

Research Briefing

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Access to transport for disabled people



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Summary

The main UK Government legislation governing the rights of public transport users with disabilities or reduced mobility is in [Part 12 of the Equality Act 2010](#), which applies to taxis, buses and coaches, and trains. It is supplemented by Part 3 of the Act, which covers the wider equality duty for the provision of goods, services and facilities across all modes. There is also mode-specific legislation and retained EU law which underpin disabled passengers' rights, especially for rail, air and maritime travel. Taken together, these rights are listed by travel mode, in Department for Transport (DfT) Guidance on [Rights of disabled passengers on transport](#).

Inclusive Transport Strategy

The DfT launched its [Inclusive Transport Strategy \(ITS\) in 2018](#), with a range of targets and pledges relating to improving disabled people's access to transport across all modes. The DfT also published [ITS progress updates for 2018/2019 and 2019/2020](#).

In 2022, the Government added a [scorecard](#) of metrics to assess progress against the ITS targets. The scorecard forms part of the Government's 'baseline' [research into disabled people's experiences](#) using the transport network, before the ITS is fully implemented. The scorecard is expected to be updated annually up to 2024.

National Disability Strategy

In July 2021 the UK Government launched a government-wide [National Disability Strategy](#) (NDS). This set out "the actions the government will take to improve the everyday lives of all disabled people" and included a range of targets for different government departments. [For the DfT, these targets included:](#)

- an accessibility audit of all rail stations
- clearer audible and visual announcements on buses
- introducing legislation for taxis and private hire vehicles in Parliament
- £1 million to improve access at seaports

Following on from the NDS launch, in January 2022 the Government announced it was working with the charity Scope to produce a [Disabled Persons Passenger Charter](#) to act as a 'one-stop shop' on passenger rights and complaints procedures for disabled people.

The legality of the NDS, and the consultation which led to it, were successfully challenged in [January 2022, when the High Court ruled](#) that the Government had failed to carry out a ‘fair and lawful’ consultation of disabled people and this rendered the NDS unlawful. In June 2022 [the Government said it was seeking to appeal the ruling](#) and that it was “pausing a limited number of policies which are referred to in the strategy or are directly connected with it” in order to comply with it.

Rail

Much of the law covering the accessibility of the rail network is based on retained EU law, including EU-wide standards on rail accessibility and regulations on passenger rights and obligations. There are also several pieces of domestic primary and secondary legislation, which have implications for the accessibility of the rail network.

Legislation covers the accessible design of railway stations, trains, trams and light rail vehicles through to the rights disabled passengers have when using the railway. [All station and train operators must publish and follow an Accessible Travel Policy](#) as a condition of their licence from the Office of Rail and Road.

Railway stations

The UK Government and the Scottish Government have a [joint Code of Practice on the accessible design of railway stations](#). The Code sets the design standards for various aspects of a station from the car parks through to the design of ticket offices and platforms, which station operators must adhere to as a condition of their Licence “whenever they install, renew or replace” a station’s infrastructure. Funding for improvements at railway stations comes from a range of funding pots, although the [main source of funding for the accessibility of railway stations is the Government’s Access for All programme](#). Most stations do not have step-free access or level access between the platform and the train. According to the independent Disabled Persons Transport Advisory Committee (PDTAC), which advises the DfT, [railway stations are a long way from being fully accessible](#), with significantly more investment needed to raise standards to this level.

Trains, trams and light rail

There are different sets of regulations covering the accessibility of mainline train services and other rail vehicles, such as light rail and trams. Operators had until 1 January 2020 to comply with these accessibility standards. [Most trains are now compliant with accessibility standards](#). However, several companies required dispensations from the Government to give them more time to comply.

Assistance for rail passengers

Passenger Assist is a service provided by train companies to help disabled passengers and other passenger who may need assistance getting to the platform or boarding trains. Many [disabled passengers are unaware of the](#)

[assistance available](#) for them. However, satisfaction with the service is generally high among those who use it, based on [data from the ORR](#).

Buses and coaches

Buses and coaches need to comply with regulations covering the design of the vehicles themselves through to rules over the assistance provided to disabled passengers. Retained EU law provides bus and coach passengers with certain rights when they travel. Under the [Bus Services Act 2017](#), the Secretary of State has the power to make regulations to require the provision of audio-visual information to passengers, such as the direction the bus is travelling in and when the next stop is coming. The introduction of these powers followed a campaign by Guide Dogs for the Blind and others. Without audio-visual information, people with visual impairments can struggle to know if they have caught the right bus or when their stop is.

Only [around 30% of buses in use in England outside London provided audio-visual information to passengers](#), as of the end of 2020/21. Following consultation in 2018, the Government intends to lay regulations later in 2022 requiring operators to provide this information.

Currently, [99% of buses comply with the Public Service Vehicles Accessibility Regulations 2000](#). However, parts of the coach fleet, such as those used for rail replacement bus services and home-to-school transport, are not fully compliant, despite the deadline for vehicles to comply by 1 January 2020. [The Government has continued to provide exemptions for these services](#) to allow non-compliant vehicles to continue to be used.

Taxis

Unless they have an exemption certificate, taxi and Private Hire Vehicle (PHV) drivers must accept the carriage of disabled passengers, provide them with appropriate assistance, and refrain from charging them more than other passengers would pay for the same service. These rights, [under the Equality Act 2010](#), were extended to all disabled users (and not only wheelchair users) via the [Taxis and Private Hire Vehicles \(Disabled Persons\) Act 2022](#), which was originally a Private Members Bill.

Ongoing issues include an overall [decline](#) in the numbers of wheelchair accessible taxis and PHVs, the continued levels of taxi drivers refusing to drive disabled passengers (despite this being an offence), and a lack of mandated disability awareness training for taxi drivers across the UK (except in Northern Ireland where it is a legal requirement).

Air Travel

Under [retained EU law \(PDF\)](#), airports must provide disabled passengers or people with reduced mobility (PRM) with personal assistance at the airport, if provided with at least 48 hours' notice. Airlines must also allow carriage of

wheelchairs and mobility equipment on flights, and assistance dogs when necessary.

Since 2015, the Civil Aviation Authority (CAA) has collected data from airports to compile an annual Airport Accessibility Report. This report awards airports a ranking based largely on the amount of time that disabled passengers or PRM must wait for assistance. The most recent [report was published in 2020](#) and showed improvements in airport accessibility provision, despite [the numbers of people requiring assistance having doubled since 2015](#). However, the CAA noted that in Spring 2022 there were numerous stories of disabled people having to wait for extended periods for airport assistance, due to high demand and industry labour shortages. In June 2022, [the CAA wrote to airports](#) demanding they produce action plans to tackle such waiting times, or face enforcement action.

Ferries

Rights of disabled maritime passengers or PRM are set out in [retained EU law](#), which gives them the right to travel by ship at the same price as any other passenger, and to bring wheelchairs, mobility equipment or assistance dogs when necessary. [DfT guidance specifies certain exceptions to these rules](#), for instance where allowing carriage might risk a ship's safety requirements, where the design of a ship or dock would make it impractical, or where someone may require medical assistance onboard that cannot realistically be provided.

Under commitments made in the ITS, the DfT published an [industry toolkit for Maritime passenger rights in January 2021](#). Under commitments made in the National Disability Strategy, [in October 2021 the DfT sought funding bids for improvements to disabled access for ferries](#) to the Isle of Wight and Isles of Scilly.

Further Assistance

There are a number of organisations working to improve transport provision for disabled people and seeking to influence government policy. The [Equality Advisory and Support Service \(EASS\)](#) can provide advice and support on discrimination issues and the applicable law. [Scope](#) offer advice for disabled people using public transport, and [Guide Dogs offer advice](#) for those travelling with assistance dogs. Transport for All also have a [dedicated helpline and webpage](#) for disabled people who have a transport issue.

Information on other transport issues affecting disabled people can be found in the Commons Library briefings on [Blue Badge parking scheme](#) and the [Motability vehicle scheme](#).

1 Overview

The consolidated legislative framework on transport and disability is set out in Part 12 and Schedule 20 of the Equality Act 2010.¹ This covers taxis, buses and coaches, and trains. It is supplemented by Part 3 of the Act, which covers the wider equality duty for the provision of goods, services and facilities.²

Disabled passenger rights were initially legislated for in the Disability Discrimination Act 1995,³ as amended by the Disability Discrimination Act 2005,⁴ and the regulations made under it.

The main basis for disabled passenger rights for maritime and air transport is retained EU law.

Disabled passengers' rights are summarised on Gov.uk document '[Rights of disabled passengers on transport](#)'.⁵ Their rights pertaining to different transport modes are summarised at the start of each section in this briefing paper.

1.1 Research into disabled people's opinions on transport

In January 2022 the Department for Transport (DfT) published research into disabled people's experiences and perceptions of travelling.⁶ This research was conducted by the research agency NatCen between August 2020 and February 2021. The purpose of this research was to provide a 'baseline' understanding of issues facing disabled passengers before full implementation of the ongoing Inclusive Transport Strategy (ITS) which was launched in July 2018.⁷ The key findings were as follows.

Travel behaviour and modal choice

- People with disabilities **travel less** compared with people without disabilities. Those surveyed travelled less, used public transport less,

¹ [Equality Act 2010](#)

² Further information on the Equality Act 2010 and the Disability Discrimination Act 1995 can be found in Commons Library Briefing [SN-1749, Disabled access to goods, services and facilities](#)

³ [Disability Discrimination Act 1995](#)

⁴ [Disability Discrimination Act 2005](#)

⁵ [Rights of disabled passengers on transport](#), accessed 20 June 2022

⁶ [Inclusive Transport Strategy – Evaluation baseline report](#), Department for Transport, 10 January 2022

⁷ DfT Policy paper [Inclusive Transport Strategy](#) 25 July 2018

and **were less confident** with travelling than non-disabled people.⁸ In 2019 disabled people made 73% of the number of journeys made by non-disabled people, regardless of mode.⁹

- 69% of disabled people are confident in travelling compared to 90% for non-disabled people. Whilst confidence was lower than non-disabled people regardless of mode, disabled people were most confident travelling by private car and **least confident travelling by bus/train**.¹⁰
- Disabled people are **less likely to use public transport or drive**, but are **more likely to be driven by others and more likely to use taxis and PHVs**. This is related to the barriers disabled people face using transport modes other than taxis/PHVs.
- However, reduced use of public transport is not due to a reduced need for public transport. In fact, disabled people were less likely to say that they didn't use a mode of transport because they didn't need it. Instead, a minority of those surveyed stated that their disability posed a barrier that discouraged them from using such modes (ranging from 5% for taxis to 16% for buses and planes).
- In DfT research conducted in 2017,¹¹ it was found that the nature and type of an individual's disability links with their travel behaviour. This was also borne out in the Inclusive Transport Strategy Baseline report of 2021, where it was found that those with limited mobility, and those who used mobility aids, were the lowest users of public transport, particularly of trains. Only a third of those with limited mobility had used a train in the year preceding March 2020, compared to half of other disabled people surveyed.¹² However it should be noted that disabled people were far less likely to use trains in general, compared to non-disabled people.¹³
- It was found that although disabled people were 10% more likely to use buses frequently compared to non-disabled people, **disabled people still had more anxiety (7%) around using buses** compared to non-disabled people (>1%).¹⁴
- Disabled people were more likely than non-disabled people to feel less confidence in making multi-modal journeys, and this was particularly

⁸ Department for Transport, [Inclusive Transport Strategy – Evaluation baseline report](#), 24 November 2021, p5.

⁹ Department for Transport, [Inclusive Transport Strategy – Evaluation baseline report](#), 24 November 2021, p5.

¹⁰ Department for Transport, [Inclusive Transport Strategy – Evaluation baseline report](#), 24 November 2021, p5.

¹¹ Department for Transport, [Disabled people's travel behaviour and attitudes to travel](#), 13 November 2017

¹² Department for Transport, [Inclusive Transport Strategy – Evaluation baseline report](#), 24 November 2021, p16.

¹³ As above

¹⁴ Department for Transport, [Inclusive Transport Strategy – Evaluation baseline report](#), 24 November 2021, p16.

apparent for those with cognitive impairments and mental health issues. Understandably, those with conditions that affect mobility or stamina were less likely to make multi-modal journeys.¹⁵ The ITS baseline report states:

Many of the factors that made travelling stressful, such as difficulties boarding and alighting, anxiety about getting a seat and availability of staff to provide assistance, were exacerbated because they were more likely to be experienced multiple times. In addition, the timing of connections and the potential implications of missing a connection made such journeys more difficult.¹⁶

Travel information and awareness

- It was noted that familiarity with transport and routes played a large part in disabled people feeling confident in travelling, particularly for those with mental health issues.¹⁷ Disabled people **are less likely to make an unfamiliar journey** and linked to this is the availability and quality of journey information.¹⁸ Due to lack of information around accessibility (i.e. ramps or lifts), or availability of toilets, 13% of disabled people decided against making a particular journey.¹⁹
- **The use of apps and technology was relatively low.** 20% of disabled people surveyed had used a digital map of train stations. 7% had used an app to help with travel, and 12% had used their mobile to find real-time information about access facilities. 22% had used an app to book Passenger Assist. 8% reported difficulty using apps to book taxis/PHVs compared to 2% of non-disabled people.²⁰
- The reasons given for low take-up of technology **included inconsistency of availability and functionality of apps** across transport providers, as well as overall limitations in the functionality of apps in providing for disabled passengers. I.e. not being able to specify needs when booking a taxi, not showing maintenance work or other factors that affect accessibility.²¹
- Almost a third of disabled people stated that they would have difficulty buying tickets using existing methods due to their disability. This ties in to a wider trend around poor staff interactions and infrastructure (e.g. screens at ticket booths obscuring sound for the hard of hearing). Those

¹⁵ Department for Transport, [Inclusive Transport Strategy – Evaluation baseline report](#), 24 November 2021, p20.

¹⁶ As above

¹⁷ Department for Transport, [Inclusive Transport Strategy – Evaluation baseline report](#), 24 November 2021, p19.

¹⁸ As above

¹⁹ Department for Transport, [Inclusive Transport Strategy – Evaluation baseline report](#), 24 November 2021, p22.

²⁰ Department for Transport, [Inclusive Transport Strategy – Evaluation baseline report](#), 24 November 2021, p22 -23.

²¹ Department for Transport, [Inclusive Transport Strategy – Evaluation baseline report](#), 24 November 2021, p23.

with cognitive, vision, and dexterity impairments faced particular difficulty.²²

- **Audio-visual information on buses was found to be useful**, with 75% of respondents reporting it moderately or very helpful. However, AV availability on buses is inconsistent. 53% of disabled bus passengers reported AV availability on their bus journeys, and this tended to be concentrated in London and other urban locations. Qualitative interviews illustrated that AV on buses seemed to be particularly sparse in rural areas.²³

Transport infrastructure and design

- **Getting to public transport can be challenging in itself**, due to navigating such obstacles as uneven pavements, cars, and outdoor seating. Bus stops are sometimes difficult to locate or physically get to, and Blue Badge parking spaces can be few and far between.²⁴
- 7% of disabled people who use trains had a poor experience with accessibility at a station or boarding the train, e.g. ramps not working. The same percentage had similar issues with bus stops and buses. The Inclusive Transport Strategy baseline report stated ‘only a minority of train stations provide step-free access.’²⁵
- **Transport design was also cited as a problem**. 16% of disabled bus users and 9% of disabled train users reported not having enough time to get on or off the vehicle.²⁶ For buses, steps to get on the bus, inability to lower the vehicle, the bus moving off before getting a seat, and insufficient wheelchair space were all cited as issues in qualitative interviews.²⁷ For trains, large gaps between the train and platform and inadequacy of toilet provision were cited, although it should be noted that a key issue with train use was staff assistance being unavailable.²⁸

Qualitative research on disabled people’s experiences of transport

The Inclusive Transport Strategy Baseline report, summarised above, also features qualitative research on disabled people’s experiences of transport and travel. In addition to this, qualitative research has been conducted by the

²² Department for Transport, [Inclusive Transport Strategy – Evaluation baseline report](#), 24 November 2021, p23.

²³ Department for Transport, [Inclusive Transport Strategy – Evaluation baseline report](#), 24 November 2021, p24.

²⁴ Department for Transport, [Inclusive Transport Strategy – Evaluation baseline report](#), 24 November 2021, p6.

²⁵ As above

²⁶ Department for Transport, [Inclusive Transport Strategy – Evaluation baseline report](#), 24 November 2021, p36.

²⁷ As above

²⁸ As above.

Guardian in its [Disability Diaries series](#) in 2017, and more recently, in 2022 regarding [air travel](#).²⁹

Scope have conducted two reports which feature disabled people speaking about their transport experiences: [Travel Fair](#), published in September 2019, and [Independent. Confident. Connected.](#) which was published in 2018.³⁰

Finally, Transport for All have a [blog](#) and [podcast](#) where disabled people explain their transport experiences in their own words.³¹

1.2 Brexit and guide/assistance dog travel

Post-Brexit, all major EU-derived legislation related to transport accessibility has been retained into UK domestic law.³² However, since the UK's departure from the EU, the movement of domestic animals – including guide dogs and other assistance dogs – between Great Britain and Northern Ireland and EU member states has become more restricted.³³ This is because Great Britain (GB) is no longer a member of the European Pet Passport Scheme, although Northern Ireland (NI) is.³⁴ This means that passengers wishing to take a guide or assistance dog to a European Union country must obtain an animal health certificate from a vet, no more than 10 days before travel.³⁵

Since 15 September 2021, for passengers wishing to travel between GB and NI, the NI Executive has suspended the requirement for checks on all pet dogs, cats and ferrets travelling with them, while negotiations between the UK government and EU on the Northern Ireland Protocol continue.³⁶ This is in line with a written statement issued by the UK Government on 6 September 2021 confirming that the current Protocol arrangements will continue, including no

²⁹ [What is life really like for disabled people? The Disability Diaries reveal all](#), The Guardian, [online], 15 November 2017 (accessed 27 June 2022); [‘It’s not the waiting, it’s the indignity’: disabled passengers tell of air travel torment](#), The Guardian, [online], 22 June 2022 (accessed 27 June 2022)

³⁰ Scope, [Travel Fair](#), (PDF 4.47MB), September 2019 ; Scope, [Independent. Confident. Connected.](#), (PDF 380KB), 2018.

³¹ Transport for All [The Platform](#) [Accessed 29 June 2022];

³² For Maritime, see [OJ L 1177/ 24 November 2010](#) [PDF] Concerning the rights of passengers when travelling by sea and inland waterway, stands in UK law under the Merchant Shipping (Passengers' Rights) Regulations 2013 (SI 2013/425), which came into force on 27 March 2013. For Aviation, see [Regulation \(EC\) No 1107/2006 of the European Parliament and of the Council of 5 July 2006 concerning the rights of disabled persons and persons with reduced mobility when travelling by air \(Text with EEA relevance\) \(Retained EU Legislation\)](#) [PDF] updated 15 January 2021

³³ Notwithstanding the accessibility rights disabled people enjoy as passengers on international transport modes, such as ferries, planes and Eurostar trains

³⁴ Northern Ireland Department of Agriculture, Environment and Rural Affairs (DAERA) [Travelling with Pets](#) [Accessed 17 June 2022]

³⁵ Gov.uk [Taking your pet dog, cat or ferret abroad: Travelling to an EU country or Northern Ireland](#) [Accessed 17 June 2022]

³⁶ DAERA Press Release [Permanent solutions needed for pet checks](#) 15 September 2021

routine checks on pet travel within the UK.³⁷ For background on this topic see the Commons Library Briefing paper on [Pet travel after Brexit](#).³⁸

1.3

Inclusive Transport Strategy and National Disability Strategy

Inclusive Transport Strategy

In July 2018 the DfT published its Inclusive Transport Strategy (ITS), intended to “improve accessibility across all types of travel for those with both visible and less visible disabilities”.³⁹ The Strategy had five main themes:

- Awareness and enforcement of passenger rights - raising awareness of the obligations on transport operators, the processes for raising concerns or complaints and working with regulators to hold operators to account.
- Staff training - ensuring that transport staff (frontline and managerial) understand the needs of disabled people with physical, mental, cognitive or sensory impairments, and can provide better assistance.
- Improving information - ensuring that transport operators provide travel information in formats that all passengers can easily access and understand, before and during a journey.
- Improving physical infrastructure - ensuring that vehicles, stations and streetscapes are designed, built and operated so that they are easy to use for all.
- The future of inclusive transport - ensuring that technological advances and new business models provide opportunities for all, and that disabled people are involved from the outset in their design.⁴⁰

A one-year update to the ITS was published on 3 November 2020, which outlined what progress has been made since its launch. It restated the Inclusive Transport Strategy’s overall aim to ‘create a transport system that offers equal access for disabled passengers by 2030, with assistance if physical infrastructure remains a barrier’.⁴¹ It acknowledged that the Covid-19 pandemic had a significant impact on delivery of the ITS.

³⁷ Statement UIN HLWS257 [Northern Ireland Update] 6 September 2021

³⁸ Commons Library Briefing CBP-8667, [Pet travel after Brexit](#) 1 December 2021

³⁹ Department for Transport press notice, “[Next steps towards a fully inclusive transport network](#)”, 25 July 2018

⁴⁰ DfT [The Inclusive Transport Strategy: Achieving Equal Access for Disabled People](#), 25 July 2018, p9

⁴¹ DfT [The Inclusive Transport Strategy – summary of progress](#) 3 November 2020

The one-year update noted progress against the ITS commitments for different travel modes, which are detailed in the relevant sections on rail, buses, taxis, air travel and ferries in this paper. The update also mentioned the following cross-cutting achievements:

- From June 2019, disability equality and awareness training for all DfT staff was launched, as part of staff development programmes. The training is a “full day session with the morning spent accompanying disabled passengers on a range of transport modes, before a classroom session in the afternoon conducted by a trainer with lived-experience of disability.”⁴²
- The Inclusive Transport Leaders scheme was launched in February 2020, delivering an ITS commitment. This scheme provides guidance and accreditation to transport operators for creating an inclusive transport system. So far, three operators have received accreditations under this scheme.⁴³ The REAL disability equality training package, developed by the DfT and offered to staff in the rail, aviation, bus and taxi industries, was launched alongside the one-year update to the ITS in November 2020.⁴⁴
- In October 2019 the pilot campaign ‘it’s everyone’s journey’ was launched.⁴⁵ The public awareness campaign for ‘it’s everyone’s journey’ ran from February to 17 March 2020, delivering another ITS commitment. This campaign had the dual aims of raising awareness of the Disabled Persons Railcard, concessionary bus passes, and Passenger Assist, and also increasing awareness around hate crimes and how they can be reported. The DfT said that despite not running in full due to Covid-19, the campaign “performed well with positive engagement and over 200 supporting partners”.⁴⁶

Inclusive Transport Strategy Scorecard

The most recent update on the ITS is the Inclusive Transport Strategy Scorecard, which was first published on 10 January 2022. The scorecard displays yearly figures for 23 different metrics which relate to the Inclusive Transport Strategy (ITS) and disabled people’s travel over time. Figures are presented below, going back to 2016 where available. Some data was not collected due to the Covid-19 pandemic.⁴⁷

⁴² DfT [The Inclusive Transport Strategy – summary of progress](#) 3 November 2020

⁴³ DfT [Inclusive Transport Leaders Scheme: current accreditation record](#), 3 December 2021

⁴⁴ DfT [Inclusive Transport Leaders Scheme](#) 24 February 2020

⁴⁵ HM Government [It’s everyone’s journey – Making transport more inclusive: championing equal access for all on public transport](#) (accessed 29 June 2022)

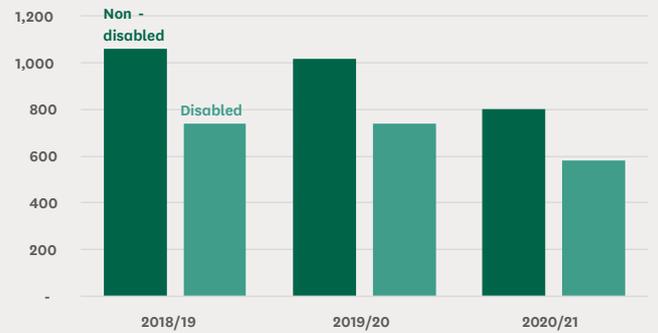
⁴⁶ DfT [The Inclusive Transport Strategy – summary of progress](#) 3 November 2020

⁴⁷ DfT Research and analysis [Inclusive Transport Strategy scorecard](#) updated 29 March 2022. This scorecard will be updated annually until 2024.

Inclusive Transport Strategy Scorecard

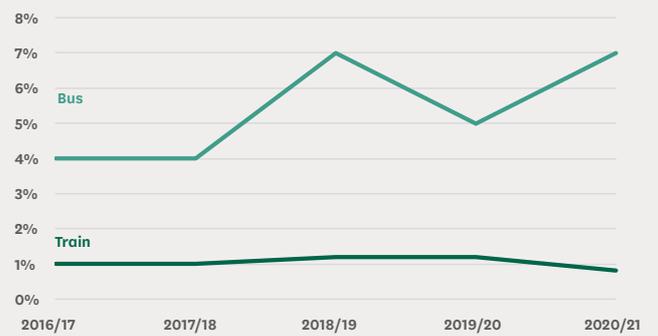
Across all age groups, disabled people continued to take **fewer trips on average** than non-disabled people. In 2020/21, disabled people aged 16-59 took 77% of the number of trips taken by non-disabled people.

Mean number of trips taken annually by disabled and non-disabled people



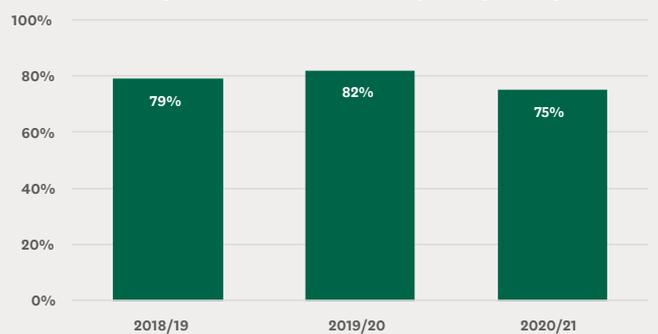
The percentage of bus **passenger complaints that were accessibility related** increased from 4% in 2016/17 to 7% in 2020/21, while for train passengers it remained approximately 1%.

Percentage of complaints made by train and bus passengers that were accessibility related



The percentage of people who were satisfied with the **assistance they received on their last plane journey** decreased from 79% in 2018/19 to 75% in 2020/21.

Percentage of people who were satisfied with the assistance they received on their last plane journey



The percentage of taxis that were **wheelchair accessible** decreased from 58% in 2016/17 to 54% in 2020/21, while the percentage of private hire vehicles (PHVs) that were wheelchair accessible remained consistent, at 2%.

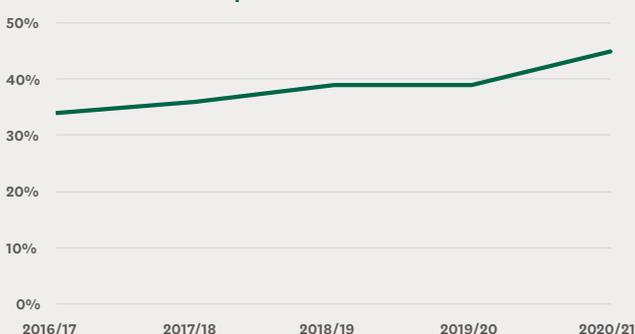
Percentage of taxis and Private Hire Vehicles (PHVs) that were wheelchair accessible



The number of **blue badges held by people with non-visible disabilities** increased from 22,463 in 2019/20 to 39,702 in 2020/21.

The percentage of **buses on local services on which audible and visible information is provided** increased from 34% in 2016/17 to 45% in 2020/21.

Percentage of buses on local services on which audible and visible information is provided



National Disability Strategy

The National Disability Strategy (NDS) is a government-wide strategy which was published in July 2021.⁴⁸ The NDS sets out measures that each department needs to undertake to improve outcomes for disabled people across public policy. Regarding transport, the NDS notes the work that is already underway as part of the Inclusive Transport Strategy, but says more needs to be done:

The Department for Transport's (DfT) Inclusive Transport Strategy, first published in 2018, has helped accelerate progress. However the challenges are often significant and we acknowledge there is a lot still to do. 99% of buses now meet minimum accessibility standards, but the proportion of wheelchair accessible vehicles is just 58% in taxi fleets and 2% for private hire vehicles. Disappointingly, these figures have been falling since 2014.⁴⁹

The NDS summarises recent policy regarding disability and presents pledges for different departments. Some of the headline targets for transport within the NDS are:

- an accessibility audit of all rail stations
- clearer audible and visual announcements on buses
- introducing legislation for taxis and private hire vehicles in Parliament
- £1 million to improve access at seaports
- creating accessibility standards for electric vehicle charge points
- tackling pavement parking⁵⁰

Further detail on how the NDS interacts with different transport modes is contained in the sections below on rail, buses, taxis, air travel and ferries and cruises.

Disabled Persons Passenger Charter

In January 2022 the Government announced it was working with the charity Scope to produce a [Disabled Persons Passenger Charter](#) to act as a 'one-stop shop' on passenger rights and complaints procedures for disabled people.⁵¹

⁴⁸ HM Government, [National Disability Strategy](#) 28 July 2021

⁴⁹ HM Government, [National Disability Strategy. Part 1: practical steps now to improve disabled people's everyday lives](#) 28 July 2021. The figures referred to can be found at DfT [Annual bus statistics: year ending March 2019](#) 17 December 2019; DfT [Taxi and private hire vehicle statistics, England: 2020](#) 16 December 2020

⁵⁰ HM Government, [National Disability Strategy. Part 1: practical steps now to improve disabled people's everyday lives](#) 28 July 2021

⁵¹ DfT Press Release [Government teams with charity Scope on Disabled Persons Passenger Charter](#) 10 January 2022

National Disability Strategy – legal challenge

The legality of the National Disability Strategy and the consultation which led to it was successfully challenged in January 2022. In [R\(Binder & Others\) v Secretary of State for Work and Pensions \[2022\]](#),⁵² the High Court ruled that the Government had failed to carry out a ‘fair and lawful’ consultation of disabled people and this rendered the National Disability Strategy unlawful.⁵³ The Government sought permission to appeal.⁵⁴ In a Written Statement on [13 June 2022](#), the Minister of State for Disabled People, Health and Work, Chloe Smith stated that the Government were “pausing a limited number of policies which are referred to in the strategy or are directly connected with it” in order to comply with the ruling.⁵⁵ It is not yet clear which policies are to be paused or if they will include any transport policies.

⁵² Bailii, [\[2022\] EWHC 105 \(Admin\) Binder & Ors v Secretary of State for Work And Pensions 25 January 2022](#) 25 January 2022

⁵³ Bindmans LLP, [High Court declares National Disability Strategy unlawful due to inadequate consultation](#) 25 January 2022

⁵⁴ Statement UIN HCWS93 [\[Disability update\]](#) 13 June 2022

⁵⁵ Statement UIN HCWS93 [\[Disability update\]](#) 13 June 2022

2 Railways

2.1 Passenger Rights

DfT guidance on the [Rights of disabled passengers on transport: Rail](#) says that passengers should expect, as a minimum:

- assistance to be provided at all stations when trains are scheduled to run. This can be arranged in advance via Passenger Assist (see Section 2.3). Assistance must be provided even if it has not been booked. However, the DfT's guidance notes that this will depend on staff availability and "conditions at the time of travel."⁵⁶
- an alternative form of accessible transport to be provided if a station is inaccessible. For example, if a station is inaccessible an operator must provide an alternative service to the next "most convenient, accessible station" without charge. This could be a taxi, for example.
- to be able to book tickets at the station, if they have not been able to do so in advance, without receiving a penalty either on the train or at the station.
- help with their luggage from staff if they have booked assistance in advance. Operators are responsible for making sure staff are available to help with this.
- operators to be clear in their Accessible Travel Policy if they do not allow scooters to be carried on trains (see Section 2.3).
- operators to provide up-to-date information on the:
 - accessibility of facilities and services
 - timetables and fares
 - connections, delays, disruption, diversions and emergencies.

⁵⁶ Department for Transport, [Rights of disabled passengers on transport: Rail](#), updated on 30 August 2019

- operators to provide, where possible, aural and visual information on train departures.⁵⁷

Complaints about should be directed to the service provider (e.g. the relevant train operator) in the first instance. The Rail Ombudsman has the power to investigate unresolved complaints and set binding decisions on the industry.⁵⁸

2.2 Key legal requirements

Much of the law covering the accessibility of the rail network is based on EU law, including EU-wide standards on rail accessibility and regulations on passenger rights and obligations, which have been retained in UK law. There are several pieces of domestic primary and secondary legislation, which have implications for the accessibility of the rail network. Table 1 provides an overview of the key legislation.

Table 1: Legislation on rail accessibility	
Rail and transport-specific legislation	
Railways (Interoperability) Regulations 2011	Regulation 3B of the Railways (Interoperability) Regulations 2011 , as amended, gives the Secretary of State for Transport the power to set standards on “design, construction, placing in service, upgrading, renewal, operation and maintenance of the parts of the rail system,” which must be complied with. ⁵⁹ These standards are set out in National Technical Specification Notices.
Persons with Reduced Mobility National Technical Specification Notice	The National Technical Specification Notice for persons with reduced mobility covers technical standards for trains, stations and other facilities. On trains, for example, the standards cover design features that are intended to assist disabled people, and other passengers with reduced mobility, such as handrails, priority seats and passenger information. ⁶⁰ The

⁵⁷ Department for Transport, [Rights of disabled passengers on transport: Rail](#), updated on 30 August 2019

⁵⁸ Department for Transport, [Rights of disabled passengers on transport: Rail](#), updated on 30 August 2019

⁵⁹ The [Railways \(Interoperability\) Regulations 2011](#) transposed the EU Directive on Interoperability ([EU Directive 2008/57/EC](#)), enabling technical standards to be enforced domestically. These regulations were amended to allow a domestic technical standards regime take effect from 1 January 2021. Specifically these changes were made by [The Railways \(Interoperability\) \(Amendment\) \(EU Exit\) Regulations 2019](#).

⁶⁰ Department for Transport, [National Technical Specification Notice: Persons with Reduced Mobility](#), January 2021, page 1

notice also covers the standards that apply to new stations and those where major refurbishment takes place.⁶¹

These standards replaced, but largely replicate, the EU-wide standards that applied before January 2021. They apply across Great Britain. Northern Ireland is still covered by the EU-wide standards.⁶²

The EC Rail Passenger Rights & Obligations (EC1371/2007) became law in Great Britain in 2009, but only took full effect from 4 December 2019, after exemptions for domestic services expired.⁶³

The EU Regulation established rights and obligations for rail passengers and service users. Articles 19-25 give rights to disabled passengers and other people with reduced mobility, such as the right to assistance free of charge and the right to make reservations and book tickets at no extra cost.⁶⁴

Retained EU-law on Rail Passenger Rights and Obligations

These EU rules had direct effect in the UK, but other regulations needed to be introduced to provide enforcement powers and designate an enforcement body and bodies to handle complaints.⁶⁵ The Office of Rail and Road was designated as the national enforcement body under the Rail Passengers' Rights and Obligations Regulations 2010. Transport Focus and London Travelwatch are the designated complaint bodies.⁶⁶

These EU rules have been retained in UK law.⁶⁷ The Rail Passengers' Rights and Obligations (Amendment) (EU Exit) Regulations 2018 amended the EU regulation and the domestic regulations related to it, so that they continued to function effectively following the UK's withdrawal from the European Union and the end of the transition period.⁶⁸

⁶¹ Department for Transport, [National Technical Specification Notice: Persons with Reduced Mobility](#), January 2021, page 1

⁶² Department for Transport, [National Technical Specification Notice: Persons with Reduced Mobility](#), January 2021, page 1

⁶³ Department for Transport, [Guidance on regulation No 1371/2007 on rail passengers' rights and obligations](#), March 2020

⁶⁴ Department for Transport, [Guidance on regulation No 1371/2007 on rail passengers' rights and obligations](#), March 2020

⁶⁵ Explanatory Memorandum to [The Rail Passengers' Rights and Obligations \(Amendment\) \(EU Exit\) Regulations 2018](#), para 6.3

⁶⁶ London Travelwatch is the designated complaints body for travel within London, whereas Transport Focus is the complaints body for travel outside of London. See Explanatory Memorandum to [The Rail Passengers' Rights and Obligations \(Amendment\) \(EU Exit\) Regulations 2018](#), para 6.3

⁶⁷ The European Union (Withdrawal) Act 2018 created a new category of law in the UK known as retained EU law. Section 8 of the European Union (Withdrawal) Act 2018 enables Ministers to make regulations to retained EU law, so that the legislation would continue function effectively from following exit day. See Explanatory Memorandum to [The Rail Passengers' Rights and Obligations \(Amendment\) \(EU Exit\) Regulations 2018](#).

⁶⁸ Explanatory Memorandum to [The Rail Passengers' Rights and Obligations \(Amendment\) \(EU Exit\) Regulations 2018](#)

Rail Vehicle Accessibility (Non-Interoperable) Regulations (2010)	These regulations, also known as RVAR, set accessibility standards for light rail vehicles, including trams, underground and metro services, that entered into service from 1999. ⁶⁹
Railways Act 1993	The 1993 Act places duties on the Department for Transport and the Office of Rail and Road. The Act places a duty on the ORR to have regard to the interests of disabled people when carrying out its duty to promote the general interests of passengers and also places an obligation on the Secretary of State to develop and revise a code of practice for protecting the interests of disabled passengers. ⁷⁰
Transport Act 2000	Under this legislation, when a rail passenger service is replaced by a road service (e.g. bus, coach or taxi) this service should, as far as reasonably possible, allow disabled people to make their journey safely and “in reasonable comfort.” ⁷¹
Public Service Vehicles Accessibility Regulations 2000	These regulations apply to rail replacement services as well as other buses and coaches. See Chapter 3 on buses and coaches for more information.
General legislation	
Consumer Rights Act 2015	This legislation covers redress and refunds available to passengers if they fail to provide services with “reasonable care and skill” or when information provided to passengers is not followed. ⁷²
Human Rights Act 1998	Under this legislation, public bodies must act in accordance with the rights contained in the European Convention on Human Rights. One of the rights under the Conventions is a right to protection from discrimination (Article 14). The ORR’s guidance to operators states that, as transport providers, their services should be compatible with the requirements of the Human Rights Act 1998. ⁷³
Equality Act 2010	Under Part 3 of the Act, it is unlawful for public bodies and service providers to discriminate on the basis of protected characteristics, including disability. Service providers, under the Act, also have a duty to make reasonable

⁶⁹ [The Rail Vehicle Accessibility \(Non-Interoperable\) Regulations 2010](#)

⁷⁰ See Sections 4 and 71B of the [Railways Act 1993](#)

⁷¹ Section 248 of the [Transport Act 2000](#)

⁷² Office of Rail and Road, [Accessible Travel Policy Guidance for train and station operators: September 2020 edition](#), September 2020, paras 1.3.23

⁷³ Office of Rail and Road, [Accessible Travel Policy Guidance for train and station operators: September 2020 edition](#), September 2020, paras 1.3.8 to 1.3.9

adjustments.⁷⁴ The ORR’s guidance to operators on their Accessible Travel Policy provides further information on how this legislation applies.⁷⁵

Source: Office of Rail and Road, [Accessible Travel Policy Guidance for train and station operators: September 2020 edition](#), September 2020

Legislation on rail vehicles: trains, trams and light rail

Accessibility requirements for rail vehicles (e.g. trains and trams) are covered by different legislation, depending on when the rail vehicles were built and what services they are used for. Rail vehicles built before 1999 do not need to comply with any accessibility legislation.⁷⁶

[The Rail Vehicle Accessibility \(Non-Interoperable Rail System\) Regulations 2010](#) applies to mainline trains built between 1999 and 2009 and non-mainline vehicles (e.g. London Underground trains).⁷⁷

The Persons with Reduced Mobility National Technical Specification Notice applies to mainline (or heavy rail) trains built from 2010 onwards.⁷⁸ As noted in Section 2.2, these standards largely replicate EU-wide standards.

The accessibility requirements for rail vehicles (trains) were previously subject to domestic regulations.⁷⁹ These were superseded by EU [Directive 2008/164/EC](#), which applied Europe-wide standards of rail accessibility from 1 July 2008.⁸⁰

To avoid having “two accessibility regimes—domestic and European—with slightly different requirements, differing enforcement regimes and so on” the then Labour Government legislated to remove those vehicles covered by the EU rules from the existing domestic legislation.⁸¹ The Rail Vehicle Accessibility (Non-Interoperable Rail System) Regulations 2010 ([SI 2010/432](#)) came into force in April 2010 and brought light rail into line with other rail vehicles. The then Parliamentary Under-Secretary of State, Tom Harris MP, informed the delegated legislation committee that the majority of the technical requirements under the EU standards were “equivalent or superior” to the

⁷⁴ Office of Rail and Road, [Accessible Travel Policy Guidance for train and station operators: September 2020 edition](#), September 2020, paras 1.3.3 to 1.3.4

⁷⁵ Office of Rail and Road, [Accessible Travel Policy Guidance for train and station operators: September 2020 edition](#), September 2020, paras 1.3.6 to 1.3.12

⁷⁶ Office of Rail and Road, [Accessible Travel Policy](#) [accessed on 15 June 2022]

⁷⁷ Office of Rail and Road, [Rail vehicle accessibility](#) [accessed on 15 June 2022].

⁷⁸ Department for Transport, [National Technical Specification Notice: Persons with Reduced Mobility](#), January 2021

⁷⁹ Rail Vehicle Accessibility Regulations 1998 ([SI 1998/2456](#)); preceded by DETR, [Railways consultation document](#), May 1998

⁸⁰ The UK Government consulted on this in: DfT, [Consultation on Draft Rail Vehicle Accessibility \(Interoperable Rail System\) Regulations](#), 29 February 2008

⁸¹ [First DL Committee, 30 June 2008, cc3-4: via the Rail Vehicle Accessibility \(Interoperable Rail System\) Regulations 2008 \(SI 2008/1746\)](#)

UK's domestic standards and “much that was previously considered only as best practice ... is now mandated under the new standards.”⁸²

Rail reform

In the Queen's Speech 2022, the Government signalled its intention to introduce a Transport Bill.⁸³ One of the main parts of the Bill is due to cover the creation of Great British Railways, a new public body that will be responsible and accountable for the management of the railway.⁸⁴

The Bill is expected to place a statutory duty on Great British Railways to improve accessibility. This duty would form part of a statutory licence issued to Great British Railways by the Secretary of State, which the Office of Rail and Road (ORR) would monitor and enforce.⁸⁵ The Government also proposes to:

- make the Disabled Persons Transport Advisory Committee (DPTAC) a statutory advisor to Great British Railways.
- require Great British Railways to consult with disabled passengers and representative organisations as a condition of their statutory licence.⁸⁶

More information on the Government's plans for rail reform is available in the Library's briefing paper on the [Future of Rail](#).

2.3

Ongoing policy issues

Accessible Travel Policy

All licensed train and station operators are required, as a condition (Condition 5) of their operating licence, to establish and comply with an Accessible Travel Policy (ATP), which sets out how they will protect the interests of disabled users of their trains and stations.⁸⁷ These policies were previously known as Disabled People's Protection Policies (or DPPPs).⁸⁸

⁸² [First DL Committee, 30 June 2008, cc3-4](#)

⁸³ Prime Minister's Office, [Queen's Speech: background briefing notes](#), May 2022

⁸⁴ Prime Minister's Office, [Queen's Speech: background briefing notes](#), May 2022, page 30. The creation of Great British Railways follows the publication of the Government's rail reforms, the Williams-Shapps Plan for Rail, in May 2021, see Department for Transport, [Great British Railways: Williams-Shapps Plan for Rail](#), May 2021

⁸⁵ Department for Transport, [The Williams-Shapps Plan for Rail A Consultation on Legislation to Implement Rail Transformation](#), June 2022, paras 4.12 to 4.14

⁸⁶ Department for Transport, [The Williams-Shapps Plan for Rail A Consultation on Legislation to Implement Rail Transformation](#), June 2022, paras 4.15 to 4.16

⁸⁷ Office of Rail and Road, [Accessible Travel Policy Guidance for train and station operators: September 2020 edition](#), September 2020, para 1.1.12. Most stations are managed by train operators, but Network Rail is directly responsible for managing some of the largest and busiest stations. A list of NR managed stations can be found at: NR, [Our Stations](#) [accessed 13 June 2022]

⁸⁸ [PQ 1042](#) [Railways: Disability] answered on 13 January 2020

The ORR approve these policies before they grant train and station operators a licence.⁸⁹ Operators must conduct an annual review of their policy and inform the ORR of “material changes.”⁹⁰ The ORR can instruct operators to submit their policy for review, where evidence suggests their policy is not being followed or that a material change has been made without approval.⁹¹

The ORR provide guidance for train and station operators about what their policies must contain and also examples of good practice.⁹² The [latest version of the ORR’s guidance](#) was published in September 2020.⁹³ The ORR monitor operators’ compliance by requesting data, such as the number of complaints from disabled passengers. Correspondence on compliance issues are publicly available.⁹⁴

The Government is proposing to replace the ATPs of different operators with a National Accessible Travel Policy, as part of series of rail reforms.⁹⁵

Inclusive Transport Strategy

The Inclusive Transport Strategy in July 2018 included a range of measures to make the railway more accessible for disabled people. The strategy, for example, set out the Government’s plans to use the bidding process for rail franchises to place new requirements on operators. These included minimum targets for booked assistance and commitments to provide enhanced disability awareness training for staff.⁹⁶ The Government also extended the Access for All programme, which is used to fund accessibility improvements at railway stations, until 2024 and provided an extra £300million for the scheme.⁹⁷

In addition to a number of other measures, the Government also pledged to:

- require all train operators under a franchise to report each year on the work they have done to improve accessibility.⁹⁸

⁸⁹ Office of Rail and Road, [Accessible Travel Policy Guidance for train and station operators: September 2020 edition](#), September 2020, para 1.1.4 and 1.2.3

⁹⁰ The ORR define material changes as those which “constitute a substantive change to the policy itself and impact on the assistance provided to passengers.” Before November 2017, the ORR required operators to submit their policies for an annual review. For more information see Office of Rail and Road, [Accessible Travel Policy](#) [accessed on 15 June 2022]

⁹¹ Office of Rail and Road, [Accessible Travel Policy](#) [accessed on 15 June 2022]

⁹² Office of Rail and Road, [Accessible Travel Policy Guidance for train and station operators: September 2020 edition](#), September 2020

⁹³ Office of Rail and Road, [Accessible Travel Policy Guidance for train and station operators: September 2020 edition](#), September 2020

⁹⁴ Office of Rail and Road, [Accessible Travel Policy](#) [accessed on 15 June 2022]

⁹⁵ Department for Transport, [The Williams-Shapps Plan for Rail A Consultation on Legislation to Implement Rail Transformation](#), June 2022, para 4.10

⁹⁶ DfT, [The Inclusive Transport Strategy: Achieving Equal Access for Disabled People](#), 25 July 2018

⁹⁷ DfT, [The Inclusive Transport Strategy: Achieving Equal Access for Disabled People](#), 25 July 2018

⁹⁸ DfT, [The Inclusive Transport Strategy: Achieving Equal Access for Disabled People](#), 25 July 2018, page 36

- require new franchisees to have at least one person at board level responsible for accessibility.⁹⁹
- review the criteria for the Disabled Persons Railcard.¹⁰⁰ This entitles eligible passengers to a third off rail travel. The Rail Delivery Group provide more information the [eligibility criteria for the Disabled Persons Railcard](#).
- support the Rail Delivery Group to introduce an app to allow people to book assistance.¹⁰¹
- allow disabled passengers on “almost all of the rail network” the ability to travel with a smart card or barcode on a mobile phone.¹⁰²

In November 2020, the DfT reported that it had made progress against some of the commitments contained with the strategy. For example, all train operating companies have someone at board level responsible for accessibility.¹⁰³

Williams-Shapps Plan for Rail: the Government’s rail reforms

The Williams-Shapps Plan for Rail, published in May 2021, set out the Government’s proposals for reforming the railway in Great Britain.¹⁰⁴ As noted in Section 2.2, the Government’s reforms include the creation of a new public body, Great British Railways, which will be responsible for the management of the rail network, including passenger services and the infrastructure.¹⁰⁵ On accessibility, the White Paper signalled the Government’s plans to:

- place a statutory duty on Great British Railways to improve accessibility.
- develop and implement a new national accessibility strategy for the railway.
- audit the accessibility of all Great Britain’s 2565 mainline railway stations to inform decisions on future investment.
- consult on changes to the Design Standards for Accessible Stations.¹⁰⁶

⁹⁹ DfT, [The Inclusive Transport Strategy: Achieving Equal Access for Disabled People](#), 25 July 2018, page 42

¹⁰⁰ DfT, [The Inclusive Transport Strategy: Achieving Equal Access for Disabled People](#), 25 July 2018, page 45

¹⁰¹ DfT, [The Inclusive Transport Strategy: Achieving Equal Access for Disabled People](#), 25 July 2018, page 46

¹⁰² DfT, [The Inclusive Transport Strategy: Achieving Equal Access for Disabled People](#), 25 July 2018, page 58

¹⁰³ DfT, [The Inclusive Transport Strategy: summary of progress](#), November 2020

¹⁰⁴ Department for Transport, [Great British Railways: Williams-Shapps Plan for Rail](#), May 2021

¹⁰⁵ Department for Transport, [Great British Railways: Williams-Shapps Plan for Rail](#), May 2021

¹⁰⁶ Department for Transport, [Great British Railways: Williams-Shapps Plan for Rail](#), May 2021

National Disability Strategy

The National Disability Strategy, in July 2022, set out a series of practical steps to help improve the everyday lives of disabled people.¹⁰⁷ The National Disability Strategy largely reiterates the rail-related accessibility measures the Government set out in the Williams-Shapps Plan for Rail. In addition to these, the National Disability Strategy set out plans to:

- develop the Passenger Assist Programme, including a new passenger assist app.
- work with Network Rail to develop proposals to upgrade platforms with tactile paving.
- invite innovative ideas on how to improve communication for disabled passengers. For example, by enabling passengers to contact staff from any seat.¹⁰⁸

Rail vehicle design

Disabled passengers' experiences of travelling on trains

Government research on the experiences of disabled passengers found that disabled passengers experience a range of problems while travelling on-board trains. The most common is either a lack of toilets or toilets that are difficult to use.¹⁰⁹ Passengers reported that there is not enough room to manoeuvre a wheelchair as well as difficulties transferring from a wheelchair to the toilet.¹¹⁰ People who are visually impaired also reported finding it difficult to use the buttons and other controls in train toilets, such as those to open, close and lock doors.¹¹¹

Disabled passengers also commented on problems with priority seating. This included not only a lack of available priority seating, but also uncertainty surrounding where elderly people, pregnant women and people with visible and non-visible disabilities fit within a hierarchy of priority.¹¹²

A lack of space on-board trains can also present problems for disabled passengers, according to the Government's research. In some instances, these problems were caused by the way trains have been designed, whereas some were problems caused by other passengers. Disabled passengers, for example, reported problems with other passengers using the space they need

¹⁰⁷ DWP, Disability Unit, Equality Hub Policy paper [National Disability Strategy, Part 1: practical steps now to improve disabled people's everyday lives](#) 28 July 2021

¹⁰⁸ DWP, Disability Unit, Equality Hub Policy paper [National Disability Strategy, Part 1: practical steps now to improve disabled people's everyday lives](#) 28 July 2021

¹⁰⁹ Department for Transport, [Research on experiences of disabled rail passengers](#), July 2019

¹¹⁰ Department for Transport, [Research on experiences of disabled rail passengers](#), July 2019

¹¹¹ Department for Transport, [Research on experiences of disabled rail passengers](#), July 2019

¹¹² Department for Transport, [Research on experiences of disabled rail passengers](#), July 2019

(e.g. to store luggage).¹¹³ For some people who use a wheelchair a lack of space on the train prevented them from wanting to travel.¹¹⁴ Others reported that it is often unclear whether there is enough space for a wheelchair or a mobility scooter.¹¹⁵ People with visual impairments also reported a lack of space for assistance dogs.¹¹⁶ Overcrowding can also be a challenge for disabled passengers to the extent that some avoid travelling at peak times, according to the Government's research.¹¹⁷

Accessibility standards for trains, trams and light rail

Regulations on the accessibility of rail vehicles (see Section 2.2) required trains, trams and light rail vehicles to be accessible by 1 January 2020. Several companies failed to hit the deadline. In response, the Government provided a one-month dispensation until 31 January 2020 to allow companies more time to comply. The then Rail Minister, Chris Heaton-Harris MP, stated in a letter to the Rail Delivery Group that “owners and operators have had 10 years to prepare for the 31 December 2019 deadline.”¹¹⁸ He added that:

It is deeply frustrating that disabled passengers will still be waiting into 2020 to see accessibility improvements to some services [...] The Government's position is unequivocal. The industry must urgently address the issue of providing accessible rail carriages and replacement bus and coach services. Delivering an accessible service for every passenger on every rail journey is essential to creating an inclusive and accessible railway. It must not be delayed any longer.¹¹⁹

Through 2020, the then minister provided a series of additional dispensations to companies that failed to comply. The DfT, in May 2021, informed the Transport Committee that around 97% of vehicles (almost 16,000) are compliant.¹²⁰ The Department added:

The remaining 3 per cent (525 vehicles over four operators) will be removed from service as soon as possible. Approximately 133 of these vehicles will only be used when coupled to compliant vehicles. The four operators in question are prioritising the use of compliant trains in the timetable and continue to take operational mitigations – such as ensuring that the last train of the day is operated by compliant vehicles and information on accessibility features by class of train is readily available.¹²¹

¹¹³ Department for Transport, [Research on experiences of disabled rail passengers](#), July 2019

¹¹⁴ Department for Transport, [Research on experiences of disabled rail passengers](#), July 2019

¹¹⁵ Department for Transport, [Research on experiences of disabled rail passengers](#), July 2019

¹¹⁶ Department for Transport, [Research on experiences of disabled rail passengers](#), July 2019

¹¹⁷ Department for Transport, [Research on experiences of disabled rail passengers](#), July 2019

¹¹⁸ [Compliance with rail accessibility requirements for 1 January 2020](#), Department for Transport, January 2020

¹¹⁹ [Compliance with rail accessibility requirements for 1 January 2020](#), Department for Transport, January 2020

¹²⁰ Transport Select Committee, [Trains Fit for the Future? Government Response to the Committee's Sixth Report of Session 2019–21](#), HC 249, May 2021

¹²¹ Transport Select Committee, [Trains Fit for the Future? Government Response to the Committee's Sixth Report of Session 2019–21](#), HC 249, May 2021

In February 2022, The Disabled Persons Transport Advisory Committee (DPTAC), an expert advisory committee reporting to the DfT, suggested that now most of the fleet is compliant with accessibility standards there is a “strong baseline from which to move forward.”¹²² They noted problems with a few of the design features of trains and other vehicles. These include vehicles which have no toilets, no ability to reserve seats or wheelchair spaces and a lack of wheelchair provision in 1st class.¹²³ DPTAC recommended that the current standards should be reviewed and updated by 2025 and that a new deadline for compliance should be introduced so that all vehicles meet the updated standards by 2040.¹²⁴

Carriage of mobility scooters on trains

Disabled passengers with mobility scooters can experience problems travelling by train. Some mobility scooters may not be able to tilt backwards to use a ramp to board the train or may exceed the weight ramps can accommodate. Similarly, some mobility scooters can be difficult to manoeuvre around the train.¹²⁵ Disabled passengers using mobility scooters have reported facing confusing and contradictory information when looking to board trains.¹²⁶

Train operators must state in their Accessible Travel Policy what their policy is regarding the carriage of mobility scooters on trains.¹²⁷ The National Rail Enquiries website provides information on the policy each train operating company has regarding the carriage of mobility scooters.¹²⁸ Operators are expected to make the reasoning behind their policy clear, particularly with regard to any policy which excludes the carriage of some or all mobility scooters.¹²⁹ Operators must only prohibit the carriage of mobility scooters, or other mobility aids, if they can demonstrate that there is a safety issue or physical restriction to justify doing so.¹³⁰ Where operators do carry scooters on trains, the ORR recommends that operators clearly indicate whether passengers are required to transfer to a seat, rather than remain seated on their scooter while on board the train.¹³¹

¹²² Disabled Persons Transport Advisory Committee, [DPTAC reference frame: working towards a fully accessible railway](#), February 2022.

¹²³ Disabled Persons Transport Advisory Committee, [DPTAC reference frame: working towards a fully accessible railway](#), February 2022.

¹²⁴ Disabled Persons Transport Advisory Committee, [DPTAC reference frame: working towards a fully accessible railway](#), February 2022.

¹²⁵ National Rail Enquiries, [Wheelchairs and powered scooters](#) [accessed on 17 June 2022]

¹²⁶ Department for Transport, [Research on experiences of disabled rail passengers](#), July 2019, para 8.14

¹²⁷ Department for Transport, [Rights of disabled passengers on transport: Rail](#), updated on 30 August 2019

¹²⁸ National Rail Enquiries, [Wheelchairs and powered scooters](#) [accessed on 17 June 2022]

¹²⁹ Office of Rail and Road, [Accessible Travel Policy Guidance for train and station operators: September 2020 edition](#), September 2020, para A5.1

¹³⁰ Office of Rail and Road, [Accessible Travel Policy Guidance for train and station operators: September 2020 edition](#), September 2020, para A5.1

¹³¹ Office of Rail and Road, [Accessible Travel Policy Guidance for train and station operators: September 2020 edition](#), September 2020, para A5.1

Railway station infrastructure

Accessibility standards for railway stations in Great Britain

The DfT and Transport Scotland, in 2015, published a joint code of practice covering the accessible design of rail stations, which includes standards and guidance covering the accessible design of rail stations in England, Wales and Scotland.¹³² This [joint code of practice](#) was last updated in December 2020.¹³³

The Code of Practice sets the design standards for various aspects of a station's design from the car parks through to the design of ticket offices and platforms.¹³⁴ The Code of Practice does not impose an obligation on operators to enhance accessibility.¹³⁵ Instead, operators must follow the Code of Practice "whenever they install, renew or replace" a station's infrastructure or facilities.¹³⁶ Operators, including Network Rail, must comply with the Code as a condition of their licence from the ORR.¹³⁷

The operators who do not hold licences and so are not required to produce an Accessible Travel Policy, or who are otherwise exempted from the licence condition to have regard to the Code of Practice, are: Heathrow Express; London Underground; Charter Trains; narrow and broad gauge railways; heritage railways; light railways; tramways; Northern Ireland; and international services.¹³⁸

In the Williams-Shapps Plan for Rail, the Government's White Paper on rail reform, the Government said it plans to update the design standards, with a view to making "best practice standard."¹³⁹ The Government plans to consult on these changes, but no public consultation has launched yet.¹⁴⁰

¹³² Under section 71B of the [Railways Act 1993](#) the Secretary of State must publish a Code of Practice "protecting the interests of users of railway passenger services or station services who are disabled." Scottish ministers have the power to set their own Code of Practice under the Railways Act 2005. Department for Transport and Transport Scotland, [Design Standards for Accessible Railway Stations](#), March 2015 [updated on 31 December 2020]

¹³³ Department for Transport and Transport Scotland, [Design Standards for Accessible Railway Stations](#), March 2015 [updated on 31 December 2020]

¹³⁴ Department for Transport and Transport Scotland, [Design Standards for Accessible Railway Stations](#), March 2015 [updated on 31 December 2020]

¹³⁵ Department for Transport and Transport Scotland, [Design Standards for Accessible Railway Stations](#), March 2015 [updated on 31 December 2020], para 11

¹³⁶ Department for Transport and Transport Scotland, [Design Standards for Accessible Railway Stations](#), March 2015 [updated on 31 December 2020], para 11

¹³⁷ Department for Transport and Transport Scotland, [Design Standards for Accessible Railway Stations](#), March 2015 [updated on 31 December 2020], para 16

¹³⁸ Department for Transport and Transport Scotland, [Design Standards for Accessible Railway Stations](#), March 2015 [updated on 31 December 2020], para 6 and Annex II

¹³⁹ Department for Transport, [Great British Railways: Williams-Shapps Plan for Rail](#), May 2021, page 75

¹⁴⁰ PQ [128382](#) [Railway stations: Disability] answered on 28 February 2022

Accessibility of railway stations in Great Britain

There are over 2,500 mainline stations in Great Britain.¹⁴¹ Network Rail own most of the railway infrastructure, including the stations, but they only manage 20 of the busiest stations. The other stations are leased to train operators to manage.¹⁴²

The accessibility of rail stations includes a range of features from the availability of lifts and other forms of step-free access, the design of platforms and ticket offices and also the provision of station facilities, such as toilets. Though 75% of journeys are through step-free stations, up from 50% in 2005, only a fifth of the rail stations in Great Britain have step-free access to all platforms.¹⁴³ Very few stations have level access because the platforms and the floors of trains have been built to different heights over time.¹⁴⁴ DPTAC, in February 2022, suggested that railway stations in Great Britain “remain a very considerable distance from anything even approaching full accessibility,” with very significant levels of investment needed to achieve a standard close to full accessibility.¹⁴⁵

Following the Williams-Shapps Plan for Rail and the National Disability Strategy, the Department for Transport has appointed Atkins – an engineering and design company – to conduct an audit of mainline railway stations in Great Britain.¹⁴⁶ The audit began in September 2021. Over 1,600 stations had been audited as of June 2022.¹⁴⁷ The remaining stations are due to be audited by summer 2023.¹⁴⁸

Challenges disabled passengers experience at railway stations

The Government’s research with disabled passengers in 2019 described a range of problems that disabled passengers experienced with the infrastructure at railway stations. In general, accessibility provision – in terms of both availability and quality – is worse at smaller stations, according to the experiences of disabled passengers.¹⁴⁹

The most common problem was with the provision of step-free access, such as lifts and ramps.¹⁵⁰ Almost 50% of disabled passengers who experienced a problem at a railway station reported problems with step-free access.¹⁵¹ Disabled passengers often experienced problems with lifts, ramps and

¹⁴¹ Office of Rail and Road, [Rail infrastructure and assets 2020-21](#), October 2021

¹⁴² Network Rail, [Our stations](#) [accessed on 20 June 2022]

¹⁴³ DWP, Disability Unit, Equality Hub Policy paper [National Disability Strategy, Part 1: practical steps now to improve disabled people's everyday lives](#) 28 July 2021

¹⁴⁴ Campaign for Level Boarding, [FAQs](#) [accessed on 23 June 2022]

¹⁴⁵ Disabled Persons Transport Advisory Committee, [DPTAC reference frame: working towards a fully accessible railway](#), February 2022.

¹⁴⁶ [Atkins to conduct accessibility audit of all UK rail stations](#), Infrastructure Intelligence, 9 August 2021

¹⁴⁷ [PQ 21256](#) [Railway stations: Access] answered on 23 June 2022

¹⁴⁸ [PQ 113209](#) [Railway stations: disability] answered on 1 February 2022

¹⁴⁹ Department for Transport, [Research on experiences of disabled rail passengers](#), July 2019, para 8.6

¹⁵⁰ Department for Transport, [Research on experiences of disabled rail passengers](#), July 2019, para 8.5

¹⁵¹ Department for Transport, [Research on experiences of disabled rail passengers](#), July 2019, para 8.5

handrails. They reported that these facilities were often either not available, out of order or situated in places which were non-sensical.¹⁵²

Around 30% of disabled passengers reported problems in boarding trains due to the gap between the train and the platform.¹⁵³ Level boarding, where there is no step or gap between the platform and the train, enables those with a wheelchair, or another physical disability, to board the train without the need for a ramp. The Campaign for Level Boarding wants all platforms to be adjusted to a standard height, which all trains then match.¹⁵⁴ When asked about progress towards level boarding on the rail network, the Rail Minister, Wendy Morton MP, replied:

Whilst all new rolling stock must comply with modern accessibility standards, it is up to the train operators to work with the manufacturers and Rolling Stock Companies to procure trains which meet the needs of all passengers and the infrastructure it utilises. Operators must make the decision whether to use built-in ramps or other accessibility systems.¹⁵⁵

Other problems disabled passengers experienced included the provision of toilets, waiting room facilities, parking and signs and instructions to help the navigate around stations.¹⁵⁶

Funding for accessibility improvements at railway stations

Funding for accessibility improvements at railway stations comes from several funding pots.¹⁵⁷ The Government plans to consolidate these separate funding pots into a single accessibility fund, which will form part of Great British Railways' funding settlement.¹⁵⁸ Train operators also have a Minor Works Budget of between £100,000 to £600,000 per year to spend on accessibility improvements.¹⁵⁹

The major source of funding is the 'Access for All' fund, which was introduced under the Labour Government in 2006.¹⁶⁰ The funding is used to provide "an obstacle free, accessible route from the station entrance to the platform," which can encompass providing lifts, ramps and other refurbishments.¹⁶¹ The Government has allocated £383 million for the Access for All programme during the current five-year rail funding period (or control period) from 2019

¹⁵² Department for Transport, [Research on experiences of disabled rail passengers](#), July 2019, para 8.5

¹⁵³ Department for Transport, [Research on experiences of disabled rail passengers](#), July 2019, para 8.7

¹⁵⁴ Campaign for Level Boarding, [FAQs](#) [accessed on 23 June 2022]

¹⁵⁵ PQ [137411](#) [Railway stations] answered on 15 March 2022

¹⁵⁶ Department for Transport, [Research on experiences of disabled rail passengers](#), July 2019, see paras 8.1-8.14

¹⁵⁷ Department for Transport, [Great British Railways: Williams-Shapps Plan for Rail](#), May 2021, page 75

¹⁵⁸ Department for Transport, [Great British Railways: Williams-Shapps Plan for Rail](#), May 2021, page 75

¹⁵⁹ PQ [132320](#) [Railway stations: access] answered on 16 March 2018

¹⁶⁰ DfT, [Railways for All](#), March 2006

¹⁶¹ DfT and Network Rail, [Access for All: funding to improve accessibility at rail stations](#), July 2019

to 2024.¹⁶² Funding has been divided into three tiers: the main programme, mid-tier programme and small scale schemes.¹⁶³

According to DPTAC, large sums of money would be needed to bring railway stations close to full accessibility. DPTAC, for example, suggest it would cost £6 billion to upgrade the remaining network to the new build standards for step-free access.¹⁶⁴ DPTAC called for an increase in the annual quantum of expenditure on the accessibility of railway stations, together with a strategic plan and compliance deadlines to ensure limited resources are used more effectively.¹⁶⁵ Currently, Access for All funding is allocated on the basis of competitive bids and is focused on bringing stations up to new build standards.¹⁶⁶ They suggest a better use of resource would be to bring more stations up to a reasonable level of accessibility.¹⁶⁷ DPTAC welcome the Government’s audit on mainline stations, especially as a means of quantifying the investment needed to make stations accessible, but are concerned that the findings will not be available to inform the next five-year funding period which will begin in 2024.¹⁶⁸

Staffing and assistance for passengers

Passenger rights to assistance

As noted in Section 2.2, passenger rights and obligations are covered by EU rules, namely [Regulation 1371/2007/EC](#), which came into force on 4 December 2009 and is retained in UK law. Articles 22, 23 and 24 relate to the provision of assistance at stations and on-board trains. Table 2 below sets out the main provisions.

Table 2: Rules on passenger assistance	
Railway stations	Article 22 covers assistance provided to disabled passengers and those with reduced mobility at railway stations. Station managers at staffed stations are required to assist passengers with boarding and alighting trains free of charge. ¹⁶⁹ At unstaffed stations, train operators and station managers must

¹⁶² PQ [148260](#) [Railway stations: access] answered on 31 March 2022

¹⁶³ Disabled Persons Transport Advisory Committee, [DPTAC reference frame: working towards a fully accessible railway](#), February 2022.

¹⁶⁴ Disabled Persons Transport Advisory Committee, [DPTAC reference frame: working towards a fully accessible railway](#), February 2022.

¹⁶⁵ Disabled Persons Transport Advisory Committee, [DPTAC reference frame: working towards a fully accessible railway](#), February 2022.

¹⁶⁶ Disabled Persons Transport Advisory Committee, [DPTAC reference frame: working towards a fully accessible railway](#), February 2022.

¹⁶⁷ Disabled Persons Transport Advisory Committee, [DPTAC reference frame: working towards a fully accessible railway](#), February 2022.

¹⁶⁸ Disabled Persons Transport Advisory Committee, [DPTAC response: periodic review 23](#), February 2022

¹⁶⁹ Department for Transport, [Guidance on regulation No 1371/2007 on rail passengers' rights and obligations](#), March 2020

	ensure that easily accessible information is displayed on where the nearest staffed stations are and what direct assistance is available. ¹⁷⁰
On-board trains	Article 23 covers the provision of assistance to disabled people and those with reduced mobility on trains. ¹⁷¹ Under these regulations, passengers are entitled to assistance when boarding, alighting and on-board trains free of charge. This includes making “all reasonable efforts” to allow disabled passengers, and those with reduced mobility, to access the facilities available to other passengers. ¹⁷²
Conditions of assistance	Article 24 covers the conditions under which assistance is provided. Train operators, station managers, ticket vendors and tour operators have a duty to cooperate when providing assistance to passengers. ¹⁷³ Where a ticket covers multiple journeys, such as a season ticket, only one notification is needed to cover arrangements for all subsequent journeys provided passengers supply enough information on the times assistance is needed. ¹⁷⁴ Station managers and train operators are required to make all reasonable efforts to provide assistance even if this has not been booked in advance. ¹⁷⁵
Compensation	Under Article 25, there is no cap on the compensation payable when a train operator is liable for the loss of, or damage to, mobility or other special equipment. ¹⁷⁶

Source: Department for Transport, [Guidance on regulation No 1371/2007 on rail passengers' rights and obligations](#), March 2020

Staffing on trains and at stations

Many stations are not staffed all of the time. Single-staffed stations do not have enough capacity to provide assistance. Some trains do not have a member of staff (e.g. a conductor or guard) available to provide assistance.¹⁷⁷ In February 2022, DPTAC noted that some unstaffed trains also serve unstaffed stations. This means that prior notice is needed for assistance with boarding and alighting trains and can require passengers to use

¹⁷⁰ Department for Transport, [Guidance on regulation No 1371/2007 on rail passengers' rights and obligations](#), March 2020

¹⁷¹ Department for Transport, [Guidance on regulation No 1371/2007 on rail passengers' rights and obligations](#), March 2020

¹⁷² Department for Transport, [Guidance on regulation No 1371/2007 on rail passengers' rights and obligations](#), March 2020

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¹⁷⁴ Department for Transport, [Guidance on regulation No 1371/2007 on rail passengers' rights and obligations](#), March 2020

¹⁷⁵ Department for Transport, [Guidance on regulation No 1371/2007 on rail passengers' rights and obligations](#), March 2020

¹⁷⁶ Department for Transport, [Guidance on regulation No 1371/2007 on rail passengers' rights and obligations](#), March 2020

¹⁷⁷ Disabled Persons Transport Advisory Committee, [DPTAC reference frame: working towards a fully accessible railway](#), February 2022

replacement taxis instead.¹⁷⁸ DPTAC argue, as a minimum, there should always be a member of staff to provide assistance at stations. DPTAC state it expects there to:

always to be a member of staff to provide assistance either at the stations where a disabled passenger boards/alights or on-board the train service(s) they use, and in the latter case that the member of on-board staff can provide assistance in boarding/alighting. It is possible to envisage enhanced levels of staffing beyond this, in particular, the staffing of more stations on a first to last train basis.¹⁷⁹

Operators are responsible for determining how to deploy their staff.¹⁸⁰ However, there are certain criteria operators must meet as a condition of their Accessible Travel Policy. For example, the ORR's guidance on ATPs sets out that operators must consider staffing levels on trains and at stations to ensure there is sufficient capacity to accommodate those who have booked assistance. The ORR's guidance states:

when a passenger wishes to book assistance through Passenger Assist in advance to board from or alight to a part-staffed or unstaffed station, operators must consider the needs of the passenger and their intended journey; this must include consideration of the staffing levels on the train and at the station, the level of accessibility of the station to the passenger and the type of assistance being requested.¹⁸¹

The capability of driver-controlled operation (DCO) on trains, where the train driver can open and close doors without the help of a second member of staff, has raised concerns. In particular, there is concern that this could lead to Driver-only operation (DOO), whereby the driver is the only member of staff on-board, which, in turn, could affect the assistance disabled passengers need, especially at unstaffed stations.¹⁸² The Rail Delivery Group, in 2017, published a report on the future of accessible rail travel, which stated that the extension of driver only operation “does have significant accessibility implications”.¹⁸³ The RDG recommended that there should “always be on-board staff available to assist passengers at unstaffed stations. These staff should have appropriate training in Rules and professional competence in this area.”¹⁸⁴

¹⁷⁸ Disabled Persons Transport Advisory Committee, [DPTAC reference frame: working towards a fully accessible railway](#), February 2022

¹⁷⁹ Disabled Persons Transport Advisory Committee, [DPTAC reference frame: working towards a fully accessible railway](#), February 2022

¹⁸⁰ PQ [239246](#) [Railway stations: Disability] answered on 9 April 2019

¹⁸¹ Office of Rail and Road, [Accessible Travel Policy Guidance for train and station operators: September 2020 edition](#), September 2020, page 24

¹⁸² Transport Committee, [The future of rail: Improving the rail passenger experience](#) (Sixth Report of Session 2016–17), HC 64, 14 October 2016, paras 54-55

¹⁸³ RDG, [On Track for 2020? The Future of Accessible Rail Travel: Final Report](#), May 2015 [released June 2017], p30

¹⁸⁴ RDG, [On Track for 2020? The Future of Accessible Rail Travel: Final Report](#), May 2015 [released June 2017]

Following the introduction of DCO and DOO operations on Southern services, the ORR monitored the provision of services to passenger who needed assistance. Between February and May 2017, there were 48 instances where the availability of staff on trains was “below what Southern had originally estimated.”¹⁸⁵ In these cases, alternative arrangements were used to help passengers complete their journey. The ORR concluded that it was satisfied that the changes Southern had made to its processes meant that it continued to comply with its Disabled People’s Protection Policy (the former term for Accessible Travel Policy).¹⁸⁶ The July 2018 Inclusive Transport Strategy reiterated the Government’s view that:

The Government fully recognises the importance of providing assistance to those who need support to travel and, as we modernise the network and new trains arrive, this can be delivered through a combination of staffing and infrastructure. The newest trains on our network no longer require crew to operate the doors, and this frees them up to allow more time to help passengers, including those with accessibility requirements.¹⁸⁷

Passenger Assist

Passenger Assist is an industry-wide process that enables passengers to book assistance when they need it. Box 1 sets out the details of what the service covers. Operators are required to participate in the Passenger Assist scheme as a condition of their licence from the ORR.¹⁸⁸ Within their Accessible Travel Policy, operators must set out how they will ensure there is sufficient resource to maintain Passenger Assist and improve performance.¹⁸⁹

According to Government research, many disabled passengers are unaware of the assistance available for them.¹⁹⁰ However, satisfaction with the service is generally high among those who use it. Satisfaction with the overall Passenger Assist process has been around 85% since 2018-19.¹⁹¹ This aligns with the findings from the DfT’s research with disabled passengers which found that, in general, passengers thought the service worked well and had made them more confident about travelling by rail. However, when problems occur it can “emotionally draining for passengers and lead to negative experiences of rail travel.”¹⁹² At a national level, between 9-12% of people who booked Passenger Assist reported receiving no assistance each year from 2017-18 and 2020-21.¹⁹³ Disabled passengers have reported not being met by staff, either at the station they departed or alighted from, and being

¹⁸⁵ ORR press notice, [ORR review of Southern trains leads to travel assistance changes](#), 10 November 2017

¹⁸⁶ ORR press notice, [ORR review of Southern trains leads to travel assistance changes](#), 10 November 2017

¹⁸⁷ Department for Transport *The Inclusive Transport Strategy: Achieving Equal Access for Disabled People*, para 8.41

¹⁸⁸ PQ [249928](#) [Railways: Disability] answered on 8 May 2019

¹⁸⁹ Office of Rail and Road, [Accessible Travel Policy Guidance for train and station operators: September 2020 edition](#), September 2020

¹⁹⁰ Department for Transport, [Research on experiences of disabled rail passengers](#), July 2019, para 5.3

¹⁹¹ Office of Rail and Road, [Passenger assistance](#) [accessed on 20 June 2022]

¹⁹² Department for Transport, [Research on experiences of disabled rail passengers](#), July 2019, para 5.4

¹⁹³ Office of Rail and Road, [Passenger assistance](#) [accessed on 20 June 2022]

left on trains at the station.¹⁹⁴ Disabled passengers report being satisfied with the attitude and help they receive from staff. For example, in each year since 2017-19, over 90% of users reported being satisfied with the attitude and helpfulness of staff who assisted them.¹⁹⁵ However, some have experienced rude and discriminatory behaviour from staff.¹⁹⁶

Box 1: Passenger Assist

Passenger Assist is a service provided by train companies to disabled passengers and others who require assistance with any part of their train journey.

Staff can help with planning a journey, booking tickets and making reservations; they can also provide assistance at stations and on-board trains, including accompanying them to the platform, providing a ramp to help them board the train and helping them with their luggage.¹⁹⁷

The service is free and available to anyone who needs assistance due to a disability, temporary impairment, or older age. No railcard is required.

Assistance can be booked up to two hours before departure.¹⁹⁸ Passengers can request assistance by contacting the respective train operator or National Rail Enquiries or via a Passenger Assist app.¹⁹⁹

Disabled passengers can also receive assistance without pre-booking (Turn up and go’).

¹⁹⁴ Department for Transport, [Research on experiences of disabled rail passengers](#), July 2019, para 5.5

¹⁹⁵ Office of Rail and Road, [Passenger assistance](#) [accessed on 20 June 2022]

¹⁹⁶ Department for Transport, [Research on experiences of disabled rail passengers](#), July 2019, para 5.5

¹⁹⁷ Department for Transport, [Research on experiences of disabled rail passengers](#), July 2019, para 5.1

¹⁹⁸ National Rail Enquiries, [Plan Assistance for Your Journey](#) [accessed on 20 June 2022]

¹⁹⁹ Network Rail, [Assisted travel](#) [accessed on 20 June 2022]

3 Buses and coaches

3.1 Passenger Rights

The DfT's guidance on the [Rights of disabled passengers on transport](#) and the [Inclusive Transport Strategy](#) set out that passengers travelling on buses and coaches can expect:

- vehicles designed to carry over 22 passengers to comply with accessibility standards, namely the Public Service Vehicles Accessibility Regulations 2000 (PSVAR).²⁰⁰
- drivers to provide certain forms of assistance such as ramps and lifts to help them board and alight the service.²⁰¹
- local authorities to make reasonable adjustments to bus stops and shelters, where these are not sufficiently accessible.²⁰²
- to receive free bus travel during off-peak times. Bus passes from councils enable disabled passengers to travel for free at any time on a Saturday, Sunday or bank holiday or between 9:30am to 11pm on other days.²⁰³
- not be denied travel, or the opportunity to purchase a ticket, unless it is not possible for them to board or doing so would contravene health and safety legislation.²⁰⁴
- staff to have had disability awareness training.²⁰⁵
- to have any mobility aids that are damaged on their journey to be fixed or replaced.²⁰⁶

Different bodies are responsible for investigating complaints on the matters described above. The Driver and Vehicle Standards Agency (DVSA) and the Office of the Traffic Commissioner are responsible for enforcing non-

²⁰⁰ DfT, [Rights of disabled passengers on transport: Buses and coaches](#), August 2019

²⁰¹ DfT, [Rights of disabled passengers on transport: Buses and coaches](#), August 2019

²⁰² DfT, [Rights of disabled passengers on transport: Buses and coaches](#), August 2019

²⁰³ DfT, [Rights of disabled passengers on transport: Buses and coaches](#), August 2019

²⁰⁴ DfT, [The Inclusive Transport Strategy: Achieving Equal Access for Disabled People](#), 25 July 2018, para 4.11

²⁰⁵ DfT, [The Inclusive Transport Strategy: Achieving Equal Access for Disabled People](#), 25 July 2018, para 4.11

²⁰⁶ DfT, [The Inclusive Transport Strategy: Achieving Equal Access for Disabled People](#), 25 July 2018, para 4.11

compliance with the PSVAR.²⁰⁷ Complaints should be directed to the DVSA.²⁰⁸ Complaints about the conduct of drivers should be directed to the service provider first.²⁰⁹ Passengers can contact Bus Users UK and London Travelwatch if they are unable to resolve a complaint with the operator.²¹⁰ The Local Government Ombudsman can assist with complaints about bus stops, stations and concessionary bus passes.²¹¹

3.2 Key legal requirements

The accessibility of buses and coaches are covered by the following pieces of legislation:

- **Public Service Vehicles Accessibility Regulations 2000 (SI 2000/1970)** (PSVAR). These came into force in August 2000.²¹² These regulations apply to vehicles carrying over 22 passengers. Under this legislation, all buses had to be accessible by 1 January 2017 and all coaches by 1 January 2020. The exact requirements are set out in Schedule 1 to the Regulations. They include the provision of priority seating, a lift or ramp, at least one space for a wheelchair and handholds.²¹³ The regulations also cover the dimensions for wheelchair space.²¹⁴
- **Section 17 of the Bus Services Act 2017** enables the Secretary of State for Transport to make regulations requiring local operators to make information available to passengers in order to support disabled people during their journey. This can include a requirement to announce and display information on different aspects of the journey (e.g. the direction of travel, stops, diversions and connections to other services).²¹⁵

²⁰⁷ DfT, [Rights of disabled passengers on transport: Buses and coaches](#), August 2019

²⁰⁸ DfT, [Rights of disabled passengers on transport: Buses and coaches](#), August 2019

²⁰⁹ DfT, [Rights of disabled passengers on transport: Buses and coaches](#), August 2019

²¹⁰ DfT, [Rights of disabled passengers on transport: Buses and coaches](#), August 2019

²¹¹ DfT, [Rights of disabled passengers on transport: Buses and coaches](#), August 2019

²¹² Following consultations in 1997 and 1999: DETR, [Disability Discrimination Act 1995: the government's proposals for buses and coaches](#), December 1997; and: DETR, [The public service accessibility regulations 1999 \(and others\) - a statutory consultation](#), September 1999

²¹³ DWP, Disability Unit, Equality Hub Policy paper [National Disability Strategy, Part 1: practical steps now to improve disabled people's everyday lives](#) 28 July 2021

²¹⁴ The minimum size of the space specified in the Regulations is 1,300 mm measured in the longitudinal plane of the vehicle, 750 mm measured in the transverse plane of the vehicle and 1,500 mm measured vertically from any part of the floor of the wheelchair space. Any gangway between a wheelchair space and an entrance or exit intended to provide access for a wheelchair user must not be less than 750 mm wide at any point.

²¹⁵ [HL Deb 24 October 2016, c54](#)

- [**The Public Service Vehicles \(Conduct of Drivers, Inspectors, Conductors and Passengers\) Regulations 1990**](#) require drivers to provide certain forms of assistance to disabled passengers.²¹⁶
- [**EU Regulation 181/2011/EU**](#) covers the rights of bus and coach passengers. In addition to the rights of disabled passengers, and those with reduced mobility, these regulations cover passenger rights when services are delayed, cancelled or when accidents occur. All the provisions apply to services covering 250km or more, while some provisions cover services under 250km. This legislation came into force in March 2013. The Rights of Passengers in Bus and Coach Transport (Amendment etc.) (EU Exit) Regulations 2019 were introduced to ensure this regime remained in place after the UK's withdrawal from the European Union and the end of the transition period.²¹⁷

3.3 Ongoing policy issues

Inclusive Transport Strategy

In 2018, the Inclusive Transport Strategy set out a host of measures to improve the accessibility of bus services. These ranged from measures to increase the rollout of audio-visual announcements through measures to improve staff training and enforce the rights of disabled passengers.²¹⁸ Details of some of the measures introduced are set out in the relevant sections below, along with information on the progress that has been made to date.

National Bus Strategy for England

In March 2021, the Department for Transport published [Bus Back Better: the National Bus Strategy for England](#). This strategy set out the Government's vision for improved bus services in England outside London, including what disabled passengers should expect from local services. The strategy stated that:

Disabled people must be able to use bus services as easily as other passengers. Making buses more accessible (not just the vehicles themselves, but also bus stops, bus stations, and by providing excellent customer service) will benefit other passengers too. Next stop announcements, for example, will

²¹⁶ [The Public Service Vehicles \(Conduct of Drivers, Inspectors, Conductors and Passengers\) Regulations 1990](#)

²¹⁷ Explanatory Note to [The Rights of Passengers in Bus and Coach Transport \(Amendment etc.\) \(EU Exit\) Regulations 2019](#)

²¹⁸ DfT, [The Inclusive Transport Strategy: Achieving Equal Access for Disabled People](#), 25 July 2018

help everyone know where the bus is going and when they've reached their stop.²¹⁹

Much of the bus strategy is being delivered at a local level by local transport authorities and bus operators. For example, as part of the National Bus Strategy, local transport authorities, together with local operators, needed to produce local Bus Service Improvement Plans detailing how they planned to deliver the Government's vision for bus services at a local level. As part of these plans, local transport authorities and operators were asked to commit to a Bus Passenger Charter, which should include commitments on the accessibility of bus services.²²⁰ The Government also promised to:

- ensure Government-funded buses provide an enhanced level of accessibility, such as space for a second wheelchair user or pushchair, space for assistance dogs, hearing loops and audible and visible information.²²¹
- review the eligibility for concessionary bus travel for disabled passengers, with a view “improving equality of opportunity” and “helping disabled people participate fully in public life.”²²²

Some of the other measures set out in the National Bus Strategy are described in the sections below. The National Disability Strategy restated the accessibility improvements described in Bus Back Better.²²³

Bus and coach vehicle design

Currently, 99% of local buses comply with the Public Service Vehicles Accessibility Regulations 2000.²²⁴ However, parts of the coach fleet, such as those used for rail replacement bus services and home-to-school transport, are not fully compliant, despite the deadline for vehicles to comply by 1 January 2020. The Government has provided exemptions to allow non-compliant vehicles to continue to be used. Rail replacement bus services and home-to-school transport services were given until the end of June and July 2022 respectively to comply.²²⁵ However, the Buses Minister, Baroness Vere of Norbiton, wrote to trade bodies in December 2021 informing them that the

²¹⁹ Department for Transport, [Bus Back Better: the National Bus Strategy for England](#), March 2021, page 32

²²⁰ Department for Transport, [Bus Back Better: the National Bus Strategy for England](#), March 2021, page 41

²²¹ Department for Transport, [Bus Back Better: the National Bus Strategy for England](#), March 2021

²²² Department for Transport, [Bus Back Better: the National Bus Strategy for England](#), March 2021

²²³ DWP, Disability Unit, Equality Hub Policy paper [National Disability Strategy, Part 1: practical steps now to improve disabled people's everyday lives](#) 28 July 2021

²²⁴ Department for Transport, [Annual bus statistics: year ending March 2021](#), November 2021; Department for Transport, [The Inclusive Transport Strategy: Achieving Equal Access for Disabled People](#), para 3.4

²²⁵ Department for Transport, [Letter from Baroness Vere to home-to-school and rail replacement coach services concerning the Public Service Vehicles Accessibility Regulations \(PSVAR\) 2000](#), 21 December 2021

Government planned to offer additional medium-term exemptions beyond these dates, which will:

- be tailored by size of fleet. This is to recognise that smaller operators may find it more challenging to comply than larger ones.²²⁶
- offer a further full exemption to non-compliant vehicles for 6 months. However, after this, operators will be required to meet “increasing levels of compliance over the lifetime of the exemption.”²²⁷

According to DPTAC, the problems arose because commissioners of home-to-school transport failed to include compliance with the regulations in their tendering process, whereas operators “did not recognise their obligations and did not target adequate investment in securing compliant vehicles.”²²⁸ Those responsible for contracting rail replacement bus services were under the impression that they were exempt from these requirements until legal advice from the Office of Rail and Road clarified that compliant vehicles needed to be used.²²⁹ However, though rail replacement bus services have needed to comply there is a limited number of compliant coaches available for hire.²³⁰

The Confederation of Passenger Transport (CPT), which represents the coach industry, said that compliance with the regulations was going to be challenging given the costs of refurbishing and replacing coaches.²³¹ Refurbishing a coach to comply with the regulations costs around £25,000 per vehicle, whereas the cost of a replacement coach would be 10 times this at £250,000.²³² The industry has been struggling financially following the impact of the Covid-19 pandemic on travel and more recently as a result of rising costs.²³³

In the National Bus Strategy and the National Disability Strategy, the Government promised to review the Public Service Vehicles Accessibility

²²⁶ Department for Transport, [Letter from Baroness Vere to home-to-school and rail replacement coach services concerning the Public Service Vehicles Accessibility Regulations \(PSVAR\) 2000](#), 21 December 2021

²²⁷ Department for Transport, [Letter from Baroness Vere to home-to-school and rail replacement coach services concerning the Public Service Vehicles Accessibility Regulations \(PSVAR\) 2000](#), 21 December 2021

²²⁸ Disabled Persons Transport Advisory Committee, [DPTAC position on the accessibility of coach services](#), January 2021

²²⁹ Disabled Persons Transport Advisory Committee, [DPTAC position on the accessibility of coach services](#), January 2021; Office of Rail and Road, [Full Legal Advice on the Applicability of the Public Service Vehicles Accessibility Regulations 2000 \(PSVAR\) to Rail Replacement Buses and Coaches](#), September 2019

²³⁰ Disabled Persons Transport Advisory Committee, [DPTAC position on the accessibility of coach services](#), January 2021

²³¹ Confederation of Passenger Transport, [Backing Britain's Coaches: A Coach Strategy for Britain](#), March 2021, page 17

²³² Confederation of Passenger Transport, [Backing Britain's Coaches: A Coach Strategy for Britain](#), March 2021, page 17

²³³ Confederation of Passenger Transport, [Backing Britain's Coaches: A Coach Strategy for Britain](#), March 2021, page 17; Confederation of Passenger Transport, [A joint statement from the coach industry](#), 2 March 2022

Regulations (PSVAR) by the end of 2023 to ensure they continue to meet the needs of disabled passengers.²³⁴

Audio-visual equipment

As of the end of 2020/21, 45% of buses used across Great Britain provided on-board audio-visual information, including 49% in England, 36% in Wales and 14% in Scotland.²³⁵ However, in England outside London only 30% of buses provided audio-visual information compared to 97% of buses in London.²³⁶

As noted in Section 3.2, the Bus Services Act 2017 included powers to enable the Secretary of State to make regulations setting requirements for audio-visual information. The introduction of these powers followed an effective external lobbying campaign and extensive debate. It reflects the successful [Talking Buses](#) campaign, supported by Guide Dogs for the Blind and others, to persuade the Government to require bus operators to fit audio-visual equipment to all buses. The Government had long been reluctant to mandate this sort of thing, instead preferring to let the market provide a solution.²³⁷

In July 2018, the Government consulted on proposals to use powers within the Bus Services Act 2017 to introduce regulations to require operators to provide audio and visual information on various aspects of a bus journey.²³⁸ The consultation closed on 16 September 2018. The consultation set out the DfT's plans to introduce regulations that would require bus operators to provide audible and visible information on local bus services to help people identify:

- the route and direction of services;
- each upcoming stop; and
- points at which diversions start or end.

It intends to specify when this information must be made available and to what standard, leaving it up to operators to select equipment or process that works for them. The consultation signalled the Government's intention was to introduce phased implementation between 2021 and 2025.²³⁹ However, the regulations have not been laid yet. The National Bus Strategy and the National Disability Strategy both outlined the Government's intention to introduce regulations by the summer of 2022.²⁴⁰ The Government has since

²³⁴ DWP, Disability Unit, Equality Hub Policy paper [National Disability Strategy, Part 1: practical steps now to improve disabled people's everyday lives](#) 28 July 2021; Department for Transport, [Bus Back Better: the National Bus Strategy for England](#), March 2021, page 58

²³⁵ See DfT, [Vehicles operated by local bus operators](#), **table** BUS0610

²³⁶ London buses are run under a differently regulatory framework to bus services outside of London. See DfT, [Vehicles operated by local bus operators](#), **table** BUS0610

²³⁷ [HC Deb 11 June 2015, c1309](#)

²³⁸ DfT, [Bus Services Act 2017: accessible information](#), 5 July 2018

²³⁹ DfT, [Bus Services Act 2017: accessible information](#), 5 July 2018, p35

²⁴⁰ DWP, Disability Unit, Equality Hub Policy paper [National Disability Strategy, Part 1: practical steps now to improve disabled people's everyday lives](#) 28 July 2021; Department for Transport, [Bus Back Better: the National Bus Strategy for England](#), March 2021, page 58

said in February 2022 that it will publish “lay the Accessible Information Regulations later this year.”²⁴¹

Disability training

The UK legislated to provide certain exemptions from the requirements of the EU Regulation 181/2011/EU, including from the requirement under Article 16(2) for disability awareness training for personnel of carriers and terminal managing bodies.²⁴² In 2014, the Government reviewed the exemption under Article 16(2) in order to assess whether drivers were receiving adequate disability training. The responses it published in January 2015 showed that overall the bus industry thought it was doing enough and disabled people thought that it was not.²⁴³

In debates on the Bus Services Act 2017 the then Transport Minister, Andrew Jones, confirmed that disability awareness training would be a legal requirement from 1 March 2018 and that “even after we have left the European Union, our policy objective of ensuring that bus drivers are equipped with the knowledge and skills to assist disabled passengers will not change. That obligation will not be removed”.²⁴⁴ The July 2018 Inclusive Transport Strategy stated that by spring 2019 DfT would:

... develop a monitoring and enforcement framework for mandatory bus driver disability awareness training, which will include identifying a body to ensure compliance by bus operators with legal requirements.²⁴⁵

Further, it stated that during 2019 DfT would publish best practice guidance for delivering training across the bus sector. This guidance is intended to assist operators in complying with the new mandatory disability equality and awareness training requirement which came into force across the sector in March 2018.²⁴⁶ In December 2020, the Government published modules on disability training for the bus and coach industry.²⁴⁷ Within the National Bus Strategy, the Government promised to “continue to promote the adoption of best practice in disability awareness training” and “publish the high-level training framework to drive up standards of customer service of drivers and on-board staff who seek to understand passengers’ access needs.”²⁴⁸

²⁴¹ PQ 114799 [Bus services: Disability] answered on 8 February 2022

²⁴² [Rights of Passengers in Bus and Coach Transport \(Exemptions\) Regulations 2013](#) (SI 2013/228);

²⁴³ DfT, [Summary of responses to the Department for Transport’s review of the mandatory disability awareness training exemption applied under EU Regulation 181/2011 \(concerning bus and coach passenger rights\)](#), 28 January 2015

²⁴⁴ [PBC Deb 16 March 2017, c107](#)

²⁴⁵ Department for Transport [The Inclusive Transport Strategy: Achieving Equal Access for Disabled People](#), para 5.6

²⁴⁶ Department for Transport [The Inclusive Transport Strategy: Achieving Equal Access for Disabled People](#), para 6.8

²⁴⁷ Department for Transport, [REAL training: bus and coach modules](#), December 2020

²⁴⁸ Department for Transport, [Bus Back Better: the National Bus Strategy for England](#), March 2021, page 64

Wheelchair spaces and mobility scooters

Wheelchair spaces on buses and coaches

The provision of wheelchair space is covered by the Public Service Vehicles Accessibility Regulations 2000. The minimum size of the space is specified in the regulations.²⁴⁹ Stakeholders have expressed views that modern wheelchairs can be bigger than the “reference-sized wheelchair” these standards are designed to accommodate.²⁵⁰ Wheelchair users can also find it difficult to manoeuvre wheelchairs within a bus and reach the stop button.²⁵¹

Pushchairs and buggies in wheelchair spaces

The duty under Part 3 of the Equality Act 2010 to make reasonable adjustments for disabled people should, as far as bus services are concerned, be read in conjunction with the Public Service Vehicles (Conduct of Drivers, Inspectors, Conductors and Passengers) Regulations 1990 (SI 1990/1020), as amended. Regulations 11-17 outline the extent of responsibilities for drivers and conductors in respect of wheelchair users and disabled passengers.²⁵²

Specifically, Regulation 12(2) and 12(3) states that if there is an unoccupied wheelchair space on the vehicle, a driver and a conductor shall allow a wheelchair user to board. A wheelchair space is occupied if there is a wheelchair user in that space, or “passengers or their effects are in that space and they or their effects cannot readily and reasonably vacate it by moving to another part of the vehicle.”²⁵³ This latter sentence has caused much concern amongst disability rights groups and uncertainty as to the circumstances under which, for example, a driver should require someone with a child’s buggy or pram to fold it and/or remove it from the wheelchair space. The key legal case on this is *FirstGroup Plc v Paulley* (see Box 2 below).

In March 2018 DfT announced its intention to introduce new measures to ensure that wheelchair users can safely access on-board wheelchair spaces on buses.²⁵⁴ This followed a report from a stakeholder ‘Task and Finish Group on the Use of Wheelchair Spaces on Buses’.²⁵⁵

²⁴⁹ See Schedule 1 of the [Public Service Vehicles Accessibility Regulations 2000](#)

²⁵⁰ Department for Transport [The Inclusive Transport Strategy: Achieving Equal Access for Disabled People](#), July 2018, para 8.38

²⁵¹ Department for Transport [The Inclusive Transport Strategy: Achieving Equal Access for Disabled People](#), July 2018, para 8.38

²⁵² inserted by Regulation 6 of the *Public Service Vehicles (Conduct of Drivers, Inspectors, Conductors and Passengers) (Amendment) Regulations 2002* (SI 2002/1724)

²⁵³ [The Public Service Vehicles \(Conduct of Drivers, Inspectors, Conductors and Passengers\) \(Amendment\) Regulations 2002](#)

²⁵⁴ DfT press notice, “[Government signals commitment to improving bus access for wheelchair users](#)”, 8 March 2018

²⁵⁵ [Response to advice on the use of wheelchair spaces onboard buses: Written statement - HCWS523](#), 8 March 2018

The July 2018, Inclusive Transport Strategy stated that by the end of 2018 and after engagement with affected stakeholders, DfT will “announce the specific actions we intend to take to secure access to the wheelchair space for those who need it”.²⁵⁶ In the National Bus Strategy, the Government also promised to consult on draft amendments to the Public Service Vehicles (Conduct of Drivers, Inspectors, Conductors and Passengers) Regulations to “ensure that the wheelchair space and priority seats are made available for passengers who need them” and to work with the DVSA to ensure non-compliance is identified and enforced.²⁵⁷

Box 2: Use of wheelchair spaces on buses: FirstGroup Plc v Paulley [2017] UKSC 4

There has long been concern amongst disability rights groups about the requirements for wheelchair spaces on buses to be vacated if occupied and the circumstances under which, for example, a driver should require someone with a child’s buggy or pram to fold it and/or remove it from the wheelchair space.

Doug Paulley took his case against FirstGroup on this issue to the Supreme Court. In its [judgement of 18 January 2017](#) the court held that FirstGroup’s rules for their drivers failed to do enough to ensure that wheelchair spaces on buses are reserved for wheelchair users.²⁵⁸

The basic legal principle is that, under [section 29\(7\)](#) and [20](#) of the Equality Act 2010, service providers must make “reasonable adjustments” for disabled service users.²⁵⁹ This can include adjustments to physical features of buildings/vehicles (e.g. the provision of a wheelchair space on a bus) and adjustments to policies and procedures (e.g. the rules determining what drivers must do to ensure those spaces are usable by disabled passengers).

In *FirstGroup v Paulley* the Supreme Court held that FirstGroup’s rules for drivers failed to make sufficient adjustments for the needs of disabled service users. The rule being challenged was one which, broadly, required drivers to ask a person occupying the space to move for the wheelchair user, but to do nothing more if the person refused. The Court held that this fell just short of what the law required. The law requires that the policy should stipulate that drivers must ask the occupant to move, and if they don’t, to ask them again, be more insistent and judge what further action (e.g. stopping the bus) should be required on a case-by-case basis.²⁶⁰

²⁵⁶ Op cit., [The Inclusive Transport Strategy: Achieving Equal Access for Disabled People](#), para 5.6

²⁵⁷ Department for Transport, [Bus Back Better: the National Bus Strategy for England](#), March 2021, page 58

²⁵⁸ The Supreme Court, [FirstGroup Plc \(Respondent\) v Paulley \(Appellant\)](#), 18 January 2017

²⁵⁹ Section 29 of the [Equality Act 2010](#)

²⁶⁰ The Supreme Court, [FirstGroup Plc \(Respondent\) v Paulley \(Appellant\)](#), 18 January 2017

4 Taxis

4.1 Passenger Rights

DfT guidance on the [Rights of disabled passengers on transport: Taxi and Private Hire Vehicles](#) says that passengers should expect:

- for service providers to make reasonable adjustments to enable them to access their services²⁶¹
- that non-exempt taxi/PHV drivers will accept the carriage of wheelchair users, provide them with appropriate assistance, to refrain from charging them more than other passengers would pay for the same service²⁶²
- that non-exempt drivers of taxis and PHVs will accept the carriage of assistance dogs and to refrain from charging extra for them²⁶³

This DfT guidance says that passengers who feel a driver has not complied with the above expectations should complain in the first instance to the local licensing authority (usually the local council, or in London, Transport for London). Complaints can then be escalated to the Local Government Ombudsman if necessary.²⁶⁴

4.2 Key legal requirements

Section 29 of the Equality Act 2010 prohibits discrimination in the provision of services, including taxi services. Section 29(2)(a) states that a service provider must not discriminate against a person “as to the terms on which” a service is provided. Discrimination may be either direct or indirect. Direct discrimination is defined in section 13 as a person treating another less

²⁶¹ Under Section 20 of the Equality Act 2010

²⁶² Under Section 165 of the Equality Act 2010

²⁶³ Under Sections 168 and 170 of the Equality Act 2010

²⁶⁴ DfT Guidance [Rights of disabled passengers on transport: Taxis and Private Hire Vehicles \(PHV\)](#) updated 30 August 2019

favourably than others “because of” a protected characteristic. Disability is a protected characteristic (section 6).²⁶⁵

The 2010 Act also made some specific changes to the service that disabled passengers can expect from taxi and PHV drivers. There was a long delay by successive governments about bringing some of these provisions (which date back to earlier legislation) into force.²⁶⁶

In April 2017 the Government brought into force sections 165 and 167 of the 2010 Act.²⁶⁷ Together, these provisions provide that driver of wheelchair-accessible taxis and PHVs, which are hired by or for a disabled person who is in a wheelchair, or by another person who wishes to be accompanied by a disabled person who is in a wheelchair, must:

- carry the passenger while in the wheelchair;
- not to make any additional charge for doing so;
- if the passenger chooses to sit in a passenger seat, to carry the wheelchair;
- to take such steps as are necessary to ensure that the passenger is carried in safety and reasonable comfort; and
- to give the passenger such mobility assistance as is reasonably required.

A driver of a designated taxi or PHV commits an offence by failing to comply with a duty imposed on the driver by this legislation and is liable on summary conviction to a fine not exceeding level 3 on the standard scale (currently £1000).²⁶⁸

The Government issued guidance on the implementation of sections 165 and 167 in February 2017. The guidance is intended to help licensing authorities to:

- maintain lists of vehicles designated as wheelchair accessible;
- handle applications from drivers who are medically unfit to perform the duties required of them; and
- enforce the requirements.²⁶⁹

²⁶⁵ Individuals can pursue these issues further with regards to specific local cases by obtaining further advice from the Equality Advisory and Support Service (EASS): its website has [an overview of the assistance it provides](#), and [contact details](#)

²⁶⁶ See, in particular as it relates to section 165, which was a replication of section 36 of the 1995 Act: DfT, *Consultation on Improving Access to Taxis*, February 2009; DfT, *Equality Act 2010 – Taxis and Private Hire Vehicles: Provisions coming into effect in October 2010*, September 2010 [HC DEP 2010-1717] and [HC Deb 16 July 2012, c495W](#)

²⁶⁷ via an SI, the Equality Act 2010 (Commencement No. 12) Order 2017 ([SI 2017/107](#))

²⁶⁸ [Section 165, Equality Act 2010](#)

²⁶⁹ DfT [Access for wheelchair users to taxis and private hire vehicles](#), February 2017

Under sections 168-171 of the 2010 Act taxis and PHVs have a duty to accept bookings for and to carry passengers with assistance dogs, and not make an extra charge for doing so.²⁷⁰

Taxis and Private Hire Vehicles (Disabled Persons) Act 2022

On 28 June 2022 The Taxis and Private Hire Vehicles (Disabled Persons) Act 2022 came into force.²⁷¹ This was a Private Members Bill introduced by Jeremy Wright MP.²⁷² The Act amends Sections 164-170 of the Equality Act 2010, to extend the requirement for drivers of taxis and PHVs to carry disabled passengers (and make no extra charge) to passengers with any disability, i.e. not only wheelchair users using wheelchair-accessible vehicles.²⁷³

The 2022 Act also compels taxi/PHV drivers to carry passengers into the vehicle and store any mobility equipment they may have, unless the driver has an exemption certificate precluding them from doing so. Finally, it formalises the requirement (under Section 167 of the Equality Act 2010) for all licensing authorities to maintain a list of licensed wheelchair accessible vehicles, and to make this publicly available. Currently, around 20-30% of licensing authorities in England do not maintain such a list.²⁷⁴

Prosecutions

According to DfT statistics, in the year ending 31 December 2020 there were 14 prosecutions for offences committed by taxi and private hire vehicle drivers and operators in relation to sections 168 and 170 (assistance dog refusals by taxi and PHV drivers), and section 165 (wheelchair user discrimination by taxi and PHV drivers) in England and Wales.²⁷⁵

Between 2011 and 2020, among prosecutions for taxi offences under the Equality Act 2010, the majority of prosecutions were for failing to accept bookings to carry assistance dogs (70%). In 2019, 81% of prosecutions led to a conviction. This conviction rate has been fairly stable since 2013, and most convictions result in a fine.²⁷⁶ However a survey by the Guide Dogs for the Blind Association in 2017 found that in a one-year period, 42% of assistance dog owners were (illegally) refused entry to a taxi or minicab because of their dog.²⁷⁷

²⁷⁰ For more information see section 2 of HC Library briefing paper [CBP 7668](#)

²⁷¹ [Taxis and Private Hire Vehicles \(Disabled Persons\) Act 2022](#)

²⁷² [Taxis and Private Hire Vehicles \(Disabled Persons\) Act 2022](#), explanatory notes

²⁷³ [Taxis and Private Hire Vehicles \(Disabled Persons\) Act 2022](#), explanatory notes

²⁷⁴ DfT [Taxi and Private Hire Vehicle Statistics: England 2021](#) 30 June 2021

²⁷⁵ DfT [Taxi and Private Hire Vehicle Statistics: England 2021](#) 30 June 2021. This was a decrease on the number in 2019. However, according to the DfT, this decrease reflects the restricted operation of courts as a result of the pandemic.

²⁷⁶ DfT [Taxi and Private Hire Vehicle Statistics: England 2021](#) 30 June 2021

²⁷⁷ See Guide Dogs [Campaign: Access All Areas](#) [Accessed 14 June 2022]

4.3

Ongoing policy issues

Wheelchair Accessible Vehicles (WAVs)

In Great Britain, taxi and Private Hire Vehicles (PHV) licenses are issued by local licensing authorities, which are usually local councils with the exception of TfL in London. In Northern Ireland taxi licences are issued centrally via the Department for Infrastructure and the Driver and Vehicle Agency.²⁷⁸ The licensing conditions that are applied to taxi and PHV operators and drivers, and the local conditions of vehicle fitness, are for each local licensing authority to decide, so can vary considerably from area to area.

Across the UK there is no national requirement to make a proportion of taxi or private hire vehicle (PHV) fleets accessible. Accessibility is a matter for individual local licensing authorities who can – and sometimes do – require all or a proportion of vehicles licensed by that authority to be accessible. For example, since 1 January 2000 every taxi operating in London has been required to take wheelchairs.²⁷⁹ Similarly, every taxi operating in Edinburgh has been required to be wheelchair accessible since 1 January 1997.²⁸⁰ In 2021 66% of all licensing authorities in England required wheelchair accessible vehicles in all or part of their taxi fleet, an increase from 62% in 2017.²⁸¹

The latest figures show that in England 54% of all taxis and 2% of all PHVs were wheelchair accessible in 2021.²⁸² This was a decline from 2020 when 57% of taxis (and 2% of PHVs) were wheelchair accessible.²⁸³ In Scotland, 50% of all taxis and 4% of PHVs were wheelchair accessible in 2020.²⁸⁴

There is a significant difference in the availability of accessible vehicles between London and other metropolitan areas on the one hand, and the rest of the country on the other. In England outside London 14% of all licensed vehicles were wheelchair accessible. However, this varies by area and vehicle type. In 2021, 81% of taxis in metropolitan areas were wheelchair accessible. When looking at PHVs, only 1% of licensed vehicles in London were wheelchair accessible, but this increased to 9% in rural areas.²⁸⁵

²⁷⁸ Department for Infrastructure, [Taxi Policy and Legislation](#) [Accessed 8 June 2022], [Gov.uk: Taxi operator licence \(Northern Ireland\)](#) [Accessed 8 June 2022]

²⁷⁹ TfL [Taxi Conditions of Fitness](#) [PDF], 1 July 2007; PQ 127583 [[On Taxis \(Wheelchair Access\)](#)], answered 28 June 2000

²⁸⁰ Scottish Parliament [Local Government and Transport Committee Petition PE 568](#) [PDF], 7 December 2004, Annex B, Para 13

²⁸¹ DfT [Taxi and Private Hire Vehicle Statistics: England 2021](#) 30 June 2021; DfT, [Taxi and Private Hire Vehicle Statistics: England 2017](#), 7 September 2017

²⁸² DfT [Taxi and Private Hire Vehicle Statistics: England 2021](#) [PDF] 30 June 2021

²⁸³ DfT [Taxi and Private Hire Vehicle Statistics: England: 2020](#) [PDF] 16 December 2020

²⁸⁴ Transport Scotland [Scottish Transport Statistics No 39 2020 Edition](#), 24 Feb 2021, Para 2.5

²⁸⁵ DfT [Taxi and Private Hire Vehicle Statistics: England 2021](#) 30 June 2021

The Disabled Persons Transport Advisory Committee (DPTAC), an expert advisory committee reporting to the DfT, said in a position paper in 2020 that the overall decline in the numbers of wheelchair accessible vehicles (WAVs) was concerning, and that this decline was largely because WAVs cost more, “which is why they are generally only widely available where licensing authorities have decided that only WAVs can be licensed as taxis”.²⁸⁶

The DPTAC accepted that a WAV-only taxi mandate (similar to that in operation in London and Edinburgh) for all licensing authorities would likely be disproportionate, but that each licensing authority should ensure that WAVs should be ‘readily available’ to those who need them at all times of day, 7-days-a-week. They suggested that “‘readily available’ should mean that someone who needs a WAV does not need to wait for more than twice as long as they would for a conventional car.”²⁸⁷

Disability awareness training

Questions of accessibility are not only limited to vehicles, but also relate to issues such as taking bookings, ensuring drivers are properly trained and treat disabled people equally, carrying guide dogs and not making extra charges. The number of authorities in England requiring disability awareness training for taxi drivers has increased from 44% in 2019 to 49% in 2021, while the number of authorities requiring disability awareness training for PHV drivers has increased from 41% to 46%.²⁸⁸ Across the UK, it is only in Northern Ireland where taxi drivers must undertake disability awareness training as part of the licence renewal process.²⁸⁹

Task and Finish Group Recommendations

In 2017 the Government set up an independent ‘Task and Finish Group’ to consider regulatory issues and remedies on taxi policy generally, including accessibility. The group’s report was published in September 2018. On accessibility, the report had four recommendations:

- Recommendation 29: All licensing authorities should use their existing powers to require that their taxi and PHV drivers undergo disability awareness and equality training. This should ultimately be mandated as part of national minimum standards.
- Recommendation 30: Licensing authorities that have low levels of wheelchair accessible vehicles (WAVs) in their taxi and PHV fleet should ascertain if there is unmet demand for these vehicles. In areas with unmet demand licensing authorities should consider how existing powers could be used to address this, including making it mandatory to have a minimum number of their fleet that are WAVs. As a matter of urgency, the

²⁸⁶ DPTAC Guidance [DPTAC position on taxis and PHVs](#) Published 8 August 2020

²⁸⁷ DPTAC Guidance [DPTAC position on taxis and PHVs](#) Published 8 August 2020

²⁸⁸ DfT [Taxi and Private Hire Vehicle Statistics: England 2021](#) 30 June 2021

²⁸⁹ [Regulation 4. The Taxi Drivers’ Licences Regulations \(Northern Ireland\) 2014](#)

Government's Best Practice Guidance should be revised to make appropriate recommendations to support this objective.

- Recommendation 31: Licensing authorities which have not already done so should set up lists of wheelchair accessible vehicles (WAVs) in compliance with s.167 of the Equality Act 2010, to ensure that passengers receive the protections which this provides.
- Recommendation 32: They should also ensure their systems and processes make it as easy as possible to report disability access refusals.²⁹⁰

Recommendation 32 referred to a survey by the Guide Dogs for the Blind Association which found that in a one-year period, 42% of assistance dog owners were (illegally) refused entry to a taxi or minicab because of their dog.²⁹¹

The Government responded in February 2019, and partially accepted the report's findings, as follows:

- Recommendation 29: Licensing authorities have the powers to mandate disability awareness training. The Government already recommend that authorities require taxi and PHV drivers to complete such training, make it simple to report discrimination, and take robust action against drivers who have discriminated against disabled passengers.²⁹² The Government also pledged to formalise this through national minimum standards, as a longer term goal.²⁹³
- Recommendation 30: The Government argued that a mandated level of wheelchair-accessible vehicles might not be practical or necessary, but that it would “continue to monitor the proportion of WAVs within overall taxi and PHV fleets, as reported in the annual DfT taxi and PHV statistics, and to seek clarification from authorities as to the steps they are taking to assess and respond to the local need for such vehicles.”²⁹⁴
- Recommendation 31: The Government said that it already encouraged licensing authorities to publish lists of their WAVs, in its Inclusive Transport Strategy policy paper.²⁹⁵ Later in 2022, legislation was passed to ensure such lists must be published.²⁹⁶

²⁹⁰ DfT, [Taxi and Private Hire Vehicle Licensing: Steps towards a safer and more robust system](#), 24 September 2018, reccs 30-32.

²⁹¹ See Guide Dogs [Campaign: Access All Areas](#) [Accessed 14 June 2022]

²⁹² See DfT Guidance [Taxi and private hire vehicle licensing: best practice](#) [PDF] 2 March 2010, Paragraphs 15-22

²⁹³ DfT Guidance [Taxi and private hire vehicle licensing: government response to independent report 12](#) February 2019, Para 4.4

²⁹⁴ DfT Guidance [Taxi and private hire vehicle licensing: government response to independent report 12](#) February 2019, Para 4.8

²⁹⁵ DfT Guidance [Taxi and private hire vehicle licensing: government response to independent report 12](#) February 2019, Para 4.10; DfT Policy paper [Inclusive Transport Strategy](#), 25 July 2018

²⁹⁶ [Taxi and Private Hire Vehicles \(Disabled Persons\) Act 2022](#), see Section 4.2 above

- Recommendation 32: The Government said that in Inclusive Transport Strategy policy paper it committed to “undertake research to identify why the risk of fines and the loss of a driver’s taxi or PHV licence appear insufficient in some circumstances to prevent them from discriminating against assistance dog owners.”²⁹⁷

The Government commissioned NatCen to carry out research into taxi/PHV drivers refusing access to disabled passengers between August 2020 and February 2021. This was part of a wider investigation into disabled people’s experience using transport network before full implementation of the Inclusive Transport Strategy (summarised in Section 1.1 above).²⁹⁸ This found that around three-quarters (76%) of assistance dog users surveyed who had used a taxi or PHV had experienced an access refusal in the past year, and a variety of reasons for such access refusals were given:

Although drivers must present a medical exemption notice in order to refuse to transport an assistance dog, survey respondents said that this was done in only 8% of cases, for both taxis and PHVs... Respondents were refused for a range of reasons, including a dislike of dogs, religious and cultural reasons, and the possibility that other passengers might be allergic. Many respondents were not given any reason at all.²⁹⁹

Many respondents said that these experiences of taxi access refusals reduced their confidence in using taxis in future.³⁰⁰

More wide-ranging reform of national minimum standards for taxi and PHV licensing, including mandatory disability training, has been a long-term ambition for the Government, which has said it remains committed to such reform when parliamentary time allows.³⁰¹

National Disability Strategy

In the Government’s National Disability Strategy (NDS), published July 2021, the Government pledged to do the following three things related to taxi accessibility:

1. Introduce legislation – within the current Parliament – to strengthen the law on the carriage of disabled people in taxis and PHVs in Great Britain, in order to ensure protection from overcharging and the provision of appropriate assistance.

²⁹⁷ DfT Guidance [Taxi and private hire vehicle licensing: government response to independent report](#) 12 February 2019

²⁹⁸ DfT Research and Analysis [Inclusive Transport Strategy: evaluation baseline and technical reports](#) 10 January 2022

²⁹⁹ DfT Research and Analysis [Inclusive Transport Strategy: evaluation baseline and technical reports](#) 10 January 2022, Section 7.3

³⁰⁰ DfT Research and Analysis [Inclusive Transport Strategy: evaluation baseline and technical reports](#) 10 January 2022, Section 7.3

³⁰¹ PQ 145889 [[On Taxis: Dogs](#)], answered 1 April 2022

2. Encourage local authorities to require drivers to complete disability awareness training.
3. Mandate disability awareness training through new National Minimum Standards for taxi and PHV licencing - when legislative time allows. In the meantime, the Government pledge to “consult during 2021 on updated guidance for licensing authorities, including strengthening recommendations on supporting an inclusive service”.³⁰²

Since the NDS was published in July 2021, the Government has delivered one aspect of this third pledge: it has launched a consultation on updated guidance for licensing authorities in March 2022 which included questions on how licensing authorities might promote accessibility.³⁰³

³⁰² DWP, Disability Unit, Equality Hub Policy paper [National Disability Strategy, Part 1: practical steps now to improve disabled people's everyday lives](#) 28 July 2021

³⁰³ DfT Open consultation [Taxi and private hire vehicle: best practice guidance to assist local authorities](#) Published 28 March 2022

5 Air travel

5.1 Passenger Rights

DfT guidance on the [Rights of disabled passengers on transport: Aviation](#) says that passengers should expect:

- assistance at check-in and with baggage
- help storing and retrieving baggage
- support throughout the emigration, customs and security procedures
- moving to the toilet facilities if required
- transport of up to 2 pieces of mobility equipment in addition to medical equipment

The guidance adds that it is not only permanently or visibly disabled people who should receive such assistance but anyone who has difficulty moving around, due to a disability, age or a temporary injury.

Recognised assistance or guide dogs are allowed in the cabin without charge on approved routes.³⁰⁴ Larger dogs normally sit on the floor but lighter dogs can be carried in the owner's lap.

If assistance is required, 48 hours advance notice should be given, but if shorter notice or no notice at all is given, reasonable efforts must still be made to assist passengers.³⁰⁵

The guidance says that any complaints should be directed, in the first instance, to the airline or airport.³⁰⁶ If the complainant is still unhappy, they can take their case to an approved alternative dispute resolution (ADR) body.³⁰⁷ If the airline or airport does not have an agreement with an ADR, the complainant can refer their complaint directly to the Civil Aviation Authority (CAA), the UK's aviation regulator. Alternatively, they can take direct legal action against an airline or airport.³⁰⁸

³⁰⁴ See [Gov.uk: Bringing your pet dog, cat or ferret to Great Britain](#) [Accessed 15 June 2022] for eligibility for taking guide or assistance dogs on aircraft

³⁰⁵ DfT Guidance [Rights of disabled passengers on transport updated: Aviation](#) 30 August 2019

³⁰⁶ DfT Guidance [Rights of disabled passengers on transport updated: Aviation](#) 30 August 2019

³⁰⁷ CAA [Alternative dispute resolution](#) [Accessed 15 June 2022]

³⁰⁸ CAA [How to make a complaint](#) [Accessed 15 June 2022]

5.2

Key legal requirements

The law in this area derives from the EU, particularly Articles 3, 4 and 10 and Annex II of [EU Regulation 1107/2006](#).³⁰⁹ On 1 December 2014 the Civil Aviation (Access to Air Travel for Disabled Persons and Persons with Reduced Mobility) Regulations 2014 ([SI 2014/2833](#)) came into effect, giving the CAA full legal authority to ensure airlines or airports comply with the EU Regulation.³¹⁰ These regulations have been retained in UK law.³¹¹

The Regulation provides that an air carrier or its agent or a tour operator shall not refuse, on the grounds of disability or of reduced mobility, to accept a reservation for a flight departing from or arriving at an EU airport, or to embark a disabled person or a Person with Reduced Mobility (PRM) at such an airport, provided that the person concerned has a valid ticket and reservation.³¹²

Notwithstanding the above, an air carrier etc. may refuse, on the grounds of disability or of reduced mobility, to accept a reservation from or to embark a disabled person or a person with reduced mobility on the following grounds:

- in order to meet applicable safety requirements; or
- if the size of the aircraft or its doors makes the embarkation or carriage of that disabled person or person with reduced mobility physically impossible.³¹³

Article 4 provides that in the event of refusal to accept a reservation on the grounds referred to above, the air carrier etc. must “make reasonable efforts to propose an acceptable alternative” to the person in question. A disabled person or a PRM who has been denied boarding on the grounds of his or her disability or reduced mobility and any person accompanying this person (as

³⁰⁹ [O.J.L 1107/5 July 2006](#) Concerning the rights of disabled persons and persons with reduced mobility when travelling by air [PDF] Implemented in the UK via the Civil Aviation (Access to Air Travel for Disabled Persons and Persons with Reduced Mobility) Regulations 2007 ([SI 2007/1895](#)).

³¹⁰ Civil Aviation (Access to Air Travel for Disabled Persons and Persons with Reduced Mobility) Regulations 2014 ([SI 2014/2833](#)); Further information can be found in [guides](#) available from the Equality and Human Rights Commission [accessed 23 February 2018]

³¹¹ See CAA [Regulation \(EC\) No 1107/2006 of the European Parliament and of the Council of 5 July 2006 concerning the rights of disabled persons and persons with reduced mobility when travelling by air \(Text with EEA relevance\) \(Retained EU Legislation\)](#) [PDF] updated 15 January 2021

³¹² See CAA [Regulation \(EC\) No 1107/2006 of the European Parliament and of the Council of 5 July 2006 concerning the rights of disabled persons and persons with reduced mobility when travelling by air \(Text with EEA relevance\) \(Retained EU Legislation\)](#) [PDF] updated 15 January 2021, Article 3

³¹³ CAA [Regulation \(EC\) No 1107/2006 of the European Parliament and of the Council of 5 July 2006 concerning the rights of disabled persons and persons with reduced mobility when travelling by air \(Text with EEA relevance\) \(Retained EU Legislation\)](#) [PDF] updated 15 January 2021, Article 4 Derogations, special conditions and information

defined in Article 2) shall be offered the right to reimbursement or rerouting.³¹⁴

In order to satisfy themselves that a passenger is 'safe', an air carrier etc. may require that a disabled person or PRM be accompanied by another person who is capable of providing the assistance required by that person.³¹⁵

Air carriers etc. must make publicly available, in accessible formats and in at least the same languages as the information made available to other passengers, the safety rules that they apply to the carriage of disabled persons and PRMs, as well as any restrictions on their carriage or on that of mobility equipment due to the size of aircraft.³¹⁶

When an air carrier etc. refuses to carry a disabled person or PRM, it must immediately inform them of the reasons therefor. On request they must communicate these reasons in writing within five working days of the request.³¹⁷

Article 10 and Annex II state that an air carrier must provide the following assistance without additional charge to a disabled person or PRM departing from, arriving at or transiting through an EU airport:

- Carriage of recognised **assistance dogs** in the cabin, subject to national regulations;
- In addition to **medical equipment**, transport of up to two pieces of mobility equipment per disabled person or person with reduced mobility, including electric wheelchairs (subject to advance warning of 48 hours and to possible limitations of space on board the aircraft, and subject to the application of relevant legislation concerning dangerous goods);
- Communication of essential **information** concerning a flight in accessible formats;
- The making of all reasonable efforts to arrange **seating** to meet the needs of individuals with a disability or reduced mobility on request and subject to safety requirements and availability;
- Assistance in moving to **toilet facilities** if required; and
- Where a disabled person or PRM is assisted by an **accompanying person**, the air carrier will make all reasonable efforts to give such

³¹⁴ CAA [Regulation \(EC\) No 1107/2006 of the European Parliament and of the Council of 5 July 2006 concerning the rights of disabled persons and persons with reduced mobility when travelling by air \(Text with EEA relevance\) \(Retained EU Legislation\)](#) [PDF] updated 15 January 2021, Article 4 Derogations, special conditions and information

³¹⁵ As above

³¹⁶ As above

³¹⁷ As above

person a seat next to the disabled person or person with reduced mobility.³¹⁸

5.3 Ongoing policy issues

In June 2014 the CAA announced that it had decided to use new powers available to it to require airlines and airports to display specified information about policies and services for PRMs in a comparable and accessible format on their websites.³¹⁹ In December 2016 the CAA issued new guidance to UK airports on the minimum compliance standards under the EU Regulation.³²⁰ In October 2018 the CAA issued new guidance to airports on assisting passengers with hidden disabilities.³²¹

Inclusive Transport Strategy

In its July 2018 Inclusive Transport Strategy (ITS), the Government made two related pledges in regard to improving aviation accessibility:

- Work with the CAA to review performance standards for airports and airlines, such as the length of time taken for a passenger to receive assistance boarding and leaving aircraft. By 2020, we intend to put in place a robust framework for measuring airlines' provision of assistance services, and to have strengthened the current performance standards for airports;
- By 2019, consider how passenger assistance could be improved by providing assistance via a single member of staff throughout the journey (airside and landside).³²²

In its 2020 progress report on the ITS, the Government noted that the CAA had created a refreshed airport accessibility framework in 2019.³²³ This is a series of benchmarks about airport accessibility performance which the CAA requires all airports (carrying over 150,000 passengers a year) to supply data on, and to publicise such data on its website. The benchmarks are generally around how long a disabled person or PRM has to wait for assistance, should

³¹⁸ CAA [Regulation \(EC\) No 1107/2006 of the European Parliament and of the Council of 5 July 2006 concerning the rights of disabled persons and persons with reduced mobility when travelling by air \(Text with EEA relevance\) \(Retained EU Legislation\)](#) [PDF] updated 15 January 2021, Article 10. On this point, a court case in 2014 brought to light problems with the Montreal Convention when seeking compensation for distress etc. caused by a breach of any of these rules; see: [Stott v Thomas Cook](#), [2014] UKSC 15, 5 March 2014

³¹⁹ CAA, [Revised CAA proposal on information for PRM passengers](#), 13 June 2014; powers under sections 83-93 of the [Civil Aviation Act 2012](#)

³²⁰ CAA, [CAA guidance for airports on providing assistance to people with hidden disabilities](#), CAP 1411, 8 December 2016

³²¹ CAA press notice, "[Airlines given guidance on assisting passengers with hidden disabilities](#)", 15 October 2018

³²² DfT Policy paper [The Inclusive Transport Strategy: Achieving Equal Access for Disabled People](#), July 2018, para 5.5

³²³ DfT Policy paper [The Inclusive Transport Strategy – summary of progress](#) Updated 3 November 2020

they require it. The framework also requires airports to create and consult with ‘Accessibility Forums’, comprised of” representatives of disability groups and disabled individuals, in particular those that travel through the airport and use the assistance service.”³²⁴ The framework also encourages airports to reduce ‘handovers’ between staff assisting disabled passengers at airports, and aim for a continuous assistance service, ideally with one assistant staff throughout a passenger’s airport journey.³²⁵

Airport accessibility reports

Airport scores are awarded based on waiting times for assistance, and the scores are published by the CAA in annual airport accessibility reports.³²⁶ In 2019, for the airport to reach a ‘good’ rating in the annual Airport Accessibility Report, 97% of passengers who had pre-notified their need for assistance should have received assistance within 20 minutes.³²⁷ This target rose to 98% from 2020.³²⁸

In December 2020 the CAA reported that the number of people with a disability requesting extra help when travelling by air had reached over four million requests in the reporting year 2019/20 – almost double the amount than was recorded in 2015.³²⁹ In 2020, 15 UK airports were rated ‘very good’, up from six airports in the 2017 review. 13 Airports were rated ‘good’ and three were classed as ‘needing improvement’ (though this was largely due to poor data reporting, rather than poor service delivery). Manchester Airport received a ‘good’ rating, having been classed as ‘poor’ in 2017/18.³³⁰

In June 2022, there were media reports of disabled passengers having to wait for extended periods of time for airport assistance, amid wider disruption to aviation caused by high passenger demand and industry labour shortages.³³¹ On 9 June 2022, the CAA wrote to all UK airports recognising the industry’s labour shortages and the increasing number of passengers requiring assistance. That said, the CAA argued that airports must do more to ensure disabled passengers do not have to wait to receive assistance, and to encourage passengers to pre-notify airports if they were going to require assistance. The letter warned that enforcement action under Regulation EC 1107/2006 might be necessary if airports with a high number of passengers requiring assistance did not supply the CAA with detailed plans setting out

³²⁴ CAA CAP1228 [Guidance on quality standards under Regulation EC 1107/2006](#), March 2019 [PDF]

³²⁵ CAA CAP1228 [Guidance on quality standards under Regulation EC 1107/2006](#), March 2019 [PDF]

³²⁶ These were paused in 2021 due to the Covid pandemic. The most recent example is CAA [CAP1978: Airport Accessibility Report 2019/2020](#) 3 December 2020 [PDF]

³²⁷ DfT Policy paper [The Inclusive Transport Strategy – summary of progress](#) Updated 3 November 2020

³²⁸ CAA [CAP1978: Airport Accessibility Report 2019/2020](#) 3 December 2020 [PDF]

³²⁹ CAA press release [Accessibility progress at UK airports](#), 3 December 2020

³³⁰ CAA press release [Accessibility progress at UK airports](#), 3 December 2020; CAA [CAP1978: Airport Accessibility Report 2019/2020](#) 3 December 2020 [PDF]

³³¹ The Guardian [Airports must stop failing disabled passengers, says UK regulator](#) 10 June 2022; DfT Press Release [Transport Secretary meets with aviation industry following disruption at UK airports](#) 1 June 2022

“what further assurance they have, and additional measures they have taken, to stop the significant service failures happening in the future.”³³²

Accessibility equipment

In early 2022, the Government consulted on a range of reforms to aviation consumer policy.³³³ Part of this consultation was aimed at improving accessibility at airports. In the consultation document, the Government pointed to survey data collected by the CAA, which suggested that 25% of UK air passengers have a disability or health condition, and of those 60% find it difficult to access and use airports or fly.³³⁴ Three quarters of passengers who have received assistance are satisfied with the overall assistance received, however, “there is a noticeable decrease in satisfaction in many points of the journey, including the carriage of special items”.³³⁵

One issue the consultation document identifies is damage to, or loss of, wheelchairs or other (often expensive) specialist mobility equipment sustained during transit. Such equipment is usually defined in law as baggage, thereby limiting the amount of compensation that can be paid out, unless the passenger makes an advanced declaration and pays a supplementary fee. The consultation seeks views on whether to remove the requirement for this supplementary fee.³³⁶ The intention is to give disabled passengers more confidence that, should a wheelchair or other specialist mobility equipment be lost or damaged during a flight due to the fault of the carrier, the passenger would be entitled to full compensation, replacement or repair.³³⁷

³³² [O.J.L 1107/5 July 2006](#) Concerning the rights of disabled persons and persons with reduced mobility when travelling by air [PDF] Implemented in the UK via the Civil Aviation (Access to Air Travel for Disabled Persons and Persons with Reduced Mobility) Regulations 2007 (SI 2007/1895). See Section 5.2 above; CAA Letter [Providing assistance to disabled and less mobile passengers](#) 9 June 2022 [PDF]

³³³ DfT Closed consultation [Reforming aviation consumer policy: protecting air passenger rights updated](#) 23 February 2022

³³⁴ CAA [UK Aviation Consumer Survey Wave 10 Report](#), Autumn 2021 [PDF]

³³⁵ DfT Closed consultation [Reforming aviation consumer policy: protecting air passenger rights updated](#) 23 February 2022 [PDF], para 4.2; CAA [CAP2178B: UK Aviation Consumer Survey Key Findings Wave 9 \(Winter 2020\)](#), 1 June 2021

³³⁶ DfT Closed consultation [Reforming aviation consumer policy: protecting air passenger rights updated](#) 23 February 2022 [PDF], para 4.4

³³⁷ Such a right already exists for maritime and rail passengers under [Article 15, Regulation \(EU\) No 1177/2010 \(as retained in UK law\)](#) for Maritime and [Article 25, Regulation \(EC\) No 1371/2007 on rail passengers' rights and obligations \(as retained in UK law\)](#) for rail

6 Ferries and cruises

6.1 Passenger Rights

DfT guidance on the [Rights of disabled passengers on transport: Maritime](#) says that passengers should expect:

- acceptance for carriage (unless safety reasons justify refusal)
- free assistance in ports to embark, disembark and on board vessels
- staff who have been trained to understand disabled person's needs
- assistance dogs being carried (subject to national pet regulations)
- medical and mobility equipment to be allowed on board where it is reasonable for the voyage
- ports and vessels that are fully accessible (recognising that there is no retrofitting requirement, so it will take time for all facilities to be compliant).³³⁸

The guidance adds that it is not only permanently or visibly disabled people who should receive such assistance but anyone who has difficulty moving around, due to a disability, age or a temporary injury.

Complaints are dealt with under a 3 tier system. Passengers are advised to:

- Complain to the operator to give them the opportunity to resolve the issue.
- Complain to the voluntary complaint handling body for the type of voyage being complained about.³³⁹
- Complain to the Maritime Coastguard Agency (MCA) who enforce the legislation.³⁴⁰

³³⁸ DfT Guidance [Rights of disabled passengers on transport updated: Maritime](#) 30 August 2019

³³⁹ The relevant complaint handling bodies are listed in DfT Guidance [Maritime passenger rights: your journey: Making a complaint](#) 22 February 2022

³⁴⁰ Maritime Coastguard Agency [About Us](#) [Accessed 15 June 2022]

6.2

Key legal requirements

The law in this area derives from the EU, particularly Chapter III and Annex II of EU [Regulation 1177/2010](#) concerning the rights of passengers when travelling by sea and inland waterway.³⁴¹ This has been incorporated into domestic UK law by section 3 of the European Union (Withdrawal) Act 2018.³⁴²

The Regulation aims to provide disabled persons and persons with reduced mobility (PRMs) with the same opportunities to travel by ferry and cruise ship as they have in other transport sectors across the EU. It applies to:

- passengers travelling on a ferry departing from, or arriving in, the UK or any other EU Member State, or who have booked and paid for such a journey; and
- passengers travelling or booked on a cruise ship departing from the UK or any other EU Member State.

It applies to almost all international voyages and to many domestic ferry services that operate in the UK.

It provides that disabled people and PRMs are entitled to make a booking for, buy a ticket for, and travel by ship on the same basis as other passengers.³⁴³ There are only two circumstances in which an operator of a ship (or travel agent or tour operator on its behalf) can refuse to accept a reservation from or to embark a disabled person or a PRM for reasons related to their disability or reduced mobility:

- Where carrying the person would conflict with safety requirements as established by international, EU or national law or in order to meet safety requirements established by the competent authorities;³⁴⁴ or
- Where the design of the passenger ship or port infrastructure and terminals make it impossible to carry out the embarkation,

³⁴¹ [O.J.L 1177/ 24 November 2010](#) [PDF] Concerning the rights of passengers when travelling by sea and inland waterway. This Regulation came into force in December 2012. Enforcement of the rights and entitlements set out in the Regulation was provided for under the Merchant Shipping (Passengers' Rights) Regulations 2013 (SI 2013/425), which came into force on 27 March 2013.

³⁴² See DfT, MCA Guidance [Guidance: Overview \(Guidance Note 0\)](#) updated 26 January 2021; [Section 3, European Union \(Withdrawal\) Act 2018](#)

³⁴³ However, it is concerned only with disability and with mobility – it does not, for example, prohibit an operator from refusing to carry a passenger who is fully mobile but has a health condition that may require medical attention that will be unavailable during the voyage

³⁴⁴ The primary requirements relating to the safety of the ship are those set out in, and derived from, the [International Convention for the Safety of Life at Sea \(SOLAS\)](#) and the related [Safety Management Codes](#)

disembarkation or carriage of the person in a safe or operationally feasible manner.³⁴⁵

Operators of ships and of port terminals also have a duty to provide clear information to would-be passengers and to have documented procedures in place for the carriage of disabled passengers. Clear information should be provided about equipment that cannot be carried on board the vessel, such as oxygen cylinders, and about any restrictions on the size or weight of equipment that may be taken on board (or into the passenger areas on board).³⁴⁶

The circumstances in which a disabled passenger may be required to be accompanied by a companion also need to be clearly set out, together with, in relation to ferry services, the arrangements for obtaining a ticket for such a companion free of charge.

Where a cruise or ferry operator (or a travel agent) refuses to accept a booking from or to sell a ticket to a passenger for a particular sailing for reasons related to the passenger's disability or reduced mobility, the operator (or travel agent) must try to identify an alternative sailing operated by the ferry/cruise operator that may be acceptable to the passenger. Where no such alternatives are available and the would-be passenger is therefore unable to make a booking, the operator must then and there explain the reasons why and be ready to provide the explanation in writing within five working days, and must do so if the individual so requests.³⁴⁷

Where a disabled person or a PRM has a booking or a ticket for a sailing and when making the booking or buying the ticket had provided information about their specific requirements for accommodation or need to bring medical equipment for reasons related to their disability or mobility and is nonetheless refused embarkation at the port, the ferry or cruise operator must either, at the discretion of the passenger:

- provide a full refund within seven days and, if all safety requirements can be met, arrange free travel for the person back to their first point of departure; or
- arrange, similarly if all safety requirements can be met, for the person to be taken to their destination by a different route (or on a later sailing, if that suits the passenger) at no additional cost and under comparable conditions.

³⁴⁵ DfT, MCA Guidance [Guidance for carriers, tour operators and travel agents on the carriage of disabled passengers and others with reduced mobility \(guidance note 2\)](#) Updated 26 January 2021

³⁴⁶ DfT, MCA Guidance [Guidance for carriers, tour operators and travel agents on the carriage of disabled passengers and others with reduced mobility \(guidance note 2\)](#) Updated 26 January 2021

³⁴⁷ DfT, MCA Guidance [Guidance for carriers, tour operators and travel agents on the carriage of disabled passengers and others with reduced mobility \(guidance note 2\)](#) Updated 26 January 2021

Operators of port terminals must provide such assistance as a passenger may need:

- **At staffed terminals:** this includes designating and signposting a place where a disabled passenger can report on arrival in the port; assisting the passenger to proceed physically through the port and the terminal building; presenting the passenger for any security and border control formalities; and (if necessary) assisting the passenger to proceed to any toilet facilities.
- **At unstaffed departure points:** there is no obligation to provide assistance, though the needs of disabled passengers should nonetheless be taken into account as and when such slipways or quays are designed or extensively refurbished.
- **On board ships:** operators of ferries and cruise ships must provide such assistance as a passenger may need in order to proceed to an appropriate seat or cabin on embarkation, to stow and retrieve any luggage, to proceed (if necessary) to any toilet facilities, and to proceed to the ship's exit for disembarkation at the end of the voyage. Operators must also carry any medical or mobility equipment belonging to the passenger that is needed for the voyage, subject to such equipment being permitted on board the vessel.³⁴⁸

The obligations at staffed terminals and on board ships are conditional upon receiving 48 hours' notice from the passenger and the passenger arriving in sufficient time; if that notice is not given, the operator must 'make all reasonable effort' to provide assistance.³⁴⁹

6.3

Ongoing policy issues

Inclusive Transport Strategy

The July 2018 Inclusive Transport Strategy stated that from autumn 2018 the Maritime and Coastguard Agency (MCA) would undertake a survey of disabled passengers using ferries and cruise ships in order to effectively measure the services provided; and that by the end of 2019 DfT would review the MCA's enforcement of regulation, particularly around staff training and "work with them to strengthen procedures where areas for improvement are identified".³⁵⁰ It also set out its intention in 2019 to publish a toolkit for the maritime industry highlighting key challenges disabled people can face in

³⁴⁸ DfT, MCA Guidance [Guidance for carriers, tour operators and travel agents on the carriage of disabled passengers and others with reduced mobility \(guidance note 2\)](#) Updated 26 January 2021

³⁴⁹ DfT, MCA Guidance [Guidance for carriers, tour operators and travel agents on the carriage of disabled passengers and others with reduced mobility \(guidance note 2\)](#) Updated 26 January 2021

³⁵⁰ DfT [The Inclusive Transport Strategy: Achieving Equal Access for Disabled People](#), July 2018, para 5.6

travelling by sea as well as recommendations on how they can make maritime infrastructure more accessible.³⁵¹

The MCA conducted its disabled passenger satisfaction survey in 2019 and published the results in 2020. The results showed higher levels of satisfaction among cruise passengers than ferry passengers - on average 71% of cruise ship passengers were either very satisfied or satisfied with their experience during booking, at the port & on the ship. Those who travelled only by ferry in 2019 showed lower levels of satisfaction, averaging 46% in 2019.³⁵² The MCA pledged to target ferry passengers in future iterations of the disabled passenger satisfaction survey, which was paused in 2020 due to Covid-19 but was expected to resume in 2021.³⁵³

As pledged in the Inclusive Transport Strategy, the DfT, in consultation with DPTAC, published a toolkit for the maritime industry in January 2021.³⁵⁴ This highlighted key challenges disabled people can face in travelling by sea, as well as recommendations on how they can make maritime infrastructure more accessible, such as “considering including accessible toilets and Changing Places facilities when they upgrade and renovate port infrastructure, and providing facilities so that disabled and reduced-mobility passengers can park close to port terminal buildings while waiting to board a vessel.”³⁵⁵

National Disability Strategy

In the Government’s National Disability Strategy (NDS), published July 2021, the Government pledged to provide funding to improve accessibility at key ‘lifeline’ ports connecting the Isle of Wight and Isles of Scilly to the mainland.³⁵⁶ In a press release in October 2021 the DfT said it was welcoming bids for funding to be spent on equipment such as wheelchairs or accessible ticket machines, or building works like ramp levelling or the installation of Changing Places toilets.³⁵⁷

³⁵¹ DfT [The Inclusive Transport Strategy: Achieving Equal Access for Disabled People](#), July 2018, para 8.48

³⁵² MCA Research and analysis [Summary of the MCA disabled passenger satisfaction survey 2019](#) 19 October 2020, Para 3.1

³⁵³ MCA Research and analysis [Summary of the MCA disabled passenger satisfaction survey 2019](#) 19 October 2020, Para 4

³⁵⁴ DfT, MCA Guidance [Maritime passenger rights: industry toolkit](#) Updated 26 January 2021

³⁵⁵ DfT Policy paper [The Inclusive Transport Strategy – summary of progress](#) Updated 3 November 2020

³⁵⁶ DWP, Disability Unit, Equality Hub Policy paper [National Disability Strategy, Part 1: practical steps now to improve disabled people's everyday lives](#) 28 July 2021

³⁵⁷ DfT Press Release [Government offers £1 million accessibility boost to ferries to the Isle of Wight and Isles of Scilly](#) 1 October 2021

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