

## Assisted Travel Advisory Group - Terms of Reference

### Purpose

1. The purpose of the Assisted Travel Advisory Group (ATAG) is to inform ORR's work in the development of revised guidance for train and station operators in how to provide assistance to passengers, and in making improvement to the broader reliability of assistance services for passengers who require additional support when travelling by train. The ATAG operates in an advisory capacity and holds no decision-making powers.

### Background

2. ORR's vision is to empower confident use of the railway by all. Our duties under section 4 of the Railways Act 1993 include *having regard to the interests of persons who are disabled in relation to services for the carriage of passengers by railway or to station services.*
3. Train and station operators are required via their licence to establish and comply with a Disabled People's Protection Policy (DPPP) that is approved by the ORR.
4. A DPPP sets out, amongst other things, the arrangements and assistance that an operator will provide to protect the interests of disabled people using its services and to facilitate such use. However, an operator is not obliged to undertake any action that entails excessive cost taking into account all the circumstances including the nature and scale of licensed activities. The full text of the DPPP licence condition is attached at Annex A.
5. DPPP Guidance produced in 2009 by the Department for Transport provides a minimum standard for operators but compliance with the DPPP Guidance is not intended to guarantee that operators have satisfied all of their legal duties, particularly in relation to the Equality Act 2010. This requires an assessment of reasonableness and whether reasonable adjustments have been made to ensure that a disabled person is not unduly disadvantaged. ORR does not assess or enforce the compatibility of the operating practices of any train operator with their obligations under the Equality Act 2010. It is for individual operators to ensure they comply with equality law.

### Evidence base for change

6. In November last year ORR published the outcome of three pieces of research: a survey to assess the awareness of the travel assistance that is available to passengers (both booked and unbooked); a survey of users of booked assistance to understand their experiences; and the results of mystery shoppers turning up at stations and requesting assistance without pre-booking. In addition, we commissioned in-depth interviews with passengers, staff and industry leaders and published the findings.
  - **Awareness of Assisted Travel is low:** 70% of potential Passenger Assist, and 80% of potential 'Turn up and go' users said they knew nothing about it. Of those who did know about it, the most common way they became informed was in person via rail staff and through 'word of mouth'. Two-thirds of those who had not used Passenger Assist, and almost half of those who had not travelled via 'Turn up and go' said that now they were aware of it they would be likely to use the service in the future.

- **User experience & reliability:** 71% of ‘Turn up and go’ mystery shoppers said they would recommend the service to other people with the same disability as them. Satisfaction amongst users of Passenger Assist was high with 85% saying they were satisfied or very satisfied. However, confidence that all the requirements they had booked will be met falls to 72%, and around one in five users did not actually receive all aspects of the assistance they had booked.
- **Staff helpfulness:** Most ‘Turn up and go’ mystery shoppers in our research, 78%, said staff were positive and happy to assist. However, whilst satisfaction from Passenger Assist users with aspects of a staff member’s performance ranged from 76%-81%, staff were sometimes unable to spot those passengers with hidden disabilities and were generally perceived to be less adept at assisting passengers with these types of impairment. The Passenger Assist research showed that one in four of those with hidden disabilities were less likely to receive the assistance they had booked, compared to the average (81%).

7. In November last year ORR launched a consultation on Improving Assisted Travel which focused on four key areas:

- encouraging awareness and better uptake of Assisted Travel;
- making Assisted Travel more reliable, and introducing redress where it falls short;
- strengthening staff training in identifying where assistance is required and offering help in an effective and customer-friendly manner; and
- enhancing the current monitoring regime to ensure train and station operators continue to meet their obligations to passengers that require assistance.

## Approach

8. The ATAG will provide a forum to inform and provide advice on ORR’s initial work and plans for further public consultation on:

- revisions to the existing requirements as set out in the [DPPP Guidance](#);
- proposals for new requirements to be set out in the DPPP Guidance;
- the format and structure of DPPPs, including any proposals for change;
- how improvement to Assisted Travel as discussed in ORR’s recent [consultation](#) can be delivered through changes to the DPPP guidance; and
- what further evidence, analysis or engagement may be required to inform both the development of new DPPP guidance or improvement to Assisted Travel.

9. Discussions at the ATAG will be supported by ORR’s [research](#) ; information received in response to the Assisted Travel consultation ; discussions and input from individual stakeholders as part of this wider engagement process; analysis and input from specific expert groups that ORR may establish to inform this process and the views of ORR’s independent Consumer Expert Panel.

## Deliverables

10. ORR plans to publicly consult on draft DPPP guidance in September 2018 with final guidance expected to be published by the end of 2018. In accordance with our Public Sector Equality Duty under the Equality Act 2010, this will be subject to an equality impact assessment.

## Governance

11. The ATAG is expected to meet between three and four times in the period May-August 2018. Further meetings may be agreed as necessary. Unless otherwise agreed, meetings will take place in the ORR offices at: One Kemble Street, London, WC2B 4AN. Meetings will be chaired by ORR.
12. The secretariat function will be carried out by the ORR. They will:
  - Arrange meetings and issue invitations;
  - Circulate papers and agenda 5 working days in advance of each meeting; and
  - Facilitate the publication of agenda and meeting notes on the ORR website.

## Membership and participation

13. Membership is by invitation and will include representatives from the following organisations:
  - Department for Transport;
  - Welsh Assembly Government;
  - Transport Scotland;
  - Rail Delivery Group (RDG);
  - Network Rail;
  - Disabled Persons Transport Advisory Committee (DPTAC);
  - Transport Focus;
  - Disability Charities Consortium; and
  - The Rail Sector Disability Champion.
14. Participation and discussion in meetings and views expressed or implied in discussion are entirely without prejudice and shall not limit the discretion of ORR with respect to the final form and content of the DPPP Guidance. Members also agree that their participation in meetings is entirely without prejudice and shall not limit the discretion of any party to comment during future consultation on ORR's proposals in this area.

## Contacts

15. Initial point of contact for members will be:

**Bryan Little** Assistant Project Manager (ORR Consumer Policy Team)  
0207 282 3712  
[bryan.little@orr.gov.uk](mailto:bryan.little@orr.gov.uk)

16. Members can also contact the following members of the Project Team if they wish to discuss the issues discussed at the Group meetings in more detail:

**David Kimball** Project Manager (ORR Senior Manager, Rail Accessibility)  
07864 608009  
[david.kimball@orr.gov.uk](mailto:david.kimball@orr.gov.uk)

## **Annex A – Passenger Licence Condition 5: Disabled People’s Protection Policy**

1. The licence holder shall establish and thereafter comply with:
  - a) a statement of policy; and
  - b) a detailed body of arrangements, procedures, services and other benefits to be implemented or provided by the licence holder, designed to protect the interests of people who are disabled in their use of trains operated by the licence holder and to facilitate such use (together the “DPPP”).
2. In establishing the DPPP and in making any change to it, the licence holder shall have due regard to the code of practice published by the Secretary of State pursuant to section 71B of the Act and to articles 19 and 20(1) of the PRO Regulation.
3. The licence holder shall not establish, or make any material changes (save in respect of paragraph 4(b)), to the DPPP unless and until:
  - a) the PC and, where appropriate, LTUC has been consulted; and
  - b) the licence holder has submitted the DPPP, or (as the case may be) the proposed change, to ORR and ORR has approved it.
4. Where ORR requires the licence holder to carry out a review of the DPPP or any part of it or the manner in which it has been implemented, with a view to determining whether any change should be made to it, the licence holder shall:
  - a) promptly carry out a review and submit a written report to ORR setting out the results or conclusions; and
  - b) make such changes to the DPPP, or the manner in which it is implemented, as ORR may reasonably require after ORR has received a report under paragraph 4(a) and consulted the licence holder, the PC and, where appropriate, LTUC.
5. The licence holder shall:
  - a) send a copy of the DPPP and of any change to it to ORR and the PC and, where appropriate, LTUC;
  - b) in a place of reasonable prominence at each station at which trains operated by the licence holder are scheduled to call, display or procure the display of a notice giving the address from which a current copy of the statement may be obtained; and
  - c) make available free of charge a current copy of the statement to any person who requests it.
6. Nothing in this condition shall oblige the licence holder to undertake any action that entails excessive cost, taking into account all the circumstances including the nature and scale of licensed activities.

*NB. LTUC means the London Transport Users Committee - now LondonTravelWatch.  
PC means the Passengers’ Council – now Transport Focus*