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Dear Gordon

### **A greater role for ORR regulating passenger franchisees in England & Wales**

The Disabled Persons Transport Advisory Committee (DPTAC) welcomes the opportunity to comment on the above Discussion Document. As you will be aware, DPTAC is the statutory adviser to Ministers on transport matters as they relate to the interests of disabled people.

DPTAC was established under the Transport Act 1985 to advise the Government on the transport needs of disabled people. DPTAC has identified four overarching principles on which to base its advice to Government, other organisations and disabled people, which are that:

accessibility for disabled people is a condition of any investment;  
accessibility for disabled people must be a mainstream activity;  
users should be involved in determining accessibility;  
achieving accessibility for disabled people is the responsibility of the provider.

These principles are the basis of DPTAC's response to consultations.

### **Response:**

Q1 Yes our response can be published.

Q2 the principle to separate the strategic policy making role (Government/DfT) from the regulator who will be responsible for implementing policy is correct. This would enable the DfT to monitor and ensure wider policy initiatives are incorporated into the regulatory framework and, in particular to DPTAC's agenda, to ensure equality of service and opportunity for disabled people to travel by rail for example.

This will place a much wider responsibility on ORR and require an understanding of policies outside those required by the DfT. ORR will be the accountable body responsible to ensuring policy is delivered and given the breadth of this responsibility ORR will need board members with specific expertise in disability and equalities. In respect of passenger franchises in particular, the process must be clear and accountable. It is not possible to say without seeing the proposed command paper, what statutory requirements might no longer be required and what the impact of this might be however it is essential that the positive steps taken in the recent past, which have improved the accessibility of rail transport for disabled people are not undermined by any reduction in this responsibility.

Q4 It will be essential for Network Rail to demonstrate they operate stringent equality policies and effective communication with relevant user groups.

Q5 There is no point having an agreement with obligations that are unattainable and therefore ORR should impose penalty fines for non compliance and not accept a commitment to meet compliance unless there are exceptional circumstances.

Q6 Should include a strong commitment to meet accessibility criteria.

Q8 It may simplify the process for ORR to have responsibility for regulating complaint procedures however must not reduce public scrutiny and the ability to challenge and review procedures. Links to DPTAC (or successor body) should be retained and fines introduced for excessive complaints.

Q9 DPPP's should be submitted in a uniform and consistent format to ensure information cannot be disguised or hidden. This will enable greater clarity and comparison of TOCs performance.

Q10 DPTAC supports the aim to regulate punctuality and reliability in one place so long as this does not reduce requirements.

Q11 Customer surveys can be easily manipulated and are not an accurate reflection of service. There should therefore be a core requirement including separate monitoring of disabled peoples journeys with built in safeguards to ensure high quality standards for disabled passengers.

More generally, there has been an effective and open discussion with DfT staff as DPPP's have been developed. It would be useful as the work is transferred to hold a hand-over meeting, with the DfT staff and those at ORR who will take it on and the DPTAC rail representative.

Yours sincerely

A handwritten signature in black ink that reads "Heather James". The signature is written in a cursive, slightly slanted style.

Heather James, Disabled Persons Transport Advisory Committee