This includes where access by private hire vehicles to stations is regulated under contract with the station operator;

- work with third parties to explore how more accessible rail replacement services might be provided in cases of delay, disruptions and emergencies;
- work with third parties to explore how accessible taxis might be made more widely available to provide alternatives to rail travel where required by passengers; and
- report to ORR on the accessibility of rail replacement bus services they use (alongside the existing data we collect on the use of alternative accessible transport when train services are inaccessible).

These proposals aim to ensure that when substitute or alternative transport is provided, it is accessible and the driver understands how to provide assistance.

Text Relay

The proposal is that instead of having only a Text Phone, operators will be required to be able to take a call via text relay from a deaf or speech-impaired caller (including from Text Phones). In addition operators may also provide a video relay service, to enable communication using British Sign Language.

This should ensure that passengers who are deaf or have hearing loss, and other people, will benefit from text relay and where applicable Video Relay, and have the same access to an operator's customer contact centre as other passengers.

Other proposals

Operators must ensure where reasonably practicable that at every station it is clearly set out how passengers can speak to a human operator (e.g. via Freephone), including to obtain service information.

Operators' mobility scooter policies must include a presumption of carriage, extend to other mobility aids, and clearly set out any restrictions.

These proposals will help provide passengers with the confidence that assistance can be easily obtained and reliably and professionally delivered.

Evidence and analysis

Our proposals have been developed based on responses to our 2017/18 consultation on Improving Assisted Travel, along with further informal consultation and stakeholder engagement in 2018:

- Our Assisted Travel Advisory Group (ATAG) of experts from disability organisations, industry bodies, passenger champions and governments met three times;
- We held a separate workshop with disability groups that responded to the consultation to discuss Guidance revisions; this was followed up with a workshop with train operators;
- We held five cross-industry workshops to discuss more reliable provision of Assisted Travel;
- We visited a number of stations, including major hubs operated by Network Rail;

- We met with campaigning groups to understand their issues, and with operators to explore their Improving Assisted Travel consultation responses in more depth.

We have also ensured our work in this area is aligned across the railway industry. We have worked with the Railway Safety and Standards Board (RSSB) on its research into the development of metrics to measure the accessibility of the railways, and provided input to the UK Government's Inclusive Transport Strategy . We have also worked closely with the Rail Delivery Group on the development of a new, app-based replacement for the current Passenger Assist system . Following a recent successful trial, and subsequent public launch, this new system is due to be rolled out across the GB rail network in 2019.

We continue to work closely with the Rail Sector Disability Champion, the Disabled Persons Transport Advisory Committee (DPTAC), the Mobility and Access Committee for Scotland (MACS), Transport Focus, Network Rail, the Rail Delivery Group, the UK Department for Transport, Transport Scotland and the Welsh Assembly Government.

This engagement helped us to develop our thinking, and provided a range of good practice and suggestions for improvements.

Evidence used in the formulation of the proposed improvements also included:

Restructuring the Guidance

- The current requirements for the 'Passenger' document mean that it is difficult for operators to produce a concise and user-friendly leaflet. The leaflet also contains information which is not of immediate interest to the traveller. The size of the leaflet can result in large printing and distribution costs, particularly when there are material changes to facilities and services that mean revisions are necessary. This can happen several times a year when there is significant investment in stations and rolling stock taking place. Such information may be better located online where it can easily be kept up to date.
- Our mystery shop of spontaneous Assisted Travel found that the leaflet was available over the counter on just three out of ten journeys, and less than one in five respondents to a survey said that they found out about Assisted Travel from a leaflet. Our recent stakeholder engagement has provided anecdotal confirmation that even regular users of rail travel rarely read the document.

Accessible journey information

- Analysis of existing information on National Rail Enquiries shows that across the network, information regarding step-free access and staff assistance is inconsistent and at times incorrect. There is no common approach to the communication of step-free access information on maps – leading to substantially different assumptions, interpretations and visual presentation. In many cases, this inconsistency exists between different information available from the same operator.
- Anecdotal evidence from operators supports the assumption that using incorrect accessibility information when journey planning and booking assistance has adverse impacts on the reliability of Assisted Travel

Assisted Travel reliability

- ORR data shows that 10% of alighting assistance fails – in general due to staff not being present to deliver this.
- Anecdotal evidence suggests that staff often complain they are unable to get an answer at destination stations, or that they have not received a call regarding an arriving passenger.
- Station-to-station calls are currently usually made via landlines, which do not provide a call log. Without a system to record when calls were made it is very difficult to establish the cause of a communication failure.

Staff training

- ORR research found that only 78% of unbooked requests for assistance met with staff positive and happy to help. Mystery shoppers identified staff attitude and training as a key area for improvement.
- ORR qualitative research identified that at times passengers felt hurried or dehumanised and that staff do not relate to their needs or concerns.
- The recent DfT consultation regarding the draft Accessibility Action Plan (Inclusive Transport Strategy) highlighted significant concerns over the consistency and standard of staff training.

Raising passenger awareness

- According to our qualitative research, 70% of potential Passenger Assist users had either not heard of the scheme or knew nothing about it. 86% of potential users of unbooked assistance were either unaware they could travel spontaneously, or knew nothing about this.
- The research indicated there is significant untapped demand to travel by rail with assistance.

Notice period

- There is a wide variation in the advertised minimum notice period required, with 10 operators having notice periods shorter than the standard 24 hours before travel. This complexity is likely to be confusing for passengers – in some cases different notice periods will apply to trains at the same station.
- Operators have different policies and practices in the operation of booking contact centres.
- In some cases notice periods offered by one operator cannot be delivered by other operators (acting as subcontractors) with a longer notice period.

Modes of operation

- In recent years, a number of train operators have introduced what has been termed Driver Controlled Operation (DCO) –where a second person is usually present on board the train for customer service and/or ticket inspection but not

responsible for door operation; in certain circumstances, the train may run without the second person.

- Our work with GTR in 2017 regarding assistance provision under DCO on Southern routes indicates that operators need to consider the options that may be available to provide passengers with assistance under a number of differing scenarios. They must include an assessment of passenger needs, station facilities and staff availability (both on the train and at the station).

Redress

- Our research into Passenger Assist found that one in five users do not receive all the assistance they have booked.
- There is a varied approach to the provision of redress across the industry, in terms of the redress provided, and whether information on their approach to redress is easily available or actively promoted.

Text Relay

- Based on evidence from operators, ORR is aware that the use of textphones is becoming less common.
- ORR has received advice from Action on Hearing Loss that text relay should be adopted more widely.
- From the information available on National Rail Enquiries and operator DPPPs ORR understands only four operators have text relay contact numbers.

Accessible substitute transport and accessible alternative transport

- ORR figures show that alternative accessible transport was provided on almost 6,000 occasions in 2017/18.
- Operators are also obliged to ensure that passengers have up to date information on the implications of disruption for their travel plans and arrange alternative transport for passengers that have booked assistance if required.
- Overall, around 58% of taxi and private hire vehicles (PHVs) in England are already wheelchair accessible, but these tend to be concentrated in urban locations and taxi fleets . The proportion of wheelchair accessible PHVs remains very low, at about 2% . In Scotland, 47% of licensed taxis are wheelchair accessible. Under the Equality Act, local authorities have the power to issue lists of wheelchair accessible vehicles and publish them .
- ORR knows from complaints received that the availability of accessible taxis, private hire vehicles and buses varies considerably. In some locations passengers can wait a long time for an accessible taxi to be provided.
- In March 2018, Article 16 of EU Regulation on the rights of bus and coach passenger (EC181/2011) came into force, requiring all bus drivers to undergo disability awareness training. In the Government's 2012 consultation on whether to exempt UK bus and coach services from duties under the regulation provided evidence to show that approximately 75% of drivers had already received some sort of disability awareness training as part of

achieving a Certificate of Professional Competence. There is no requirement for taxi drivers to have been similarly trained – ORR is aware from stakeholder engagement and incidents reported on social media that passengers do not always get the service they need from taxi drivers.

Other proposals

- (Staff contact) Only 307 of the 1554 stations advertised as ‘step-free’ are staffed from first to last train. 73% of stations have Help Points. The current Guidance does not require that operators inform passengers at stations how they can make contact.
- (Mobility scooters) All operators restrict or prohibit the carriage of mobility scooters in some circumstances. There is a wide variation in policies across the network.

Analysis

1. **Eliminate unlawful discrimination**, harassment, victimisation and any other conduct prohibited by the 2010 Act.

The proposals are designed to improve Assisted Travel and to help widen access to the railway network and eliminate the disadvantages that prevent access. Although all protected characteristics have been considered, as the proposed amendments are limited to the issue of improved access, it is believed that the only groups of people likely to be affected, are those with disabilities; certain age groups who are more likely to have reduced mobility; and those who are pregnant or on maternity leave.

The proposals remove some existing barriers to access for older and disabled people, and as such reduce the likelihood that existing policies and practices, and physical features, amount to unlawful discrimination. None of the proposals are considered to increase the likelihood of discrimination.

The evidence suggests that the following positive impacts on existing discrimination will result from the proposals:

Restructuring the Guidance

- A more focussed ‘Passenger’ document would make it easier for operators to produce a concise, user-friendly and accessible document focussed on key information – including in leaflet form at stations, and in alternative formats on request. Station and rolling stock information will be kept up-to-date online, rather than go out of date in leaflets that are expensive to reproduce. This will reduce the likelihood of older and disabled passengers experiencing discrimination when accessing this information.
- Some older and disabled people are not able or confident to access online information, and although station and rolling stock information would be available on request, they may not be able to contact operators in advance. Although the staff training proposals will result in staff that are much more familiar with an operator’s policies and facilities, this may mean some people find it more difficult to access information necessary for them to travel. In a

small number of cases this may mean that passengers wrongly expect facilities which are not present (e.g. accessible toilets). This may contribute to the likelihood of unlawful discrimination.

Accessible journey information

- Current issues regarding consistency and accuracy of information mean many existing and potential passengers are not made aware of important accessibility information. This may amount to indirect discrimination and/or failure to make a reasonable adjustment.
- Improving the availability and consistency of accessibility information to both passengers and staff will reduce the likelihood that prospective passengers are unaware of journey opportunities or barriers to access, and will support the delivery of reliable Assisted Travel. This is likely to reduce the discrimination currently experienced by older and disabled people.

Assisted Travel reliability

- The current high failure rate for alighting assistance means that operators are failing to make a reasonable adjustment (as by definition an adjustment that does not remove the disadvantage will not be reasonable) and in some cases failing to provide an auxiliary aid.
- Improving station-to-station / station-to-train handover and communication will have a direct impact on the reliability of alighting assistance and will mean that Assisted Travel can be established as a reasonable adjustment.

Staff training

- Where staff training is inadequate, this is likely to lead to direct disability discrimination, a failure to make a reasonable adjustment, and/or a failure to provide an auxiliary aid – especially if inappropriate staff behaviour is systemic rather than resulting from an isolated incident. Poorly trained staff may also mean that the operator cannot deliver its services in an age-inclusive way, which may amount to discrimination against older people.
- Our proposals will improve the quality and consistency of training, and the frequency of refresher training. This is likely to reduce the discrimination experienced by older and disabled people, although the extent to which this happens in the short term will depend on how quickly each operator's staff are trained.

Raising passenger awareness

- The current low awareness of the availability of assistance is likely to mean many potential older and disabled passengers are excluded from travelling by rail, or do not receive assistance when they do. This may amount to direct or indirect discrimination.
- Increasing awareness will reduce the likelihood of this.

Notice period

- The current arrangements have the potential to suppress passengers' confidence to travel, and may have an impact on Assisted Travel reliability. The inconsistency across the network could mean an operator with a longer notice period is acting unlawfully, if it could be established that it has failed to make a reasonable adjustment (if several operators have reduced the booking horizon, then it may be difficult to establish that it would not be reasonable for another to do this).
- Where industry processes cannot support varied notice periods, and this leads to failed assistance, then an operator may have failed to make a reasonable adjustment and/or failed to provide an auxiliary aid. They may also not be providing an age-appropriate service and may be discriminating against older people.
- Having to provide advance notice of travel to ensure assistance is provided generates regular complaints from disabled passengers, who may feel that this represents substantial disadvantage when compared to non-disabled passengers. The extent to which it is reasonable for an operator and DfT to prevent this by making reasonable adjustments to policies etc. is likely to be the same answer across the network – a consistent notice period therefore helps to prevent unlawful discrimination.
- Our proposals, while reducing the standard minimum notice period across the industry, may not necessarily result in a consistent approach amongst operators – which will still be free to offer a shorter notice period. This is particularly relevant to the two longer period options. Whilst the proposals will reduce the overall disadvantage experienced by assisted passengers, they will not therefore necessarily achieve consistency, and therefore individual operators may still find that they are acting unlawfully unless they can justify why their notice periods remain longer than other operators.
- Our proposals may still result in some operators being unable to process shorter-notice bookings accepted by other operators.

Modes of operation

- Where an operator fails to consider options that enable the passenger to complete as much of their journey as is reasonably practicable by rail this may be considered direct or indirect discrimination.
- Our proposal that operators consider a variety of means for providing assistance, including the ability to use staff flexibly, will reduce the likelihood of such discrimination occurring.

Redress

- The current inconsistency of policies and information is likely to limit the number of passengers seeking redress, which in turn may contribute to a lack of focus by the operator on improving the reliability of Passenger Assist. Improved redress policies will reinforce that assistance failure is unacceptable, and will contribute to a network-wide culture of improvement, reducing the likelihood of discrimination.

Text Relay

- Text relay offers hearing and speech-impaired users an improved real-time experience when communicating. As such it reduces the likelihood that older and disabled people will experience discrimination when accessing Customer Contact Centres.

Accessible substitute transport and accessible alternative transport

- Where an operator does not source alternative accessible transport this may amount to a failure to provide a reasonable adjustment. The inaccessibility of substitute or alternative transport may also mean that this cannot be established as an age-inclusive provision of service, and is likely to amount to discrimination against older people.
- Where drivers have not been trained, this may result in direct discrimination, a failure to provide an auxiliary aid, and/or a failure to make a reasonable adjustment.
- Our proposals exert pressure on operators to source accessible vehicles and ensure drivers are trained – which will reduce the likelihood of discrimination occurring. The extent to which this happens will be determined by the degree to which operators are able to meet ORR’s aspirations.

Other proposals

- (Staff contact) Poor information on how to contact staff is likely to act as a barrier to some older and disabled passengers obtaining information and assistance at some stations. Improving access to staff will benefit some older and disabled passengers and reduce the likelihood of discrimination. However, the proposals allow some contact methods which will exclude some people – for example Help Points which usually rely on verbal communication. Although we propose that operators undertake risk assessments of their services and facilities, some passengers may still experience discrimination – for example hearing or speech impaired people in locations where text relay cannot be used.
- (Mobility scooters) The proposals will place an onus on operators to accept mobility scooters and other mobility aids, unless they can demonstrate to ORR there are grounds for refusal. This will allow some older disabled people to travel who are currently unable to do so, as some operators will be encouraged to make reasonable adjustments to their policies, and potentially to physical features of stations, to avoid unlawful discrimination. The extent to which operators will be able to reduce the disadvantage experienced by scooter users is constrained by station and rail vehicle design issues – in particular: the available turning circle on platforms and within trains; and the gradient of platform-train ramps (minimum new-build standards, specified for wheelchair users, do not in general support safe and accessible use by mobility scooter users).

Further elimination of discrimination

Decisions on the funding and delivery of accessibility improvements to station infrastructure, and determining the levels of staffing at stations and on trains, is not

the responsibility of the ORR. There are additional measures that could reduce further the likelihood of unlawful discrimination that we have therefore considered outside the scope of our proposals to amend the DPPP Guidance:

- strengthening the requirements regarding turn-up-and-go assistance. Whilst this would make industry processes for delivering both booked and unbooked assistance more robust, our evidence is that satisfaction with the service is good and we recognise that - without the certainty of numbers that booked assistance provides - operators will continue to face challenges where demand exceeds their ability to respond immediately.
- mandating that at stations information must also be provided on how to contact the operator via methods other than voice – i.e. to ensure hearing and speech impaired people are not excluded, for instance with video-linked Help Points with access to BSL-fluent operators, text relay etc
- current industry publicity regarding Assisted Travel refers to the availability of assistance to ‘disabled people’ or ‘people with reduced mobility’ or, as per the title of DPPPs, ‘older and disabled people’. We could require that where appropriate references to assistance also specifically refer to people with the protected characteristic of Pregnancy and Maternity who may also require assistance, and that these people are also targeted by operators when seeking to raise awareness.
- mandating that, where assistance is booked, on-train staff must be notified and must make contact with the passenger to confirm how alighting assistance is to be provided, must take all reasonable steps to ascertain whether this is delivered, and, if not, must either deliver this themselves or seek assistance from station staff before the train departs.

2. **Advance equality of opportunity** between people who share a particular protected characteristic and people who do not share it.

The proposed changes all either require or encourage operators to take steps which will have a positive impact on the disadvantages suffered by older and disabled people. In particular, raising passenger awareness, reducing the assistance notice period, improving staff training, and improving assistance reliability will positively impact on a significant number of current and potential passengers – advancing equality of opportunity between older and disabled people, and others.

Several of the proposed steps will address needs that are different from the needs of other people. In particular, older and disabled people are significantly more likely to need assistance when travelling than others – these proposals will help address this, as will proposals relating to alternative accessible transport. Older and disabled people are also more likely to need to communicate with staff, including in alternative formats (for example via text relay). Proposals to promote and improve relevant information will also help advance equality of opportunity. Improvements to staff training will help ensure that operators’ employees can take appropriate steps to meet the different needs of passengers.

It is well established that disabled people in particular travel by train less than other passengers. Proposed improvements to the service provided, as well as requirements to promote train travel to relevant people, will support an increase in

the use of rail services by older and disabled people. The ability to use transport is a key factor in the ability to access goods, services, leisure and employment – increased use of the railway supports increased participation in public life.

No significant specific impacts are expected regarding other people with Protected Characteristics. However, in general terms, a greater focus on Disability / Age equality issues by operators may support an organisational culture where other equality improvements can be identified and implemented.

Possible measures to advance further equality of opportunity

As above, although we recognise the benefits this would provide passengers in terms of equal access to rail services, we do not propose to strengthen the requirements regarding turn-up-and-go assistance.

3. **Foster good relations** between people who share a particular protected characteristic and people who do not share it.

The proposals are not specifically focussed on this objective, as they mainly concern processes, policies and the relationship between operators and passengers.

Improvements to training may have wider positive impacts on the participants, beyond just their actions at work. Training may also contribute to improved organisational culture, which may have associated benefits – including with regard to good relations between employees.

Improvements to training will help ensure that assistance is delivered professionally, without delay, and in a way that does not draw attention to the assisted passenger – e.g. while the train is held briefly while a ramp is attached. Trained staff can provide assistance with the minimum of fuss - helping support wider understanding that meeting older and disabled people's travel needs is part of the day-to-day running of the railway, which can help foster good relations between all passengers.

Possible additional measures

Further consideration could be given to extending to the national network Transport for London's 'Please Offer Me a Seat' campaign. This encourages passengers to offer the Priority seats onboard trains to those that need them.

Decision making

The draft proposals have no adverse or negative impact on people who share a protected characteristic. It is likely that they will contribute towards a reduction in discrimination, an advancement of equality of opportunity, and may help foster good relations. As such, there is no barrier to progressing with the proposals as planned.

Monitoring and evaluation

Disabled people remain much less likely to use rail than people without disabilities¹, but demand for rail travel and for the Passenger Assist service is increasing: as the

¹ The National Travel Survey (2017) indicates that people with a 'mobility difficulty' take 10 surface rail trips per year on average, compared with 26 trips for people with no 'mobility difficulty'.

UK population ages, the number of disabled people has grown to almost 14 million, and the number of assistance requests and Disabled Person Railcard holders continues to increase year on year². Disability is not limited to one section of society: 19 per cent of working age adults are disabled and 45 per cent of pension age adults are disabled. Many disabilities may not be immediately obvious: a quarter of disabled people have a mental health impairment, whilst around 4 in 10 disabled children have a learning, social or behavioural impairment.³

The following sources of data will be used by ORR to monitor the impact of the proposals on an ongoing basis:

- Passenger Assist research (sample of actual users)
- ‘Turn up and go’ assistance research (mystery shopping)
- Desk-based research into accessibility and Assisted Travel information
- Ongoing ORR monitoring data relating to Passenger Licences/ DPPP
- Operator reporting to ORR across a range of relevant measures – including assistance failure and compensation

The data will be used when approving operators’ DPPPs, when carrying out enforcement activity, and to provide evidence for any subsequent proposed amendments to the DPPP Guidance, or clarification notes.

² In 2017-18, the number of Disabled Person’s Railcards increased by 7.4%; the number of passenger assists increased by 5.7%.

³ Source: Family Resources survey 2016/17: <https://www.gov.uk/government/statistics/family-resources-survey-financial-year-201617>