Improving Assisted Travel: a summary of consultation responses; and ORR's response and next steps

July 2019

Summary

This document provides a summary of responses to our Improving Assisted Travel consultation on changes to Guidance for train and station operators on Disabled People's Protection Policy (DPPP), explains the changes we have made to the Guidance as a result, and sets out an implementation programme for the improvements that we are requiring. Alongside this document we are publishing revised Guidance, together with regulatory and equality impact assessments.

Executive Summary

1. The ORR's vision is of a railway network where passengers can request assistance with confidence and ease, safe in the knowledge that it will be provided reliably, effectively, and consistently by staff that have

the training and knowledge to do so with confidence and skill.

2. The ORR's objectives for our work on improving assisted travel[1] are to:

   - Bring the DPPP Guidance up to date and ensure passengers have all the information they need to make a journey;
   - Improve the reliability of Passenger Assist;
   - Strengthen train and station operators' staff training obligations;
   - Raise awareness of the assistance that is available;
   - Introduce other new obligations where there is a good case to do so; and
   - Provide greater clarity of operators' existing requirements.

3. Underpinned by our extensive research in 2017 into passenger experience and awareness of assisted travel, we sought views on a set of proposed changes to the Disabled People's Protection Policy (DPPP) Guidance for train and station operators, issued by the Department for Transport (DfT) in 2009.

[1] Assisted travel includes assistance booked in advance via the Passenger Assist system, and assistance that is not booked in advance but is requested on arrival at the station.

4. We were particularly pleased that disabled people's organisations, industry bodies and train and station operators reiterated their support for our vision of a railway network where passengers can request and receive assistance with confidence and ease. Many train and station operators also set out the good work they are already undertaking to improve assisted travel.

5. In developing our consultation proposals we engaged extensively with disabled people's organisations, industry stakeholders and others. Nonetheless, whilst there was broad support for our ambition, a number of train operators set out their concerns regarding the impact of some of our key proposals on their businesses. These were largely focussed on:

    A. Cost of implementation: some train operators raised cost as a barrier to delivery of a number of proposals. Although we sought evidence of the cost impacts we have been provided with very little data to help us quantify them and determine whether they outweigh the benefits of our proposals for passengers;

    B. Timescales for delivery: train operators raised concerns regarding the speed at which we would expect compliance with some of our new requirements; and

C. Overlap with industry initiatives: The Rail Delivery Group (RDG) and train operators suggested that the new Passenger Assist system and mobile app would provide an alternative opportunity to deliver a number of our proposals.

6. We have undertaken a significant amount of work to address the challenges the consultation has highlighted, and to clarify and refine our proposals further before finalising the Guidance for operators. This included two further stakeholder workshops with industry and disabled people's organisations held in May 2019, as well as discussions directly with operators and passenger champions.

7. After considering consultation respondents' views, and a further statutory consultation on making the necessary licence changes, we are replacing the term Disabled People's Protection Policy with Accessible Travel Policy (ATP). We have now published final Guidance for operators on how to write their updated ATPs[2]. Alongside our published advice to the Williams Rail Review on improving accessibility for passengers[3], the revised Guidance contains new and updated requirements for operators to improve the experience of assisted travel:

[2] https://orr.gov.uk/rail/consumers/what-we-do-for-consumers/improving-assisted-travel

[3] https://orr.gov.uk/rail/publications/consumer-publications/orr-advice-to-the-williams-rail-review

- **Increase the reliability of assistance for disabled and older passengers** that book in advance and those that request assistance at the station, by introducing a new standardised handover process for all GB mainline stations. Following feedback from consultation respondents, we are trialling this to ensure it will work in tandem with new arrangements to be introduced by June 2020 to strengthen communication between stations and measures to introduce greater accountability for assistance provision.
- **Improve accessible journey planning** by standardising key station accessibility information on facilities, step-free access and staffing to provide a better and more accurate picture of what disabled passengers can expect at each station.
- **Strengthen train and station operators' training of staff in disability awareness,** including involving disabled people in its delivery and requiring staff to have refresher training at least every two years. This will ensure disabled passengers, including those with non-visible disabilities, receive a better, more consistent service from all staff whether they book assistance in advance or request assistance on arrival at the station.
- **Reduce the notice period for booking assistance**, currently up to 24 hours before travel. We consulted

on three options for passengers and asked how they might be phased in. We now require operators to enable:

  - booking by 10pm the night before travel by 1 April 2020;
  - booking a minimum of 6 hours before travel by 1 April 2021; and
  - booking a minimum of 2 hours before travel by 1 April 2022.

- **Ensure all train companies provide redress** to passengers if they do not receive the assistance they have booked.
- **Require comprehensive evidence of how assistance will be provided to passengers during disruption** to ensure previous failures are not repeated
- **Standardise and improve information for passengers**, including provision at staffed stations of a concise, easy-to-read passenger leaflet focused on what to expect before travelling, at the station, on the train and if things do not go as planned.
- **Strengthen how operators consider assistance provision for passengers in differing circumstances**, including under different modes of train operation.

- **Involve disabled people in a meaningful way in the development and review of operator policies and training**, so that the view of passenger champions, local communities and user groups are considered.
- **Provide clarity on the carriage of mobility scooters and other mobility aids**, to ensure passengers understand on which journeys a mobility scooter or other mobility aid can be used.
- **Provide transparency on the accessibility of buses and taxis to be used during planned rail replacement services**, and encourage more use of accessible vehicles and training of drivers.
- **Make more passengers aware of the help that is available when travelling by rail**, by requiring train operators to work with local authorities, service providers and disabled access groups to promote the service.
- **Ensure passengers with hearing or speech impairments can use the latest technology to book assistance,** by requiring operators to adopt text relay services and highlighting as good practice the video relay service used to enable communication using British Sign Language.

8. We recognise that the significant improvement in disabled people's experience of using the railway that

we are seeking to achieve will take time to deliver. We are requiring operators to submit their revised policies by the end of December 2019 and will monitor their progress in delivering their commitments. In particular, we will:

- Require operators to provide, alongside the submission of their ATP, their plan for meeting the training requirements, and in July 2020 to set out the progress they have made in meeting them; and
- Strengthen our monitoring of operators' passenger information obligations to ensure the information provided is relevant and up-to-date: we will undertake a review of the accessibility of their websites by July 2020, monitor the accuracy of information online, ensuring that by April 2020 it confirm to our revised requirements, and carry out mystery shopping exercises at stations and over the phone.

Consultation responses

9. The Improving Assisted Travel consultation ran from 14th November 2018 to 15th February 2019[4]. During this period we held events in London and Glasgow to discuss our proposals with disabled people's organisations and industry representatives, and

[4] https://orr.gov.uk/rail/consumers/consumer-consultations/improving-assisted-travel-consultation-2018

individual meetings for those organisations unable to attend. We also wrote to all licence holder Managing Directors to draw their attention to the key areas on which we consulted, and to encourage them to consider how these might be implemented.

10. To ensure we reached a wide audience we produced our consultation in a variety of accessible formats. 236 copies of our accessible alternative versions of the consultation were downloaded or viewed. **Annex A** has further details.

11. In total we received 439 responses. 364 of these were from individuals based on a model template, requesting that DPPP Guidance require a second person on the train at all times.

12. In addition, we received responses from a broad spectrum of interested and affected organisations, including all members of our Assisted Travel Advisory Group[5] that met three times over the summer to help consider and develop our proposals. 20 train and station operators / owning groups provided written responses, alongside 26 national local and national disabled people's organisations. Further details are provided in **Annex B.**

[5] Further details are available on the ORR website: https://orr.gov.uk/rail/consumers/what-we-do-for-consumers/improving-assisted-travel

13. We are grateful to respondents for their helpful and considered replies to our consultation and welcome the overall support for proposals that will result in a better experience of assisted travel. Every response has been read and considered carefully and all responses can be found online at https://orr.gov.uk/rail/consumers/what-we-do-for-consumers/improving-assisted-travel; personal data has been removed.

14. **We have now published updated and revised DPPP Guidance for operators (under a new title of Accessible Travel Policy (ATP) Guidance).** This summary document explains how we have used consultation responses to help refine and finalise the Guidance:

    - **Section 1** of this summary document
        - provides both a summary of the key points raised during the consultation by respondents; and
        - Under the key Chapter headings from the consultation, sets out on a question-by-question basis the extent to which we have revised our requirements as a result of the feedback provided in writing in response to the consultation or during our subsequent engagement.
            - Chapter 2: Updating the Disabled People's Protection Policy (DPPP) Guidance for operators

- Chapter 3: Reliability
- Chapter 4: Staff Training
- Chapter 5: Raising Passenger Awareness of Assisted Travel
- Chapter 6: New Requirements and Updates in DPPP Guidance
- Chapter 7: Additional Good Practice

- **Section 2** provides the timescales we have set out for the delivery of the required improvements, and our next steps.

1. Consultation questions, summary of consultation responses and ORR's response

Chapter 2: Updating the Disabled People's Protection Policy (DPPP) Guidance for operators

Question 1: What are your views on replacing Disabled People's Protection Policy with 'Inclusive Travel Policy' or 'Accessible Travel Policy'?

15. Respondents were largely in favour of replacing Disabled People's Protection Policy with 'Accessible Travel Policy' and suggested that the term 'Accessible' related more clearly to individuals with disabilities, and was more reflective of the policy's practical purpose and intention. This was supported by members of a focus group run by Royal National Institute of Blind People (RNIB) who stated that some individuals with disabilities did not feel the term 'Inclusive' related to them as effectively as 'Accessible'.

16. Preference towards the term 'Inclusive Travel Policy' tended to come from some of the larger disabled people's organisations (such as Guide Dogs, Leonard Cheshire Disability, Scope and Vision UK), who indicated that the term 'inclusive' better reflected a commitment to overcoming the issues passengers face when travelling by rail, and more indicative of a more

holistic approach to the wide range of measures that can support people with disabilities. However, the Disabled Persons Transport Advisory Committee (DPTAC) suggested that the term 'Inclusive' risked policies being incorrectly interpreted as applying to all groups protected under the Equality Act 2010.

17. Operators were all broadly in favour of renaming the document 'Accessible Travel Policy'. Seven operators[6] suggested the change should go further and proposed two titles for documents; 'Accessible Travel – Customer Guidance' and 'Accessible Travel – Our policy'. However, of those seven operators, several acknowledged that passengers may already be familiar with the 'Making Rail Accessible' terminology and consideration of this should be reflected in the name change.

18. Merseyrail and Network Rail highlighted the need for a consistent term used across the whole rail industry. GWR, Hull Trains and SWR said that ORR would need to consider whether the name change for the policy is phased-in or if a 'go live' date would be implemented across the industry. In either case, operators said that they would need sufficient time to update various documentation (e.g. websites, leaflets, signage, and posters) before the start date.

[6] Chiltern, CrossCountry, Grand Central, Hull Trains, Northern, Transport for Wales Rail, TransPennine Express.

19. There were two alternative titles put forward. Railfuture suggested ‘Assisted Travel Policy’ citing that the word ‘Accessible’ could be too strongly linked to the needs of disabled people and that the word ‘Inclusive’ may be too broad in scope. One individual suggested ‘Accessible and Inclusive Travel Policy’ would cover both older and disabled people.

ORR response

20. Responses favoured replacing DPPP with Accessible Travel Policy (ATP). Therefore, in March 2019 we published a formal statutory industry consultation seeking the agreement of licence holders and statutory consultees to make this change. All operators have consented to do so.

21. **We are therefore replacing the term ‘Disabled People’s Protection Policy’ with ‘Accessible Travel Policy’ in passenger and station licences.**

Question 2: 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?

22. All respondents that provided a response to this question were supportive of revising the current passenger facing document to produce a more concise document. Whilst none had any objections to the title proposed in the consultation, LNER and the Mobility and Access

Committee for Scotland (MACS) suggested “Accessible Travel: Customer guide and Accessible Travel: Policy” and “Making rail travel accessible and inclusive” respectively. TPE and operators from the Arriva Group noted that mandating Crystal Mark accreditation for the leaflet was a step in the right direction; SWR on the other hand suggested it would limit compliance with the proposed time for printing and distribution outlined in the consultation. Seven operators suggested that information could be signposted through links to websites to make the leaflet more concise.

23. GTR cited a need for consistency across industry in producing documentation and suggested that RDG and ORR coordinate this work going forward. Greater Anglia, GTR, Hull Trains and LNER said that their preference would be to provide the leaflet in alternative formats to passengers upon request, given the current low levels of demand and the advancement of technology and online formats.

24. Southeastern was concerned that large stations served by multiple train operators would have such a vast array of leaflets available that passengers would be confused. Rather than this plethora of train operator leaflets, it suggested that Network Rail produce a single passenger document for each of its managed stations on behalf of all the train operators providing travel information. RDG

also suggested a summary Network Rail document for its managed stations.

25. Southeastern was the only respondent to give a specific preference as to how long the revised document should be (between 4-6 pages). Other respondents suggested the word count should be capped and that information should not be included if it is liable to go out of date or require updating regularly.

26. Several operators gave specific examples of what sort of information could be included in the document. SWR said the document should identify what help is available and what passengers can expect from Passenger Assist. Stagecoach Group said that the draft revised Guidance required further updating to ensure consistent terminology is used across the industry. It was also concerned that the title of the "When things go wrong" section could be perceived as an indication that the system is designed to fail.

27. RDG requested that ORR engage operators in further discussions about the content of the document and suggested an additional section covering what passengers should expect when transferring between operators on journeys.

28. Transport Focus argued that information about the carriage of mobility scooters should be retained in the passenger document. DPTAC stated that the passenger

document should be aimed at all disabled travellers, not just those who require assistance, given that many disabled people prefer to travel independently.

29. There was broad support, particularly from disabled people's organisations, that information is provided online; meanwhile, RDG suggested that all necessary information should be accessible within 2-clicks of the homepage.

30. Although all individuals who provided a response to the question were in favour of the proposal, one respondent acknowledged that whilst it was a good idea in principle to condense the document, equally the document should not remove the key information such as restrictions on mobility scooters and information on accessible station infrastructure, without it being easily available via signposting. In addition, the Equality and Human Rights Commission (EHRC) said that that the passenger leaflet should make it clear to travellers that there is no requirement to use the Passenger Assist scheme in order to travel, and that additional emphasis should be placed on the operator's duty to ensure that passengers are not led to believe they must only rely on Passenger Assist as standard when travelling.

31. All disabled people's organisations who provided a response to this question recommended that the document is readily available online and/or at stations. Four of those respondents also highlighted the

importance of documents being made available to passengers in alternative formats on request. Whilst Vision UK agreed, their response also agreed that the document should be distributed more widely than stations and should be available at mobility centres and citizens advice agencies. Alzheimer's UK urged that, in addition to the provision of the leaflet, all staff should have sufficient knowledge and access to information to help passengers make informed decisions about their journey. Guide Dogs and RNIB both recommended that disabled individuals should be involved in the design of the new passenger document.

ORR response

32. Many stakeholders indicated they wished to be involved in determining the content of the passenger leaflet. We also want to ensure it remains concise, more customer-friendly and accessible, and focused on what assistance is available and how to get it. We therefore held a workshop with disabled people's organisations, passenger champions and operators to finalise what information the passenger leaflet should include. The final requirements are included in the published revised Guidance; there are no major changes to those on which we consulted.

33. However, following the advice of passenger champions and disabled people's organisations, we are no longer requiring printed copies of the Large Print and Easy

Read versions of the passenger leaflet to be made available at the larger stations with information points. They will continue to be made available on request.

34. As we proposed in the consultation, Network Rail will continue to be required to produce, publish and share its policy. This is important, given its status as the operator of Great Britain's largest stations, and the dominant provider of assistance.

35. We have worked with key stakeholders to determine the exact revised requirements. As it operates no passenger rail services, not every requirement we have of train operators is applicable to Network Rail. Where this is the case, we have indicated so in the revised Guidance.

36. In addition, we discussed with Network Rail, DPTAC and Transport Focus what information Network Rail could most usefully provide to passengers at each of its stations, in the form of a printed guide (also available online and in a variety of accessible formats on request) that would sit alongside individual train operators' passenger leaflets.

37. **The revised Guidance requires operators to publish two documents: a passenger leaflet "Making Rail Accessible: Helping Older and Disabled Passengers" and an Accessible Travel Policy document. Rather than a passenger leaflet, Network Rail is required to produce - as part of its approved**

Accessible Travel Policy – A Station Guide for Older and Disabled People for each of its managed stations.

Question 3: What are your views on the proposed requirement that stations and rolling stock accessibility information form part of the policy document, rather than the passenger leaflet?

38. There was comprehensive support from disabled people's organisations and individuals for incorporating stations and rolling stock accessibility information in the policy document, including the Disabled Person's Transport Advisory Committee. Both groups of respondents felt strongly that information should be easily accessible to individuals as well as station and call centre staff if it was not in the leaflet. Scope suggested there may be a need for some basic information on station accessibility to be retained in passenger leaflets (e.g. step free access, staffing levels and contact numbers). Vision UK also endorsed this view and suggested Network Rail should produce similar information. Their response also suggested information about tactile flooring at stations, audio announcements on trains and at stations plus information on tonal and colour contrast on rail vehicles and doors should be included in the leaflet.

39. Transport Scotland suggested that not many passengers would look at the policy document. Rather than limited to the policy document, Transport Scotland recommended

the information is made available online and in print on request and should be readily accessible to call centre staff.

40. With the exception of LNER, SWR and Virgin Trains, operators that responded supported removing information on stations and rolling stock accessibility from the passenger leaflet. Twelve operators favoured making this information available online, either in addition to or instead of inclusion in the policy document. These respondents suggested that this would ensure the information, which may need to be regularly updated, is provided in an accurate and efficient manner to passengers.

41. GWR suggested that having one single source of information would help to increase passenger trust, and added that the information should be made available in a document that can easily be accessed, downloaded and printed. Network Rail, Southeastern and SWR saw merits in including such information on National Rail Enquiries (NRE) website although there was recognition that improvements would need to be made to NRE to ensure information is accurate and easily accessible.

42. Virgin and LNER recommended that key information on stations and rolling stock should be retained in the passenger leaflet. DfT, Virgin and the Stagecoach Group suggested that information on station accessibility and

facilities should be presented using the Access map[7] recently introduced by the industry. RDG also suggested that ORR work with industry to develop a standard template for station information to ensure it is presented consistently on the NRE website.

43. Welsh Assembly Government suggested that the UK Government should work closely with industry to maintain and update NRE's online accessibility information in the first instance and then provide links to this information through each operator's websites.

ORR response

44. We reflected on the feedback we received from consultation respondents on the provision of stations and rolling stock accessibility information, and discussed this further with stakeholders at a workshop. We recognise that some passengers may prefer printed documentation at stations, but we consider that the critical factor in the provision of this information is that it is accurate, consistent and up-to-date. Although different views were presented in consultation responses, it was concluded at the workshop that separate online documents, available both for download and in a variety of formats on request, would allow stations and rolling stock information to be easily updated and presented in an accessible way to passengers.

[7] http://accessmap.nationalrail.co.uk/

45. Furthermore, when discussing Network Rail's requirements with Transport Focus and DPTAC it was concluded that a printed leaflet setting out the individual services and facilities available to disabled and older people at each of its managed stations would be of great value. Almost a third of booked passenger assists are carried out at Network Rail stations, so this will benefit a large number of passengers.

46. **Details of the accessibility of an operators' trains and stations must therefore be provided online in accessible and downloadable formats, rather than in the policy document, and available in alternative and printed formats on request and free of charge. The passenger leaflet and policy document must provide details of how to obtain this information. In addition, Network Rail must provide a printed guide to services and facilities for each of its managed stations and make it available to passengers at stations.**

Question 4: What are your views on the proposed changes to the approval and review process? Do you have any additional suggestions for improvement?

47. All operators were supportive of the proposed changes although many sought further clarity on certain areas – particularly stakeholder engagement - before they could provide a more comprehensive response to the question. Twelve operators sought clarity as to how local

and regional stakeholder engagement would be factored into the review process and to what extent they would be obliged to give weight to every suggestion put forward by stakeholders irrespective of the level of deliverability. c2c, Greater Anglia, Hull Trains and TPE suggested a national stakeholder group could be established to ensure there was consistency in approach being implemented across the industry.

48. Involving stakeholders in the development of DPPP's also received broad support from all other respondents. Transport Focus, Guide Dogs, Railfuture and RNIB said operators should be made to demonstrate how they have engaged with stakeholders. Scope agreed with this but went further to suggest that a duty is placed on operators to demonstrate how they have engaged with stakeholders. Vision UK suggested that operators establish monitoring groups comprised of representatives from key stakeholder organisations to provide feedback on performance and scrutiny of any new proposals or innovations under consideration.

49. The West Midlands Trains Stakeholder Equality Group said that engagement on issues that affect disabled passengers can be invaluable and added that websites and social media could be used to widen the range of participants. Individual respondents were also supportive of operators engaging with local disability groups when developing their DPPPs. One respondent recommended

that ORR produce Guidance for operators on how they should engage with disability consultants and groups.

50. Five operators challenged the revised timeline for new operators to implement their DPPP policy, stating that it was too short. In addition, the Arriva Group suggested that in the case of a new franchise, the operator should maintain the commitments within the previous licence holder's DPPP for the first franchise year. This would provide suitable time for the operator to produce their new policy and ensure these are given appropriate time for consultation.

51. Greater Anglia, GTR, LNER and Southeastern raised concerns about the timeframe between approval of a policy and printing the passenger leaflet: they considered that the proposed two weeks in which to achieve this was unrealistic, given the demands of amending, designing, distributing the document.

52. In all, 12 operators[8] recommended that a timeline should be agreed between ORR and industry to set out a clear and transparent process for the approval of the passenger leaflet and policy document. TPE also suggested that face-to-face meetings between ORR and all new franchisees during the review/sign-off process would be of benefit.

[8] C2c, Chiltern, CrossCountry, Grand Central, Hull Trains, LNER, Northern, Scotrail, Southeastern, Stagecoach, Transport for Wales Rail, TransPennine Express.

53. Edinburgh Access Panel, Hear First and RNIB all considered that DPPPs should be available from day one of a new franchisee's operations instead of after one month, they recommended they be available in alternative formats.

ORR response

54. Alongside the publication of the revised ATP Guidance we have published a timetable for submission of these documents for ORR approval.

55. We have refined the approvals process for ATPs following feedback consultation respondents and subsequent discussions with industry, and we have discussed with DPTAC, MACS, Transport Focus and London TravelWatch the important roles they will play in this process to ensure we make best use of their expertise and experience. Although good practice, obtaining the Crystal Mark seal of approval from the Plain English campaign has the potential to complicate and lengthen our approval process. We will require that ATPs are written in Plain English, and we will take advice from stakeholders on the readability of the documents. We will not, however, require a formal Crystal Mark seal of approval.

56. Flowcharts setting out the process and timescales for approval of new ATPs and reviews of updated ATPs are provided in Appendix E to the Guidance. ORR will engage with each operator prior to the submission of its

ATP for approval, in order to address any points where they are seeking further clarity on the requirements of the Guidance and to discuss their implementation plans.

57. **Operators will be required to submit their policies for approval by end December 2019[9]. The submission timetable is provided at Annex C. Operators are not required to change the title of their current DPPP prior to this submission.**

Chapter 3: Reliability

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

58. In the main, respondents were not in favour of the wording of classifications for the revised Guidance. With the exception of a small minority, operators set out their concerns regarding the proposed five categories for classifications set out in the consultation. Many suggested in their response that the proposed 5-step approach was too complicated and could confuse passengers, particularly around the level of step-free access when applied to individual stations. This was also echoed by several disabled people's organisations and

[9] We will confirm the submission dates for the new Southeastern and West Coast Partnership franchise operators when they are announced. We will also confirm in due course the most appropriate date for Eurostar to submit its Accessible Travel Policy – we expect this will be in early 2020.

individuals. However, SWR and Transport for Wales Rail thought the five category system could be used internally by the industry.

59. Seven operators, RDG and three disabled people's organisations expressed support for a three category structure, and suggested using signposting to provide further information about the categories. Five of those seven respondents suggested that the classifications should be consistent with those used in RDG's accessibility map, whilst RDG highlighted its own work on station accessibility information. It stated that, in addition to levels of step-free access at stations, the map also indicates other information such as location of accessible toilets and staffing resources. CrossCountry, Grand Central and Northern suggested that any plans to amend a station's classification should be carried out via an approvals process. More specific points raised by operators included concerns regarding the process of classifying stations according to the new categories, suggesting a phasing-in period and clarifying which organisation is responsible for each station classification.

60. Disabled people's organisations expressed mixed views around the categories. Two respondents (Leonard Cheshire Disability and Edinburgh Access Panel) considered that the definition of "step-free access" does not address all accessibility issues, for instance where a ramp is required to board and alight trains. Several

respondents had particular concerns with categories B-D as they considered these could be confusing to passengers. However, both RNIB and Scope expressed support for our proposal, with Scope adding that the 3 category option could be too ambiguous.

61. Guide Dogs suggested that a 3-step Red/Amber/Green (RAG) rating could be used as categories for those with cognitive impairments. Suggestions for developing the categories further were given by The Shaw Trust (referencing DfT's 'Changing Place Toilets' policy, which applies to service stations), and by Tonbridge Rail Commuters (referencing TfL's 'Step-free tube guide' which contains information on accessibility at TfL's stations). Several disabled people's organisations provided further examples of where the accessibility Guidance could go further. These included provision of tactile flooring at stations, ramp and path grading information, signage at stations and audio announcements. Individual respondents were generally supportive of the proposed 5 categories, although a couple of respondents felt there could be greater clarification of "step-free access".

Question 6: What are your views on the proposed introduction of mandatory checks on station accessibility information at the assistance booking stage?

62. All respondents supported the introduction of checks on accessibility information. Advocacy group and individual

responses were concerned with ensuring passengers who have booked assistance are informed of any changes in station accessibility. Three respondents (Guide Dogs, Tonbridge Line Commuters and Transport for All) said that Guidance should be provided to staff making bookings on what steps they needed to follow and the action they needed to take with bookings, particularly with any amendments. Transport for All said that prompts should be built into the system to flag to booking agents where accessibility information had not been updated. Thomas Pocklington Trust added that a second stage check should be automatically undertaken 24 hours before travel to ensure that the journey can still be completed by the passenger.

63. Hull Trains queried whether the passengers would want station accessibility information to be provided by call handlers as part of the booking process, and suggested market testing the demand for this. Other operators focused on the development of the forthcoming Passenger Assist App and the opportunity this presents to deliver relevant information in a consistent manner. RDG said it would explore system integration between the current Passenger Assist system and station accessibility information provided on the NRE webpages. Network Rail proposed the industry move to one call-handling centre for passengers to call to make passenger assistance bookings, rather than multiple points of contact.

64. GTR, GWR, Southeastern and SWR indicated they would welcome further Guidance on how ORR or the Rail Ombudsman would determine accountability for errors in bookings made by operators or a third party. They sought Guidance on situations where an assistance booking fails due to a change in accessibility information which does not get updated to the system. GWR raised a related concern around the protocol when station accessibility information is changed for a station operated by another operator and who would be at fault in the situation of an assistance failure.

65. A small number of train operators including Transport for Wales Rail, Merseyrail, GWR and the Stagecoach Group were concerned about the resources and timescales required to survey the stations they operate to ensure this information is up to date. In addition, DfT asked ORR to set out how compliance with operators on providing accurate accessibility information would be monitored.

ORR response

66. As indicated in the feedback we received in response to question 5, there are strengths and weaknesses to both the three-category and five-category approach to the step-free classification of stations. To help us reach a conclusion, we discussed this at a stakeholder workshop we held to help finalise the Guidance, where there was a clear preference for three classifications that were easy

for passengers to understand, with signposting to further more detailed information. We then undertook further work to consider how the proposed five categories might be condensed into three, taking into consideration respondents' suggestions for providing additional useful information on station access to people with a variety of impairments.

67. **We have therefore revised the proposed standardised station accessibility classifications and moved to a passenger-facing three-classification approach, to be used on the National Rail Enquiries web pages so they are easier to understand and use by passengers, booking agents and staff when planning journeys.** The text description for passengers will be as follows for each station, dependent on its classification:

    - Category A: "This station has step-free access to all platforms / the platform"
    - Category B: "This station has a degree of step-free access to the platform, which may be in both directions or in one direction only - please check details."
    - Category C: "This station does not have step-free access to any platform."

68. We also require in the Guidance that operators provide further key station accessibility information online and in

print on request, including staffing levels and the provision of audio-visual information and accessible toilets.

69. Respondents to question 6 supported the introduction of mandatory checks on station accessibility information at the assistance booking stage but raised a number of detailed points regarding how the checks might be best delivered and managed.

70. **We have therefore included this requirement in the revised Guidance.** We will monitor compliance, which may include mystery shopping. **We will discuss with RDG how the suggested improvements may be delivered as it continues to develop its new Passenger Assist system,** due to be rolled out in the first half of 2020.

Question 7: 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?

71. Operators were supportive of the passenger best practice guidance that was proposed. However nine of those highlighted the fact that there is likely to be differences between them in what passengers could expect, depending on the operating models and staffing levels at stations and on-board trains. Greater Anglia added that the differentiation between operators may

lead to issues with meeting passenger expectations. It expressed a desire for the revised guidance to more precisely describe the minimum standards expected.

72. Network Rail set out that in the longer term it would like to see technological advances helping to provide accurate information to passengers, including real time and location specific updates relating to lift and escalator availability and other disruption.

73. Transport for Wales Rail, Guide Dogs, RNIB and individual respondents suggested that specific advice is drafted in consultation with individuals with disabilities to ensure that the best practice Guidance is clear and appropriate. They said that this could help to ensure the document meets passenger expectations and identify where the Guidance could be potentially misinterpreted. Several disabled people's organisations suggested the Guidance should include details on what assistance passengers can expect to receive during journeys. RDG said best practice Guidance would help to raise awareness of Passenger Assist service. It added that it was exploring opportunities to include best practice Guidance into the NRE app and plan to audit operator and third party retail websites to confirm compliance with the provision of accessibility (and best practice) information.

ORR response

74. After considering the responses received to question 7, we discussed with a number of stakeholders at a workshop how operators can best 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. It was agreed that, rather than the separate best practice guidance we proposed, the Passenger Leaflet that each operator must publish offers the best opportunity to set out this information, given what passengers can reasonably expect varies from operator to operator.

75. **Each Passenger Leaflet must therefore set out requirements how assistance will be provided at the station (including with ticket purchase, interchange, boarding and alighting), and what steps the passenger can take to make themselves known to staff - setting out the differences between stations that have staff and those that are unstaffed for all or some of the time.**

Question 8: 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?

76. Responses from individuals and disabled people's organisations were largely in favour of the proposals,

which they indicated would help the industry address assistance failures and assign accountability when things go wrong. Additionally, Thomas Pocklington Trust and Vision UK took the opportunity to suggest that a single organisation should be responsible for the delivery of assistance across the entire network.

77. Conversely, eleven industry respondents indicated the proposal was unnecessary, suggesting that the forthcoming Passenger Assist app would be the most effective tool for staff sharing and communicating information.

78. Some operators had some more specific concerns. GWR considered that phone calls should not be the only means of communication relied upon. Northern, which is to participate in a trial of the handover protocol, discussed testing how it would work in practice, including at unstaffed stations (also queried by Alzheimer's UK), during periods of disruption and when passengers are transferring from one train to another.

79. DfT considered that the proposal would lead to improved communication between station staff and suggested that ORR should monitor compliance with assistance handovers.

Question 9: 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?

80. Whilst individuals and disabled people's organisations were fully supportive of the proposals, the majority of operators opposed the mandatory introduction of a dedicated assistance line - only Network Rail and Merseyrail provided their full support.

81. Operators were concerned that a high level of resources would be required to implement this system and were unclear how this would work at stations where there are multiple operators. There were also concerns around how an assistance line would be implemented for unstaffed and partially-staffed stations. The Stagecoach Group and Transport Scotland sought further clarity on the definition of a mainline station.

82. Installation and set up costs were specifically raised by c2c and Stagecoach Group as potential barriers. Some operators were concerned that the proposal required something in addition to the existing telephone lines which are currently or could be used for handovers, and indicated that this would be inefficient and unnecessary.

83. The roll-out of the forthcoming Passenger Assist app was cited by train operators, including c2c, GTW, GWR,

LNER, and the Stagecoach Group, as the preferred method of improving communications between staff at stations. RDG also highlighted the new Stations Connect phone service (referenced in the consultation), and argued that a new handover protocol and dedicated assistance lines covering every station would therefore be unnecessary. The Arriva Group train operators suggested waiting for the results of the trial of the handover protocol before confirming any new requirements in this area.

84. Stagecoach questioned whether RDG and ORR could consider an industry level centre for managing communications between stations and during journeys using the Passenger Assist app. Other operators questioned what would be required of staff who are handling calls.

85. Network Rail agreed that there should be a phone line to stations but that operators should be given flexibility to implement how this would be delivered in the most appropriate way for their stations. Hull Trains said there should be clear Guidance established on procedures in the event of unanswered calls.

ORR response

86. Following consideration of responses to questions 8 and 9 on the proposed handover protocol between stations and introduction of a dedicated assistance line and responsible member of staff to improve the quality,

reliability and consistency of information communicated between boarding and alighting stations, we held further discussions with operators. This further highlighted the concerns and challenges they set out in their written responses.

87. We have listened to operators' concerns, but we remain convinced that new safeguard measures for both booked and unbooked assistance, enforceable through the new ATP Guidance, are necessary to reduce the likelihood of handover failures between boarding and alighting stations occurring.

88. **We will therefore undertake a trial of these procedures at a number of stations on the Northern and SWR networks (including Network Rail stations) from August 2019 to help us evaluate the efficacy and impact of these proposals. If successful, we will require them to be rolled out across the network by June 2020.**

89. RDG and operators suggested that the introduction of a new Passenger Assist system may obviate the need to introduce dedicated assistance lines for staff at every station since it will provide staff with the ability to handover passengers from station to station using a mobile application. It will also allow passengers to request assistance simply and conveniently.

90. We have worked closely with RDG to ensure that the new Passenger Assist system will deliver the anticipated benefits for passengers that require assistance, and provide us with more reliable, regular data to help us monitor assistance provision. However, whilst the delivery of the new system is welcome, it has not yet been fully and successfully rolled out. Having been delayed from 2019, RDG has indicated that the new Passenger Assist system will now be fully introduced for use by all staff in June 2020, with the passenger mobile app arriving thereafter.

91. We are concerned about the potential for further delays to the deployment of the new system. It is important that passengers benefit from improvements to the reliability of assisted travel as soon as possible. In our published advice to the Williams Rail Review, we recommended that RDG and operators complete the roll-out of the new Passenger Assist system (with staff app) by their committed target of June 2020, with the passenger app following no later than autumn 2020.Therefore, the revised **Guidance requires that, by June 2020, operators either use the new Passenger Assist mobile application to communicate between staff at different stations, or adopt the new procedures informed by the planned trial and approved by ORR**.

Chapter 4: Staff Training

Question 10: What are your views on our training proposals? Do you agree with the proposed outline content?

92. There was a mixed response from operators to our proposals. Those who provided their support said that it would help bring together industry wide consistency to training packages and that it would build on existing training for staff. However operators such as those in the Arriva Group, TransPennine Express and West Midlands Trains indicated a preference for retaining greater flexibility to design their own programmes.

93. Network Rail said that updating training material should be a collaborative exercise with industry. RDG indicated in its response that it is looking to develop a national training framework for operators which might contain core modules whilst allowing operators to develop their own additional elements tailored to their specific needs.

94. Nexus said that some elements of training would only be appropriate to front line and customer facing staff. Network Rail and Stagecoach both saw merit in developing a condensed training package for temporary staff. RDG also considered that the industry should come together to develop a mandatory Equality & Diversity Impact Assessment to ensure that accessibility is not considered an afterthought.

95. Disabled people's organisations and individuals were widely supportive of introducing stronger training requirements, and disability charities put forward additional proposals. Scope proposed that an individual body should evaluate and assess the quality of disability awareness training. RNIB considered the training content needed to cover assistance for blind and partially sighted passengers, as well as a focus on the needs of assistance dogs, and suggested there should be mystery shopping exercises undertaken by disability organisations and individuals to determine the effectiveness of training. Alzheimer's UK raised a concern that additional training requirements placed on operators could be shoe-horned into existing training schemes in a rushed manner that could prove detrimental.

96. DPTAC recommended that all operator and Network Rail management staff undergo disability training, with a focus on the legal and regulatory framework. It also suggested that senior leadership teams in the industry undertake training to help ensure the right leadership and cultural behaviours in organisations are developed (a point also supported by Vision UK). DPTAC added that staff should be asked for feedback on how effective the training was to ensure this forms part of continuous improvement.

97. RDG supported the inclusion of disabled people in the development and delivery of training. This view was also supported by DfT, Transport Scotland, TfW Rail and West Midlands Trains Stakeholder Equality Group. TfW Rail suggested that the aspirations of individuals may not necessarily match the practical capabilities of operators to deliver, and that management of passenger expectations may be required. DPTAC said that a wide range of individuals with disabilities should be included in delivering training to avoid an over-emphasis on a narrow range of disabilities.

98. Operators all expressed at least some form of concern with aspects of the training proposals. Four operators considered that their existing arrangements were sufficient as these are tailored to the individual needs of their business. Arriva Group operators preferred that the proposed ten elements be expressed as output-based requirements. Four operators sought further clarity on what staff the training should be given to and asked ORR to consider whether training should be better focused on frontline staff. GWR, GTR, Transport for Wales Rail and West Midlands Trains all highlighted the impact the proposals would have on resources and budgets.

99. c2c, Grand Central, Northern and Virgin all considered that there would be challenges in mandating classroom based refresher training to staff every two years. GWR

considered that providing training over the course of one day was impractical and that there needed to be a mixture of classroom based and online training. LNER said that rather than making classroom training mandatory, a mixture of this with online and e-assessments was required. West Midlands Trains considered that practical training allowed staff competence to be properly assessed.

Question 11 a): 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?

100. Some disabled people's organisations suggested that 12 months would be a reasonable time frame for operators to update their training packages, with Alzheimer's UK saying that this should be treated with a similar amount of urgency to other forms of training such as safety critical training. Sheffield Transport for All considered that some critical areas of training should be refreshed within 12 months but other aspects of training could be refreshed over two years. RNIB, on the other hand, suggested refresher training should be undertaken no more than every two years unless the operator has identified a cause for concern.

101. There was a mixed response from operators. Eight of the operators who objected to the two year proposal highlighted insufficient time to ensure all staff had received the new training. West Midlands Trains

considered that on the job training was more important and would allow individuals to develop and provide mentoring support to colleagues. GWR and West Midlands Trains added that developing this within two years is out of step with other training programmes (e.g. First Aid training is undertaken over a three year period). Hull Trains said ORR should allow operators some flexibility in terms of when training should be completed by and TfW Rail said it would be impractical for the whole industry to have revised training packages at the same time. SWR said that more thought should be given as to how agencies train their staff, given it may be difficult for operators to train agency staff in a limited period of time.

102. Nine operators, including Hull Trains, Nexus, Network Rail and Merseyrail were supportive of the proposal. GTR provided their support to the two year timeframe, but asked how wide reaching the training had to be given that a large number of staff would need training. Merseyrail said it already delivers training in two year cycles and therefore considered that industry should be able to adopt this approach. RDG considered that two years was a reasonable time frame, but recognised that some operators would be in the midst of or had only recently completed delivering a training programme and that the two year period should commence once all staff had completed existing training. RDG also supported

retaining operators' ability to devise training to suit their individual requirements.

Question 11b): Do you agree that refresher training should focus on priority areas for improvements for the industry as a whole, or should it be tailored to the priority areas for improvement for each operator?

103. Overall, responses provided no clear answer as to whether the content of refresher training should focus on the priority areas for improvement for the industry as a whole or tailored to those of each operator.

104. The majority of disabled people's organisations and individuals were broadly supportive of a mixture of industry wide standards of training as well as reflecting individual operator requirements. However there was a minority that noted the importance of having a consistent approach across all operators in the training they provide to staff.

105. Ideas from operators for what could be incorporated into industry-wide training included focusing on a consistent experience for customers and changes to legislation. Heathrow Express said the industry wide training should be developed using customer feedback. There was a lack of support for classroom based training as many operators considered that e-learning and on the job training were more effective for staff development. West Midlands Trains considered that refresher training for front line staff should be prioritised and other staff

refresher training developed further down the line. Ten operators proposed that industry wide training be carried out ahead of individual operators' training, seven operators suggested the inverse. RDG suggested that the industry work to identify best practice.

106. Nine operators, including those in the Arriva Group, suggested each operator's refresher training should combine areas of priority for the industry as whole with areas of particular focus for that operator. However, c2c, Southeastern, TfW Rail and TransPennine Express expressed support for individual operator training only with TransPennine Express adding that this would be more meaningful and beneficial for staff.

ORR Response

107. We remain committed to ensuring that passengers, including those with non-visible disabilities, receive a better more consistent service from all staff – whether they book assistance in advance or request it on arrival at the station, and whether their disability is visible or not.

108. The responses to questions 10 and 11 of the consultation underscored the importance of:

- Expanding and reinforcing disability awareness training courses to cover the key elements set out in the consultation;

- Ensuring training packages are revised over the course of the next two years;
- Staff receiving refresher training at least every two year to ensure they continue to demonstrate the required skills, knowledge and attitude to deliver a better customer experience for disabled passengers;
- Staff hearing first-hand from disabled people about their lived experience of using the railway and being provided a safe space to explore the issues raised; and
- Training courses being developed in tandem with disabled people.

109. Some train operators indicated in their responses that the scale of the change required to the way in which they train their staff presents a significant challenge. We therefore shared our analysis of each operator's current training packages to help them to recognise where improvements were needed, and engaged further with them to understand in more detail their current and future training commitments, and the implications of meeting the proposed requirements. Train operators focused in particular on the cost and resource implications of taking staff away from frontline duties to deliver refresher training within two years and every two years thereafter, and of being required to train all staff, whether undertaking frontline duties or not. Despite our

previous engagement on this issue with operators, we have received little data to help us quantify the impact of our proposals.

110. Nonetheless, we recognise that operators may require some flexibility in how they move towards compliance. We recently attended and observed two training sessions for frontline staff to see first-hand the changes made in light of our consultation proposals and were encouraged by the steps taken to improve the breadth and depth of topics covered.

111. Based on the responses, subsequent dialogue and changes already made, we have revised our training requirements as follows, so that **by the end of July 2021**:

- All new staff, including senior and key managers, will as part of their induction, receive relevant disability awareness training or disability equality training in a predominantly classroom-based setting. This will ensure they:
  - Understand disabled people and their everyday challenges;
  - Are aware of the Equality Act and its requirements for 'reasonable adjustments';
  - Know the definition of disability, explore the social model of disability, and use appropriate language;

- Recognise that passengers with a wide range of impairments and needs (including those that may not be visible) may require assistance;
- Are introduced to the relevant regulations and policies;
- Are aware of the Passenger Assist process (including Turn Up and Go), how it works for disabled passengers and how staff play an important part in delivering the service;

In addition, all new frontline staff that interact directly with passengers at any time as part of their duties will, as part of their induction, also receive training to ensure they:

- Communicate effectively with disabled people, treating them with patience, optimism and flexibility
- Can identify the accessible features of the stations in which they work and of the key destination stations on the network
- Provide safe assistance

- Operators must demonstrate that all current frontline staff (not only those new to the business) have received training in the nine areas set out above. We expect that for many staff this will require refresher training in the next two years, but how each operator

chooses to achieve this will depend on factors such as the scope and content of previous training packages, staff responsibilities, and existing training commitments.

- Agency staff and staff contracted on a temporary basis that interact directly with passengers at any time will receive a condensed version of the disability awareness training or disability equality training, to cover the Passenger Assist process, effective communications and providing safe assistance.
- Anyone employed at a contact centre that provides information or advice directly to passengers on behalf of the operator, whether directly employed by the operator or not, will receive a condensed version of the disability awareness training or disability equality training to cover the Passenger Assist process and effectives communications.
- The lived experience and expertise of people with a range of disabilities is always utilised in disability awareness or disability equality training course development and delivery.

112. **Operators will be required to set out their training plans for meeting the July 2021 timescale when they submit their Accessible Travel Policies for approval**, and we will monitor progress towards compliance and report in our annual consumer report, 'Measuring Up'.

We will require a report of progress to be sent to us in July 2020.

113. In advance of delivery our updated training requirements, we have also requested that **operators carry out an initial review of the content of all current training packages** and make the necessary updates to ensure that all statistics, legislation and language are fit-for-purpose for the benefit of new members of staff.

114. The revised Guidance also requires that **staff receive refresher training every two years** to ensure that staff continue to update their skills and knowledge in the relevant areas. We will monitor how this is being delivered by requesting details of the training that has taken place, and using the ongoing survey of Passenger Assist users to assess passenger satisfaction with the service provided by staff.

115. We recognise that, while operators may wish to tailor the delivery of training to the needs of their staff and the business as a whole, there may be value in the development of shared resources across the industry to provide consistent, up-to-date quality learning material for all staff. Our new training requirements are not contingent on the development of such material, but we will continue to explore this with RDG.

Chapter 5: Passenger Awareness of Assisted Travel

Question 12: 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?

116. Respondents were generally in favour of these proposals. Disabled people's organisations offered differing views on whether RDG were best placed to lead, with some suggesting operators or disabled people's organisations do so instead. They added that awareness of passenger assistance is still not as high as it should be and suggested a variety of different communication methods should be used to reach a wide audience, including local radio, community forums, as well as when issuing disabled persons railcards.

117. Whilst operators were also fully supportive, GTR, Southeastern and TfW Rail highlighted the fact that many disabled person's railcard holders do not require any form of assistance to travel on the railway. Hull Trains and TransPennine Express urged the industry to act with caution and ensure that the current fundamental reliability issues with the current Passenger Assist service are addressed and the new app has been fully developed and embedded before undertaking any marketing campaign. They argued that promoting the improvements sooner could place additional strain on

the system and cause irreversible damage to passenger confidence.

118. The operators from the Arriva Group considered that promotion should be done in co-ordination with other areas for improvement across the industry and Network Rail and Scotrail suggested the industry should focus on targeting those who currently do not travel by rail. GWR suggested this could be best done through a large scale media campaign. In addition, Scotrail suggested that non-rail users could be reached through a marketing campaign that covered GP Surgeries and Citizen's Advice as well as local and national radio. DfT suggested the industry cover a variety of methods and locations - similarly to British Transport Police's 'See it, say it. Sorted' Campaign. Five operators cautioned the industry against making promises it could not deliver upon.

119. Responses from various operators and disabled people's organisations suggested there should be an additional process built into the ticket buying process for customers travelling with a disabled person's railcard to select if they require assistance. However, GTR suggested that this would not be possible for them due to their ticketing service being a separate entity to Passenger Assist and urged the industry to be cautious of implementing this process as it may lead to resourcing issues and lengthier calls.

120. In its response RDG said it was undertaking a review of the Disabled Person's Railcard scheme and intend to promote the scheme using National Rail's various channels. RDG also described how it intends to promote the Passenger Assist service, following up on the success of the in-station campaign which it reported has resulted in a 241% uptake in bookings since its inception.

Question 13: 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?

121. In the main, respondents were all in favour of the industry working closely with local authorities, service providers and disabled access groups to promote and improve the Passenger Assist service.

122. Disabled people's organisations and individuals were supportive of this proposal, but also stressed the need for meaningful and genuine engagement between operators and disabled people. Disabled people's organisations, including Leonard Cheshire, Scottish Accessible Transport Alliance, Thomas Pocklington Trust and Vision UK recommended extending their engagement beyond current rail users to other disabled people that do not regularly travel by rail.

123. Operators also responded positively to this proposal, and provided details of the engagement they already

undertake with local stakeholders such as such as the 'Try A Train' days that are run by c2c, GTR and SWR.

124. c2c sought clarity on what compliance would look like and GWR questioned why the process had to be mandated in the revised Guidance. GTR and Southeastern both warned against the process becoming a box ticking exercise that consumed resources and did not provide adequate outputs. The Arriva Group suggested that operators who are yet to build up a network of local contacts should be given time to put in place the necessary arrangements that would encourage successful and meaningful engagement.

125. Five operators and DPTAC suggested that RDG would be best placed to lead on setting up a national stakeholder forum to help operators achieve a cost effective solution and a consistent approach.

ORR Response

126. There were almost 1.3 million booked passenger assists in 2018-19, up 2% from the previous year. This is the slowest growth in the number of assists since 2012-13. Our aim remains to increase the number of people that are able to make use of the assisted travel service. As set out above, responses were broadly supportive of the proposals we set out in the consultation to achieve this.

127. **We will continue to encourage RDG to use the opportunity of the new Passenger Assist system to promote what assistance is available and how to obtain it. We have also recommended in our advice to the Williams Rail Review [10] that Transport Focus would be best placed to develop and lead a national strategy and campaign to raise awareness of the right to free assistance to support rail travel.**

128. Consistent with our proposals, we have also recommended in the revised Guidance that operators consider updating the ticket booking section of their website and, where necessary, their contact centre call handling procedures, so that when passengers indicate they have a Disabled Persons Railcard during ticket purchase they are asked whether they require assistance with any aspect of their journey.

129. **Given the broad support for our proposals, in response to question 13, we have retained our proposed amendments to the Guidance** to require operators to:

- proactively engage and partner with third parties such as local user groups, charities, local service providers to promote the assisted travel service ; and

[10] https://orr.gov.uk/rail/publications/consumer-publications/orr-advice-to-the-williams-rail-review

- engage in regular structured consultation with a group of users, and seek and consider feedback on policies and proposals (including ATPs).

Question 14: What are your views on the proposal for more prescriptive website requirements?

130. Disabled people's organisations supported this proposal and took the view that all operators should be working towards achieving accessible websites that are W3C compliant and provide passengers with consistent and accurate information. Seven operators sought greater clarity on the exact requirements that would be placed on them, particularly with regards to W3C standards and how ORR would monitor compliance. RNIB suggested ORR develop a monitoring framework which includes website audit and should consider imposing a fine if operators are found to be non-compliant.

131. Operators were generally in agreement that all information should be easy to locate and suggested the industry use this as an opportunity to adopt consistent terminology for the service available to passengers and eliminate much of the current public confusion around the service and what is available.

132. Four of those suggested that rather than presenting all the required information on one single webpage, links to further pages could be used to give a more streamlined appearance. RDG stated that each operator will want to

distinguish themselves using their own branding and tone of voice. Six operators, including those in the Arriva Group, considered that discussions with web developers, and third parties would have to be undertaken before any change could be implemented, with Southeastern and Stagecoach highlighting the associated costs. West Midlands Stakeholder Equality Group suggested that third party ticket sellers should also be subject to the same website accessibility standards as operators.

ORR Response

133. We have considered the feedback on our additional website accessibility requirements to ensure that key information on assisted travel is provided on a single webpage, one click away from an operator's homepage. We have updated the reference to the World Wide Web Consortium (W3C) standards to ensure operators work to the latest Web Content Accessibility Guidelines (WCAG). These are web accessibility guidelines published by the Web Accessibility Initiative (WAI) of the W3C), the main international standards organisation for the Internet.

134. **We have clarified and refined the wording in the final Guidance in response to this feedback to ensure our requirements deliver information that is clear, accessible and uncluttered by permitting expandable sections and links to more detailed**

information. As set out in our advice to the Williams Rail Review, this includes consistent use of the Passenger Assist brand online and in published documents. We will monitor compliance with these new requirements and publish our findings in our annual consumer report, Measuring Up.

Chapter 6: New Requirements and Updates in DPPP Guidance

Question 15: What are your views on the three options we have identified for reducing the notice period for booked assistance?

135. Respondents were largely in favour of reducing the notice period required for passengers to book assistance, indicating that it would give customers greater flexibility and the confidence to travel with the certainty that their needs will be met.

136. Disabled people's organisations and individuals all shared a preference for the industry to achieve the shortest notice period possible with the ultimate goal of delivering a Turn Up and Go service. However, they recognised this may take time to deliver – some therefore suggested we mandate six hours as a compromise. DfT also expressed its desire for a Turn Up and Go service. The Equality and Human Rights Commission stated that spontaneous travel is fundamental to the rights of disabled people in realising

their right to independent living, under Article 19 of the UN Convention on the Rights of Persons with Disabilities. It suggested that current Turn Up and Go arrangements may in places fall short of genuine spontaneous travel and that this should be made clear to passengers.

137. All train operators, were in favour of moving to a notice period of 10pm the night before as it was felt this was the most achievable option. The other options were generally deemed to be undeliverable, citing operational limitations, costs, staffing restrictions and call centre opening hours. Network Rail, however, were fully supportive of this proposal and set out their intention to move to a two-hour notice period for all of its managed stations. Network Rail also set out its hope that the industry would be ambitious to deliver the best possible service to its passengers. GTR favoured a gradual reduction following detailed trials across the network. It also provided statistical analysis to show that the vast majority of bookings were made much further in advance than 24 hours.

138. Operators and RDG pointed to the new Passenger Assist system and app as the vehicle to deliver a reduced notice period. RDG suggested a delay until the full roll out of the app across the industry, whilst LNER, Southeastern and Stagecoach went further, suggesting that successful delivery could only be achieved once the

reliability of the new system is proven and it has the ability to offer seat and wheelchair space reservations.

Question 16: Do you consider that any reduction should be phased in? If so, how might this be implemented?

139. There was no consistent steer from respondents on how any reduction should be phased in, with suggestions ranging from instant implementation to anything up to a three-year period of adjustment.

140. Where operators were supportive of the proposal they provided estimates as to how long they felt the implementation period should be: SWR and Southeastern both suggested that that no phasing in period would be required. However, Hull Trains and Transport for Wales suggested they would need 5 months and 3 years respectively, to achieve compliance. The Arriva Group operators suggested technology was key to delivering a more reliable service and any reduction should only be phased in after the new Passenger Assist app has been properly embedded within the industry and its benefits have been fully understood. Stagecoach Group proposed that a reduction is phased in as part of the franchising re-tendering process.

141. All respondents were in agreement that if 10pm the night before was to be deliverable then it was vital that passengers are made aware that not all contact centres

are open until that time and are provided with alternative contacts for booking travel.

ORR response

142. Given the support for our proposals to reduce the notice period for booking assistance, the **revised Guidance includes a new '10pm the day before' notice period requirement to be introduced by 1 April 2020.** We do not believe this new requirement will necessitate changes to the opening times of call centres that currently close earlier than this. With the exception of Keolis Amey (owner of Transport for Wales Rail), every train operator owning group operates a call centre that is open until 10pm or later. Therefore, in order that passengers are always able to book assistance the evening before travel, **we require a clear commitment from operators to advertise the free 24-hour National Freephone Passenger Assist service in their passenger leaflets and online.** This service will divert calls to call centres that are open.

143. We recognise disabled people's organisations' aspiration for a notice period which is as short as possible. Therefore, we have also set a deadline in the Guidance by which the '10pm' notice period is replaced with a 'same-day' notice period. Industry responses suggested that the new Passenger Assist system is critical to accommodating same-day booking requests through its improved functionality.

144. We are mindful that we do not want to risk worsening passengers' experience of the assisted travel service by mandating same-day requests before the industry systems are in place to deliver it reliably. Our view is that there is a clear case for a gradual phasing in of reductions as the new technology beds in.

145. **We therefore require operators, including Network Rail, to introduce the following notice periods, where the same notice period or shorter is not already in place:**

- **6 hours by 1 April 2021; and**
- **2 hours by 1 April 2022**

146. These deadlines will allow sufficient time for passengers and staff alike to have become accustomed to the new Passenger Assist system, and to achieve much greater clarity on the opportunities it presents for something more akin to a 'Turn Up and Go' service.

147. As set out in the consultation, we recognise that even with successful implementation of the new Passenger Assist system, a two-hour notice period presents particular challenges to some operators. These include difficulties in sourcing alternative accessible transport at short notice when travel by train cannot be arranged, and reserving wheelchair spaces and seats on the day of travel. We will continue to work with operators to explore how these challenges can be overcome – and

where they cannot, to ensure passengers understand any limitations of short-notice bookings and how these may be mitigated.

Question 17: What are your views on our proposals to strengthen how operators consider assistance provision for passengers where different modes of train operation are utilised?

148. We received a range of views on this issue. Several Disabled people's organisations and individuals highlighted issues around delivery of assistance when Driver Controlled Operations (DCO) and Driver Only Operations (DOO)[11] are in use and suggested ORR look at ways to mitigate these. Ideas included floating support teams, carrying out risk assessments at unstaffed/limited staffed stations and improving how operators communicate with disabled passengers. One individual raised concerns about potential failures such as help points out of order. Guide Dogs suggested a national Freephone number is introduced to aid communication for passengers. West Midlands Stakeholder Equality Group indicated that help points should be available at all stations and suggested that the industry should consider a universal help point. Its response highlighted the Station Neighbour scheme, which is a pilot scheme

[11] DOO is where there is no second person on-board a passenger train; DCO is where there is a second person rostered to be on-board a passenger train, but in certain circumstances the train may be operated without the second person; in all cases door operation and safety checks are the responsibility of the driver under DCO.

operating in the West Midlands to provide support for all passengers with protected characteristics.

149. A large number of responses were received requesting a guard on the train at all times. This view was also shared by a small number of individual respondents.

150. Of the twelve operators that provided a substantive response, GWR, GTR, Heathrow Express, Merseyrail and West Midlands Trains all indicated their support for the proposal. GTR highlighted its deployment of roving staff to provide assistance at select unstaffed stations where DOO trains had been introduced. Southeastern and Stagecoach were concerned about the potential cost implications of significantly increasing staffing levels at stations or on trains.

151. DfT and Transport Scotland were also supportive of the proposal, whilst Transport Focus suggested that operators should include station staffing hours in their DPPPs. This idea was echoed by Sheffield Transport4All.

152. RDG emphasised the role the new Passenger Assistance app would play in supporting the provision of assistance under different modes of operation, in particular that it would allow for two-way communication between staff and passengers throughout the journey.

ORR Response

153. Responses to the consultation highlighted that staffing on trains and at stations remains an issue of concern for many passengers and staff. In our published advice to the Williams Rail Review, we recommended that DPTAC, with appropriate consultancy support, develop criteria to support a whole system approach to creating a more inclusive and accessible railway. Station staffing levels would be included in these criteria.

154. In addition, we remain convinced that operators need to do more to consider the normal operating conditions across their network and to assess where passengers are most at risk of not being able to receive the required assistance. In particular, there need to be clear and effective measures in place to ensure that passengers who have not booked assistance in advance can still receive it.

155. We have made clear in the revised Guidance that, for new licence holders and where operators may be considering a major change to the way they operate their services, we will require submission of evidence of such assessments.

Question 18: What are your views on the proposal to introduce mandatory redress arrangements for assistance failure?

156. Transport Focus welcomed ORR's role in monitoring assistance failures and stated that all operators should

offer redress and clearly set out their assessment criteria (points also made by DPTAC and RDG). Transport Focus also suggested that a basic level of redress is provided by all train operators and that this should be promoted in all public facing documents and online material. Disabled people's organisations supported the ORR's proposal to conduct further monitoring in this area and suggested that industry should investigate the root cause of the failure and feedback to both ORR and the customer as to what action will be taken to mitigate this going forward.

157. DPTAC suggested that operators and Network Rail should work together to publish a clear explanation of their redress policy and clearly set out what criteria will be used to assess claims made by customers. This sentiment was echoed by disabled people's organisations and individuals who were keen to highlight the need for a system that offers a clear and accessible format to make their claims and incentivises operators to ensure they have an effective assistance service in place.

158. Eight operators confirmed in their responses that they currently offer redress to passengers when arrangements for assistance fail. However, there was little support from train operators for a 'one-size fits all' national policy as they wanted to retain the flexibility to set out their own policy and tailor redress to the

circumstances of a claim. The Arriva Group, Heathrow Express, GTR, Scotrail and Virgin went further and indicated their opposition to a mandatory policy of any kind.

159. The Stagecoach Group suggested that Network Rail's inclusion in the process of providing redress was key, given it is the single largest provider of assistance. However, Network Rail itself indicated that it is unable to provide redress directly to passengers.

160. Arriva Group, GTR, Heathrow Express, Scotrail and Virgin provided opposition to the proposal and highlighted concerns with identifying accountability for the failure and the difficulty in defining an assistance failure in a way that would be unambiguous for customers. RDG suggested that any national policy is agreed in line with the National Rail Conditions of Travel to ensure that all operators are clear on the obligations and commitments.

ORR response

161. In the light of responses, we remain committed to ensuring that passengers are able to obtain redress when booked assistance fails to be provided. We have had further discussions with Network Rail to clarify its role when things do not go as planned. This reinforced that Network Rail is currently not in a position to provide compensation directly to passengers. We also reiterated and clarified our expectations at a workshop with

operators, passenger champions and disabled people's organisations, and during subsequent discussions with operators. Many operators already provide redress, which they set out either in their current DPPPs or their passenger charters. However, with one exception, they do not provide this information on their websites.

162. **Based on those discussions, we have refined the Guidance to ensure operators understand their obligations and communicate these effectively to passengers.** This clarifies for the benefit of passengers that redress will usually be provided by the train operator with which the passenger was travelling, or was due to travel, at the time of the failure. We have retained the flexibility for operators to determine the appropriate form and (where relevant) value of the redress. We have now aligned the requirements to those of the ORR Guidance for operators on complaints handling procedures (CHP).[12]

163. In addition, since November 2018 passengers have been able to escalate complaints to the new Rail Ombudsman. We will modify the licences of Network Rail, and all franchised and open access train operators to require the membership of the Rail Ombudsman by 1

[12] CHP guidance is available online on our website: https://orr.gov.uk/__data/assets/pdf_file/0020/19370/complaints-handling-procedure-guidance-2015.pdf

April 2019. All other train and station operators have also consented to the change.

Question 19: 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?

164. Responses for this proposal was in the main supportive, with many stating the need for the industry to keep pace with technological innovations. A number of operators indicated that they already provide this service, or are looking to do so in the near future. However, others such as SWR and GWR provided some challenge citing cost implications and the RDG passenger assist app which would provide an alternative method of instant communication between staff and passengers. Sense suggested live chat as an alternative, especially for areas of the network where mobile reception is poor.

165. DfT sought further information to understand the level of passenger demand to help determine the likely take up, or whether “a more tailored approach” should be considered.

ORR response

166. We have received no firm evidence of any costs that may be associated with the introduction of national text relay services, and reiterate that Next Generation Text Service lite app service is available to businesses free of

charge. Given the broad support for updating the Guidance to ensure operators provide specific text relay numbers where they have not already done so, we have therefore made no changes to the draft Guidance. Whilst the forthcoming Passenger Assist app will provide a new method of requesting assistance, this may not be appropriate for all passengers wishing to book assistance or provide the particular information that may be required.

167. **All operators are now required by the revised Guidance to state in their policies that their telephone services include providing a text relay number for passengers with hearing and/or speech impairments.** We will engage with operators that do not currently offer text relay services on their implementation plans prior to Accessible Travel Policy approval.

Question 20: What is your view on our proposals to improve the accessibility of substitute and alternative transport provided by train and station operators?

168. There were differing views expressed in response to this question. Disabled people's organisations highlighted the need for greater levels of assurance around driver training in order to support disabled passengers from the beginning to the end of their journey. Operators, however, did not see driver training as their responsibility and suggested this was done by the DfT or the transport company themselves.

169. A large number of industry responses highlighted the limited availability of accessible vehicles at short notice and in rural areas. They also emphasised the lack of influence operators had in being able to make the necessary changes set out in the consultation. The majority of industry responses indicated their preference for DfT to take the lead on this area of policy. GWR indicated that requiring all rail replacement services used during planned (rather than sudden) disruption to meet the accessibility regulations for Public Service Vehicles Accessibility Regulations (PSVAR) could be deliverable in some areas of its network.

170. DfT were in favour of the proposal and said that almost all of buses in the UK included a wheelchair space which would reduce the demand for taxis and private hire vehicles. It considered that operators should make reasonable endeavours to require that bus and coach operators who provide rail replacement services comply with PSVAR[13].

171. RDG's response echoed DfT's and suggested that operators must work with transport providers to ensure that they meet the needs and demands of disabled passengers. However, RDG acknowledged the difficulty operators face in influencing other transport companies and suggested that DfT and ORR work together to

[13] https://movingon.blog.gov.uk/2016/02/16/accessibility-standards-for-public-service-vehicles-2/

influence changes within the taxi and bus market to increase the availability of accessible vehicles.

172. One individual suggested ORR publishes how well TOCs are meeting accessibility requirements through provision of rail replacement services.

ORR Response

173. In the consultation we recognised the challenges and constraints facing operators in sourcing accessible rail replacement services and taxis but reflected on the negative impact on passengers when an accessible alternative to rail cannot be provided. These issues have been reiterated to us in consultation responses and during our subsequent engagement with stakeholders.

174. However, whilst persuaded that the challenges are particularly acute when it comes to short notice delays and emergencies, we consider that for planned disruption (e.g. during engineering works) there remains an opportunity to explore how more accessible rail replacement services might be provided for passengers, including buses that comply with the relevant accessibility regulations (PSVAR). This reflects the position adopted by DfT in its consultation response and subsequent discussions.

175. We accept that it will not always be possible to procure PSVAR-compliant buses or get hold of accessible taxis, but **we require in the revised Guidance that**

operators make reasonable endeavours to do so, and that they be transparent about the accessibility of planned rail replacement services in their policies.

176. We proposed in the consultation that this requirement also applies to transport provided during delays and emergencies but, given the challenges in doing so, have determined that the current requirement to provide alternative accessible transport in such circumstances is sufficient.

177. **We will also require operators to report to us on the accessibility of the rail replacement bus services they use**, alongside the data we already collect on the use of alternative accessible transport.

178. Similarly, **we also require in the revised Guidance that operators set out what appropriate training drivers of rail replacement bus services and taxis receive** to ensure they are able to provide assistance to rail passengers.

Question 21: 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?

179. DfT, RDG and a number of disabled people's organisations were supportive of this proposal. Operators were keen to highlight the services they currently offer either at stations, such as dedicated assistance staff, or in their call centres. The Arriva Group

operators suggested that although help points are in place across a number of stations, there is not universal provision across the network. They suggested that putting an operator-specific Freephone number in place across the network would have practical difficulties for contact centres who are not staffed from first to last service, and proposed that the National Rail Freephone passenger assistance number instead be advertised at every station across the network. Transport Focus emphasised even where provided, help points do not always link directly to a member of staff that can provide the necessary assistance or service information.

180. A further challenge highlighted by GTR, and a small number of disabled people's organisations and individuals, was that some stations can be in very remote, rural locations with poor mobile signal and no Wi-Fi. Concerns were also raised about unstaffed stations; clear and unambiguous signage at all stations was suggested to help to mitigate some of the issues.

181. Whilst providing their support for this proposal, disabled people's organisations used their responses to provide a number of options as to how disabled passengers could be better informed at stations. These included:

- Help points that are easily located with clear signage;
- A Freephone number, which each operator should display on its website;

- A visual display of information at suitable height to wheelchair users; and
- The introduction of a live chat app such as WhatsApp.

ORR response

182. Better information at stations is key to making rail more accessible. We recognise that help point provision varies across the GB rail network, but we understand that there is significant investment in help points and station Wi-Fi planned for a number of franchises, including Transport for Wales and Northern. We also welcome the use of dedicated assistance staff at key stations and ticket vending machines that provide video links to contact centres.

183. We have updated the revised Guidance in the light of consultation response so that it requires that:

- at every station passengers must be informed, at a height that means the information can be easily read by a wheelchair user, how to contact a member of staff that is able to provide assistance and service information – either in person or via a help point or, where there is sufficient mobile phone or Wi-Fi coverage, a Freephone number (which may be the National Freephone Passenger Assist number);
- the National Freephone Passenger Assist number is advertised on each operator's website and in its Passenger Leaflet; and

- at every station there is a notice at a height that means it can be easily read by a wheelchair user setting out how to obtain the Passenger Leaflet and Accessible Travel Policy document.

184. We will monitor the provision of this information, which may include mystery shopping of stations and help points.

185. In addition, the current exemptions that apply to domestic rail services from the requirements of the European regulation on the rights and obligations of rail passengers (EC1371/2007) end in December this year. As a result, from 4 December 2019 the current DPPP recommendation that larger stations have a designated meeting point will be extended to all stations and made a requirement, for the benefit of passengers that have booked assistance.

Question 22: 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?

186. Disabled people's organisations and individuals highlighted their support for the proposal. The former expressed the need for a consistent approach to scooter acceptance across the industry, whilst some responses from individuals stated their preference for the industry to develop a national permit scheme. The response from

the Government's Rail Sector Champion highlighted the need for staff training so staff can accurately inform passengers of the policies used across the industry.

187. DPTAC supported the proposals and suggested that RDG or RSSB could develop a scooter classification system that sets out which scooters can be taken on which rolling stock. This should eliminate any potential confusion resulting from operators adopting different policies for the same rolling stock. Eight operators suggested RDG could agree a scooter accreditation system between the industry and scooter manufacturers. RDG proposed an online tool be built into operator's websites to help passengers to identify whether their mobility scooter is acceptable on the service they wish to travel on. The information would be linked to timetable information and rolling stock pertinent to the journey. RDG has indicated to us it is looking into this.

188. A majority of operators did not support mandating a policy of presumption of carriage of scooters and mobility aids. Four of the operators that already have a scooter permit scheme in place were concerned that the presumption of carriage would undermine the permit and would add an additional safety risk. GWR suggested that it could expand their acceptance of scooters, as long as passengers can provide evidence that their scooter is accepted on the desired service. Southeastern suggested putting the onus on the passenger to provide

evidence that their scooter meets the criteria for carriage thus preventing passengers whose scooters do not comply with the policy from travelling.

189. Responses from the Arriva Group operators, Greater Anglia, GTR and Scotrail suggested that RDG could lead an education campaign for operators and passengers. However, SWR and West Midlands Trains suggested ORR should lead on this.

ORR Response

190. In response to operators' comments, we have further discussed our proposed changes to the Guidance on carriage of scooters and mobility aids with stakeholders and clarified our requirements – in particular regarding the 'presumption of carriage'. Here, we reiterated that we understand scooter carriage policies will continue to be 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). However, we expect that operators do not impose blanket restrictions without an assessment of on which trains and which routes mobility scooters can be carried in safety.

191. Having clarified this, and given the support from other stakeholders, we have only made one change to the final Guidance: we proposed a requirement that where

an operator has a scooter permit scheme, passengers that have not applied for the scheme and been turned down should not be prevented from travelling if the scooter in question conforms to the requirements of the operator's policy. However, we recognise that it would be very difficult for staff providing assistance on the platform to make quick judgements about whether a scooter can be carried safely or not. We have therefore removed this draft requirement from the final Guidance.

192. We agree with respondents that greater consistency of approach to scooter acceptance would be of benefit passengers, but recognise that the variance in accessibility of stations and trains will continue to make this a challenge. In the meantime, we can see the merit of a scooter accreditation system agreed between the rail industry and scooter manufacturers and encourage RDG to set out how this can be delivered. We recommend RDG also considers the merits of a national permit scheme.

Question 23a: What are your views on our proposals to clarify the Guidance to ensure passengers do not unknowingly purchase tickets they cannot make full use of?

193. DPTAC, RDG, Transport Focus and Transport Scotland were all supportive of the proposal. Transport Focus suggested that the industry should refund passengers the difference between the fare paid and the fare they could have paid for standard-class if they elect to travel

elsewhere in the train. It added that a full refund - without administration fee - could be considered if the passenger decided not to travel.

194. Disabled people's organisations and individuals who responded also highlighted their support for this proposal, with some responses suggesting that checks are made by call centre staff during the booking process to ensure that any requests for assistance can actually be delivered. Guide Dogs said operators should consider how disabled passengers should be granted a seat in situations where priority seats are taken or the service they are travelling on is overcrowded.

195. The operators that provided substantive responses to this question highlighted the difficulties they currently face in this area due to the differences in rolling stock used across operators and routes, staffing levels and the varying ticket types and ticketing systems available to passengers. In particular, the Arriva Group operators suggested they would welcome an industry wide collaboration on how best to provide information to customers.

196. The accuracy of information on the NRE website was highlighted as an issue by operators, with many noting the need for passengers to be given accurate information during the ticket-buying process. TransPennine Express said that that consideration must

be given to ensuring third-party retailers comply with the same requirements as operators.

Question 23b: What are your views on our proposals to clarify the Guidance to ensure 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?

197. Disabled people's organisations and individuals expressed a range of views on how to best deliver this information, but responses were generally of the opinion that the industry could do more to highlight the availability of onboard services and facilities. Suggestions put forward included illuminated WC signs and audio-visual information on all services. A small number of responses from individuals also suggested that the revised Guidance be expanded to require operators to provide passengers with timely information when accessible toilets or audio-visual facilities are unavailable.

198. DPTAC suggested that operators promote best practice. RDG's response highlighted its development of the DARWIN system[14] to enable train operators to provide this information on Customer Information

[14] Darwin is the GB rail industry's official train running information engine, providing real-time arrival and departure predictions, platform numbers, delay estimates, schedule changes and cancellations.

Screens at stations and its intention to work with operators to make this available in real-time.

199. The Rail Sector Champion and Transport Focus both highlighted the need for information to be provided at the earliest opportunity to onboard staff so that they can make informed decisions about the service they are operating and best advise passengers on the options available to them should equipment or facilities fail.

200. Operators, including c2c, GWR and Southeastern, sought to understand the extent to which they might be required to provide passengers with real-time journey information and, in particular, highlighted the difficulties they face in providing accurate information to passengers on the availability of accessible toilets – particularly at short notice. It was suggested that the Passenger Assist app could be developed to provide live journey time information. The Arriva Group suggested that they are reliant on passengers bringing information about toilets and station facilitates to their attention until trains become digitalised. A further issue raised was the need to increase availability of real-time information screens and public address systems at stations across the rail network.

ORR response

201. On ticket purchasing, we agree with respondents that suggested the industry could do more to highlight the availability of onboard services and facilities and ensure

disabled people do not purchase tickets they cannot make use of. Whilst we recognise that some operators may face difficulties in making changes to the ticket-selling parts of their website, it is critical that relevant information is communicated accurately, clearly and consistently to passengers. This is a topic on which we have already written to operators, and where we believe the revised Guidance can be more specific in its requirements.

202. The Guidance therefore makes clear that passengers must not be able to purchase, or must be warned against purchasing, Advance tickets they cannot make use of on an operator's services.

203. We discussed at a stakeholder workshop what more operators can do to ensure passengers are informed when an accessible toilet is out of order, noting the Equality Act 2010 duty of operators to make reasonable adjustments. It was considered that in many cases the staff member providing boarding assistance can determine this.

204. We have therefore concluded that in developing their Accessible Travel Policies operators must 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.

205. The accuracy of information on the NRE website was rightly highlighted as an issue by operators in their responses. NRE is managed by train operators and operates on their behalf. It is important that operators manage NRE effectively and ensure that it takes steps to update information around accessibility quickly and frequently, as the Guidance will continue to require.

206. As set out in our advice to the Williams Rail Review, in order to ensure that operators actively manage and monitor the information provided by NRE we are reviewing the Passenger Train Licence to assess what route provides the most appropriate method for ensuring that information provision by operators - via NRE - around the accessibility of stations is accurate, consistent and frequently updated.

Chapter 7: Additional Good Practice

Question 24: Do you have any comments on the good practice areas listed? Are there other good practices that should be identified in the revised Guidance?

207. Respondents were all supportive of operators sharing examples of best practice and promoting key initiatives.

208. Disabled people's organisations highlighted areas of the passenger journey that could be improved, whilst individuals welcomed further innovation and highlighted the benefits of assistance cards and video relay

services. Respondents also urged the industry to include examples of good practice within their policy documents.

209. Nine operators provided examples of good practice they currently offer to customers. Stagecoach Group and TransPennine Express gave their support for a national assistance card. The Arriva Group operators welcomed the sharing of good practice and encouraged colleagues to seek examples of innovation from outside of the rail industry. Heathrow Express encouraged ORR to provide a forum for operators to share good practice, whereas others suggested RDG's accessibility forum would be suitable.

ORR response

210. We thank respondents for their suggestions and contributions. We will continue to collate good practice for the benefit of passengers, operators and other stakeholders. Rather than include good practice examples in the Guidance document as we proposed in the consultation, **it is our intention to publish useful information and links on our website.** This will ensure they remain accessible and up-to-date as innovations are trialled and introduced.

211. To ensure that we remain in touch with developments and issues affecting disabled passengers both within and from beyond the rail industry. **This year, we also intend to create a new ORR accessibility forum comprising members of disabled people's**

organisations. We will send out invitations this autumn and work with invited organisations to determine its exact terms of reference, but we expect this will provide useful feedback on the development and implementation of Accessible Travel Policies, identifying good practice and areas for improvement. We anticipate this will meet at least biannually.

2. Next Steps

Implementation timescales

212. We have now published the revised Guidance for operators. We have also written to train and station operators, including Network Rail, reiterating our ambition to improve assisted travel for passengers, and setting our expectations of them under the new Guidance requirements.

213. The timescales for submission of operators' revised policies are provided at **Annex C**. As can be seen, we are requiring operators to submit their revised policies by the end of December 2019[15]. We will work with operators prior to submission of their ATPs in order to ensure they understand the new requirements and are able to meet the submission deadlines.

214. We will monitor operators' progress in delivering their commitments. In particular, we will:

- Require operators to set out in July 2020 the progress they have made in meeting our new training requirements (due to be delivered in full by July 2021) and compare this with the training plan submitted with the ATP; and

[15] N.B. We will confirm the submission dates for the new Southeastern and West Coast Partnership franchise operators when they are announced. We will also confirm in due course the most appropriate date for Eurostar to submit its Accessible Travel Policy – we expect this will be in early 2020.

- Strengthen our monitoring of operators' passenger information obligations to ensure the information provided is relevant and up-to-date. In particular, we will monitor the accuracy of information online to ensure it complies with our requirements by April 2020 (including the consistent use of the Passenger Assist brand), undertake a review of the accessibility of operators' websites by July 2020, and carry out mystery shopping exercises at stations and over the phone.

Work with key stakeholders

Williams Rail Review

215. The Government has commissioned a Rail Review under the chairmanship of Keith Williams (known as the 'Williams Rail Review'). In February 2019, the Williams Review noted that more needed to be done to improve accessibility for all users, including disabled people. The Review asked ORR to report back recommending action to help transform accessibility across the network. Our published response to the Williams Review recognises and is consistent with the action we have taken to make improvements to assisted travel, and provides further recommendations and advice on making travel by rail more inclusive and accessible[16].

[16] https://orr.gov.uk/rail/publications/consumer-publications/orr-advice-to-the-williams-rail-review

Industry Developments

216. We will continue to ensure our work in this area is aligned across the railway industry. We will work with Railway Safety and Standards Board (RSSB) to update its Accessibility Maturity Framework Tool and with DfT on implementation of its Inclusive Transport Strategy. We will also work with the RDG on the development of its new Passenger Assist system and its other planned initiatives, and with the Equality and Human Rights Commission on ensuring passengers and operators understand their rights and obligations under the Equality Act.

217. We will also continue to work closely with the Rail Sector Disability Champion, DPTAC, MACS, Transport Focus, Transport Scotland and the Welsh Assembly Government.

218. As indicated, we plan to establish a regular forum with disabled people's organisations, to include users of the assisted travel service. We will send out invitations this autumn and work with invited organisations to determine its exact terms of reference, but we expect this will provide useful feedback on the development and implementation of Accessible Travel Policies, identifying good practice and areas for improvement.

Bespoke licenced operations

219. As licence holders, operators of heritage railways, trams that run on the national network, and single stations are required to have an Accessible Travel Policy. However, we recognise that the obligations, which can reasonably be placed on such bespoke operations may be different to larger mainline operators. We will work with stakeholders to establish what these obligations should be and publish additional Guidance by March 2020.

Public Sector Equality Duty

220. Under the Equality Act 2010, in carrying out our activities the ORR has a duty to eliminate discrimination, advance equality of opportunity and foster good relations between persons who share a relevant protected characteristic and persons who do not share it (relevant protected characteristics are – age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation). We have published an updated regulatory impact assessment of the changes we have made to the Guidance, as set out in this document. Alongside this we have also published an equality impact assessment, in accordance with our public sector equality duty under the Equality Act 2010.

Alternative Formats

221. ORR has actively considered the needs of blind and partially sighted people in accessing this document in PDF format. The text is available in full on the ORR website, and may be freely downloaded. Individuals and organisations can use free Adobe Reader accessibility features or screen readers to read the contents of this document.

222. Easy Read and Large Print versions of this document are available on our website. If you need conversion into any other formats, please contact us at: ATP@orr.gov.uk

Annex A: Consultation Alternative Formats

Consultation format	Number of unique downloads
Normal / Colour	**691**
Large print	**37**
Black & white	**20**
Easy Read	**73**
Audio (mp3)	**106**

Annex B: Consultation Responses

Stakeholder	Number of respondents
Campaign Responses	364
Disabled People's Organisations / National Charities / Local User Groups	26
Licence Holders / Owning Groups / RDG	20
Individuals / Consultants	13
Passenger Champions	4
Franchise and Concession Authorities	5
Licence Holder Passenger Advisory Groups	2
Rail Industry Bodies	2
Other Local Transport Authorities	2

National Equality Body	1
TOTAL	**439**

Annex C: Accessible Travel Policy Submissions

Week commencing	Licence holder
10 June 2019	East Midlands Railway (new franchise)
16 September 2019	Scotrail
30 September 2019	TfL Rail
30 September 2019	Caledonian Sleeper
30 September 2019	Great Western Railway
30 September 2019	Network Rail
21 October 2019	Northern
21 October 2019	Hull Trains
21 October 2019	Heathrow Express
21 October 2019	London North Eastern Railway
21 October 2019	West Midland Railway
11 November 2019	Chiltern Railways
11 November 2019	Greater Anglia
11 November 2019	Transport for Wales Rail
11 November 2019	Cross Country
11 November 2019	Grand Central

02 December 2019	Thameslink, Southern, Great Northern
02 December 2019	South Western Railway
02 December 2019	TransPennine Express
02 December 2019	Merseyrail
16 December 2019	London Overground
16 December 2019	c2c
16 December 2019	London Underground

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