Consultation on Accessible Travel Policy (ATP) Guidance redress requirements (HTML)

Annex B: Proposed amendments to ATP Guidance

Redress requirements are set out in section A8 of ATP Guidance. Our Guidance sets out what an approved Accessible Travel Policy **'must'** contain as a minimum in order to comply with the licence condition. It is also intended to set out recommended good practice that an approved Accessible Travel Policy **'may'** contain (see Para 1.2.3 of our ATP Guidance).

To implement our proposal, we are proposing to amend 'may' to 'must' in paragraph A8.1 of the ATP Guidance. This would have the effect of turning what is currently recommended as good practice into a requirement. The proposed amendment is shown in **bold highlights** below. We are not proposing any other changes to the ATP Guidance.

Extract from ATP Guidance: A8 Redress

A8.1: When assistance has been booked but has not been provided as confirmed by the operator, due to a failure of the assistance service, the operator **must** provide appropriate redress to a passenger that has submitted a claim. The form and, where appropriate, value of this redress ~~may~~ **must** be determined on a case-by-case basis to allow operators to consider the circumstances of the case. The operator **must** explain to the passenger in its response why the assistance was not provided, and what steps have been taken to ensure the failure does not reoccur. Operators **must** set out an overview of the claim process, which must be simple, straightforward and clear, and commit to promoting this to passengers, including on their website, via social media and in their

passenger leaflet.

A8.2: A claim for redress about a specific assistance failure **must** be owned by the operator of the train the passenger was travelling on, or due to travel on, when the failure took place.

A8.3: A passenger **must** not have to submit a claim for redress to more than one operator. In cases of multiple assistance failure with a number of operators during a single multi-leg journey, the receiving operator **must** coordinate a single response on behalf of all of the operators involved. Sometimes this may not be sensible if the bulk of the assistance which was booked failed to be provided by another operator on whose train the passenger was travelling, or due to travel, when the failure took place. In this instance, it may be in the best interest of the claimant to receive a response directly from the operator primarily responsible. In this case the receiving operator **may** make arrangements to have the claim passed to the more appropriate operator. The operator **must** inform the claimant and obtain their consent when their claim is transferred to another operator.

A8.4: Nothing in this section is intended to diminish or remove the obligations that operators have to passengers under relevant legislation, including the Consumer Rights Act 2015, the Rail Passengers Rights and Obligations Regulations or the Equality Act 2010 (via the Equality Advice and Support Service).

- ← Previous Annex A: List of consultation questions