



A Practical Guide for Rail Services

Introduction

Access to transport is fundamental to full and independent participation in society as a whole. Yet, disabled people travel one third less than non-disabled people. In the context of an increasingly mobile society and an ageing population where there are likely to be higher levels of disability, it is essential that the transport industry develops to meet these challenges. Many improvements have already been made or are well under way, but there is still a significant way to go.

The Disability Rights Commission (DRC) has produced a series of good practice guides for transport providers. Each guide deals with a different transport sector and offers practical advice on good practice in serving disabled customers. The following sectors are covered:

- scheduled buses and coaches
- breakdown recovery services
- rail services
- rental vehicles
- taxis and private hire vehicles (PHVs)
- tour coaches.

Purpose and scope of the Guidance

This Guidance is for operators of heavy rail services in England, Scotland and Wales. It is primarily aimed at staff responsible for drawing up policies for customer service. It is also relevant for staff of Network Rail who are responsible for the management of those stations under their control.

The information contained will also be useful for operators of light rail and tram services, who may find further helpful advice in the Guide for operators of scheduled bus and coach services.

As explained above, the Guidance is intended to be a practical guide, offering good practice advice to Train Operating Companies (TOCs) and others in serving disabled customers and potential customers. It shows how the adoption of good practice can promote equal treatment of – and avoid discrimination against – disabled people.

However, the Guidance is not intended to offer a detailed explanation of the workings of the Disability Discrimination Act (DDA) as it applies to disabled people and transport. The DRC has already produced two Codes of Practice which are designed for this purpose, and more detail on these can be found in the following section ‘What the law says’ and in Appendix 1 to this Guide.

Rather than replicating these Codes, which are inevitably legalistic documents, this Guide takes a more practical and comprehensive approach. It covers the whole process of using train services. It deals with all aspects of the journey, including those services provided before, during and after it. This will include the point at which a potential customer starts planning a journey (information-seeking and publicity issues), to the end

of the trip.

The scope of this publication is therefore not restricted to what is covered by the law, and it should not be treated as a legal interpretation, but rather as a guide to effective practice in serving disabled people. Nor is the Guide a statement of best practice (a concept which is in any case difficult to define in a rapidly changing world), there may be occasions when TOCs may want to go beyond the advice given in this guide in order to effectively serve disabled customers.

The types of vehicle covered here are standard heavy gauge trains and standard gauge underground services. As stated above some of this guide will be relevant to light rail and tram services although they are not the primary audience for the Guide. The Guide does not seek to address issues relevant to heritage rail services.

What the law says

Although, as stated above, this Guidance is not intended to provide an interpretation of the DDA, a brief summary of its basic principles is set out below. A more detailed summary is also provided in the Appendix of this Guide.

Essentially, the DDA makes it unlawful for organizations which provide services to the public to discriminate against disabled people in the way they provide or do not provide those services. This involves much more than simply refusing or neglecting to provide a service, organisations must make 'reasonable adjustments' to remove or overcome elements in their services which present barriers to disabled people. The Act has been introduced in stages to allow businesses time to

review the way in which they deliver their services and plan the changes they need to make to remove discriminatory aspects.

All transport providers have duties under the DDA. These duties will vary according to the type of vehicles and services they offer to the public.

Currently all transport providers have duties under Part 3 of the DDA in relation to transport infrastructure. For Train Operating Companies (TOCs) this means things like information services and accessibility of stations. Some transport operators (including TOCs) also have to comply with detailed technical regulations under Part 5 of the DDA. These regulations mostly affect the physical design and layout of the vehicles they cover.

Since December 2006 TOCs also have duties in relation to the provision and use of the vehicles they provide.

Appendix 1 to this publication provides further information on the DDA duties. However, it is recommended that TOCs refer to the relevant Codes of Practice for a full explanation of their legal duties. The DRC has produced a series of statutory Codes of Practice on various aspects of the DDA. These include two that relate specifically to transport:

- the **Code of Practice on Rights of Access to Services and Premises** (known as the Part 3 Code), which covers duties in relation to the provision of transport infrastructure services; and
- the **Code of Practice on Provision and Use of Transport Vehicles** (supplementary to the Part 3 Code), which covers duties in relation to the provision and use of transport vehicles.

Train Operators are likely to include in their rolling stock, trains which have been brought into service since January 1999 and are covered by the Rail Vehicle Access Regulations (RVAR) issued under Part 5 of the DDA. The RVAR set design standards, including wheelchair access, and a number of other features to make them accessible to disabled passengers. They will also still be operating for the foreseeable future rolling stock which pre-dates these regulations. Nevertheless the majority of this stock includes at least some features which facilitate access for disabled passengers and TOCs should do all they reasonably can to assist disabled passengers to use such trains.

Who is a disabled person?

There are officially upwards of 10 million disabled people in Britain. Many may not think of themselves as disabled, but will nevertheless be covered by the DDA definition of disability. Some people are obviously disabled, such as someone who uses a wheelchair or a white cane, others may have disabilities which are not immediately obvious, such as a serious heart condition, mental health issues or diabetes.

Train operators should avoid stereotypical assumptions as to whether or not someone is disabled, or as to the extent of someone's disability. For example, some people who use wheelchairs can transfer – say to a seat in the train – others cannot. People who can walk may only be able to do so with difficulty and with the help of a walking aid.

Rather than making such assumptions, the operator should be focusing on the individual's service requirements. The nature of someone's disability is only relevant when considering whether and at what point they might require assistance.

One issue which the range of different disabilities serves to emphasise is the importance of staff training in disability awareness and equality issues. Staff attitudes towards disabled customers are often cited as the single most important aspect determining satisfaction with a service. Staff training is dealt with in section 6 below.

Planning for disabled customers

Train operators are required as a condition of their franchise to publish a Disabled Person's Protection Policy (DPPP). This sets out the arrangements the TOC has in place for serving disabled customers. A good comprehensive DPPP should enable a TOC to follow the advice included in this guidance without difficulty. It is a requirement of a franchise that DPPPs are made available to disabled people on request, and this should include provision in alternative format if required.

The DRC recommends that the ultimate aim for all transport providers should be to integrate provision for disabled customers to the point where it is automatically planned into the provision of any service, vehicle or building and, ideally, mainstreamed within that provision. This is in order to prevent, wherever possible, a situation in which disabled people are separated out from other passengers as 'special cases'.

Building disability equality into all service monitoring, review, planning and implementation should help ensure that the operator is providing an optimum level of service for its disabled customers (and undoubtedly many of its other customers also).

Keeping up to date with improvements in technology and equipment will help provide future solutions to the problem of inaccessible services. What may be beyond the budget or technologically impossible today may well be possible in the future, especially with a positive approach and effective longterm planning and budgeting.

Positive attitudes, positive outcomes – the importance of staff training

In the operation of rail services there is close contact between the operator's staff and passengers. This applies particularly to the train manager or other on-board member of staff where the service is staffed, and to staff at stations, but there is also contact between passengers and staff who deal with requests for information either in person or over the telephone. It follows that training staff to understand how they can best meet the needs of disabled passengers is absolutely essential. It is in any case worth considering that effective training of this kind can often reduce the need for general customer service training.

Support and commitment from management are crucial in achieving truly high standards and long term change. Planning for the future should incorporate disability issues from the outset. It is recommended that disability equality training should include everyone in the organisation.

Content of a training programme

A programme for staff training should obviously vary as appropriate according to the level of detail required. TOCs already have arrangements in place for staff training, the

following are some basic pointers to the content of a programme for reference. The programme should:

- Be based upon the principles of the ‘Social Model’ of disability; these ensure that the starting point for any training is the acceptance that disabled people are full members of society who are disabled by the poor design of the built environment, by a lack of clarity in information provided and by the inappropriate attitudes of others.
- Explain how to assist disabled people. This should cover the needs of people with all kinds of disability, not just those of people who are more obviously disabled, such as wheelchair users. Staff should be trained not to simply assume that a person needs a particular form of help, and to ask if help is required before giving it.
- Ensure that staff know how to operate any equipment which is relevant to their role, for example a wheelchair ramp or an induction loop, correctly and safely.
- Explain how to communicate effectively, particularly with people with learning disabilities or speech impairments as well as people with hearing loss.
- Instruct the staff what to do in the case of an emergency, for example train breakdown.
- Give an overview of what the DDA legislation means in practice.
- Aid personal development, for example by encouraging staff to learn sign language.

Need for continuing training

Training of this kind is not a one-off activity. Refresher training should be given regularly, for example, to take account of relevant technological developments.

Familiarisation for passengers

Many disabled passengers, particularly those with mobility impairments, may have little recent experience of using train services because of the obstacles found in old rolling stock. Consequently, they are likely to be unaware of the recent improvements in accessibility. Operators should consider publishing a promotional leaflet for disabled people, which should be made available in alternative formats (such as large print or tape) on request. Such a leaflet would draw on the information contained in their DPPP including a description of the service offered, and then following the logic of the transport chain:

- refer to available information services – call centre, internet, help points at stations, etc.
- describe what assistance is offered (eg: the Assisted Passenger Reservation System for passengers who need to book assistance, and what help is available for those who don't)
- reassure users that their needs have been carefully considered
- explain clearly what happens if things go wrong
- illustrate the principal features of the vehicles, including designated doors for wheelchair access and on-board toilet facilities (where provided)
- describe the types of manual and powered wheelchairs (ideally, using photographs) which can be accepted on board the train
- scooter users should be encouraged to contact the TOC for advice on the suitability of their scooter on board a train.

This will help to avoid any unnecessary conflict with staff.

- describe the alternative access arrangements they have in place at stations which are inaccessible to some disabled passengers.

Information about services

Information and marketing strategies need to consider the promotion of the service to disabled people – many of whom may never previously have been able to use public transport.

Journeys usually start with the customer finding out about what services are available. The ways of doing this are varied. The prospective passenger may call at a station in person or telephone. They may find out about the service from advertising such as leaflets or the many websites they can visit.

Access to the ticket office

Where a station has a ticket office this should be accessible for disabled passengers. The provision of an induction loop at the booking office counter would help people who use a hearing aid and an adjustable or low level counter position will help wheelchair users and others of short stature.

Telephone enquiries

For most customers seeking pre-journey information, the telephone is likely to be a major point of contact. As with all customers, courtesy and a willingness to help are of paramount importance in creating a positive initial impression.

The National Rail Enquiries service – 08457 48 49 50 provides network-wide information about rail services. Through this

service, staff provide timetable and ticketing information to the public. They can also provide disability-related information via access to a station facilities database and to maps showing station accessibility. For the database and maps to remain helpful, it is essential that they are accurate and kept up to date as access to stations changes over time. TOCs should ensure that their own enquiry lines have access to the same information about their own stations and services.

Staff operating such services should be aware of disability-related information, such as the Assisted Passenger Reservation System (APRS) and they should also be sensitive to disability-related communication issues.

Members of staff receiving a telephone booking/information call should be aware that it may be via Typetalk. This is a service that can be used by a profoundly deaf person, in which a telephone operator acts as an intermediary between the caller and the staff receptionist taking the call. The telephone operator relays the receptionist's answers to the caller, which appear on their telephone as a written message.

An increasingly popular way for people who are deaf or hard of hearing to communicate is to use SMS text messaging, so operators should consider making this facility available.

Callers who have a learning disability, for example, may need extra time when making a booking. Staff should use plain and simple language and allow plenty of time for the caller to process information and ask questions.

Similarly, for callers who have a speech impairment, staff should give the customer all the time they need, and should avoid interrupting by suggesting responses.

For some disabled passengers the Traintracker service may be particularly helpful in providing information about train services, for example passengers who are visually impaired. Train operators may consider actively promoting this service to blind and other passengers who have difficulty accessing the internet and visual information services.

Use of websites

Using the internet to find out information on routes and timetables and to make bookings is increasingly popular. If the company has a website, it should be designed so that it is accessible for disabled people, in terms of content and usability. For example, how a customer can progress through it to make a booking. Guidelines on the design of accessible websites are available. In conjunction with the DRC, the British Standards Institute (BSI) has developed guidance for web commissioners and designers. This guidance can be purchased from the BSI at www.bsi-global.com.

The key network-wide source is the National Rail Enquiries service at www.nationalrail.co.uk, operated by ATOC. Like the telephone service, this website provides timetable and ticketing information to the public, as well as disability-related information on station facilities and maps showing station accessibility. It is important that consistent criteria are used when gathering information about accessibility of station facilities. As noted earlier, it is essential that these maps and the database are kept up to date for them to continue to be useful.

The information on an operators website should include the following:

- information on passenger assistance;

- information on the accessibility of rolling stock and the routes on which it is normally operated;
- advice on how many passengers can be carried seated in their wheelchairs.

It is good practice for Train Operating Companies to include a copy of their DPPP on their website. Many provide their DPPP as a downloadable PDF document, whilst some also include it in other formats. Given the difficulties that some screen-readers still have with PDF documents, it is recommended that TOCs also provide this option of accessing it via another format.

London Underground has a number of pages on the Transport for London (TfL) website (www.tfl.gov.uk) dedicated to providing general information relating to issues of disability access. From these pages the database on accessibility of Tube stations and the London Underground accessibility map can be downloaded.

Printed information

It is a good idea to produce all printed material for the public, such as brochures about services, in a minimum font size of 14 point print (since many partially sighted people are able to read this size print), with a simple typeface and good contrast between text/numbers and background (for example, black text on white background). By adopting this approach, an operator is enabling many more people to read the information provided independently, without having to ask for a special adjustment.

For items such as timetables, where TOCs provide detailed information in what needs to be a compact format, it is accepted that printing in 14 point will often be impractical. A smaller

font is acceptable, provided that this information is made promptly available in a larger font when requested.

Train Companies should also make information available in Braille, on tape or CD Rom.

Marketing services is an important part of a company's activity. If promotional information is not accessible, a significant part of the market may be missed. For example, if an operator is introducing new, accessible trains onto any of its routes, these should be actively promoted so that those disabled customers who will now be able to use them are aware of the situation.

Providing a service

Levels of staffing vary throughout the rail network. As a general rule staffing levels on inter-city services are greater, and as a consequence the assistance which can be provided to disabled passengers is more extensive. The lower staffing numbers on regional and commuter services means that the range of assistance which can be provided to disabled passengers on these networks at stations and on trains will generally be more narrow.

This guide describes the wider range of service available on inter-city services as this provides the framework to outline the full range of assistance which can be provided. However it is accepted that it will not be possible for operators of regional and commuter services to provide all of the assistance suggested in this guide. Particular problems can arise because many regional and commuter services do not operate seat reservation systems. Indeed some services, such as help getting items from the buffet, will clearly not be relevant to trains which do not include that service, in this case a buffet car.

Access to the station

Delivering improved accessibility at stations is stated by the DfT as being one of the key elements of their Railways for All strategy. The Strategy also announced £370 million of additional funds for improving the accessibility of the UK's busiest stations, up to 2015.

A Small Schemes fund is part of this fund, and TOCs, Local Authorities and other bodies can apply to the fund to help them to undertake small scale access improvements to their stations. Potential applicants are encouraged to seek contributions from Passenger Transport Executives, Local and Regional Development Agencies and the devolved administrations in Wales and Scotland.

The current round of rail franchise agreements only requires TOCs to carry out 'minor works' to the stations which they manage. Minor works are defined as small scale physical alterations or additions to improve accessibility of stations, not involving substantial works of construction or reconstruction.

The operator is required to develop a minor works' programme for each year of their franchise and to consult DPTAC and Passenger Focus on its content. Furthermore, the operator should make reasonable efforts to obtain supplementary funding for accessibility improvements from sources such as local authorities, development agencies and other third parties.

It is important that, when any refurbishment of a station is undertaken, even if it is relatively minor, an assessment of what can be done to improve accessibility is made. It is important to remember that for many disabled people accessibility is not just

about level access for wheelchairs. Improved signage, better lighting, and reliable customer information services can all help to make stations and rail services more accessible to people with a range of impairments.

Examples of accessibility improvements that might be implemented as part of station refurbishments or via the minor works programme could include:

- additional seating;
- better lighting;
- improved accessible toilet facilities;
- increased and clearer signage;
- fitting of induction loops, help points and taxi-call points;
- improved self-service ticket-issuing machines;
- more portable ramps carried on trains and at stations; and
- dropped kerbs and tactile surfaces.

More detailed information about improving accessibility of railway stations can be found in the DfT Code of Practice for Train and Station Services for Disabled People (2002). This document explains what improvements Station Operators are required to make for disabled people, whenever they undertake Station Improvements. It also contains examples of best practice.

More information on best practice for improving access for disabled passengers can also be found in the DfT publication "Inclusive Mobility: a Guide to Best Practice on Access to Pedestrian and Transport Infrastructure".

Inaccessible stations

With the vast majority of the rail network having been built in Victorian times when no consideration was given to the needs

of disabled passengers it is inevitable that a significant proportion of stations will present barriers to disabled passengers. Although the programme of work described above will address this problem over time, for the foreseeable future a significant proportion of stations will continue to be inaccessible to some disabled passengers.

All operators responsible for stations have, through their individual DPPP, to put in place a policy for alternative transport where there are barriers to access at stations. All new franchised train operators will be expected to provide alternative accessible transport in these circumstances as a condition of their franchise.

Where a disabled person's journey starts from or finishes at a station that is inaccessible to them; there is an obligation on the train operator to provide some form of accessible transport from the start station to the next accessible station along the route, or from the final accessible station to the destination station. This obligation is subject to reasonable prior notice of the need for alternative transport and to the availability of suitable alternative transport.

Information about these arrangements should be well publicised in information material aimed at disabled people.

Car parking

Most operators responsible for stations provide car parking for disabled drivers, who hold Blue Badges, in dedicated parking bays at those stations which have a formal carpark. It is good practice for this parking to be provided without charge as many blue badge holders still find public transport to the station inaccessible to them. These dedicated parking bays should be

situated as close as possible to the station entrance and efforts should be made to ensure their legitimate usage. If a disabled car parking bay is unavailable for some reason, it is good practice to make it clear that blue badge holders are permitted to park elsewhere in the car park, free of charge. The issue of car parking is covered in more detail by the DfT Code of Practice.

Purchasing tickets

Purchasing tickets at the station should be made as accessible as is reasonably possible. Where there are ticket machines, they should be accessible to passengers in wheelchairs, well lit, have clear instructions and be simple to operate. Keypads and screens should use a clear and legible font and screens should be sited to avoid strong sunlight, or other reflected light which may make them hard to read. At busy times it may be sensible to have a staff member in the Avoiding Disability Discrimination in Transport area of the ticket machine to assist passengers who are having difficulty using it. Where ticket purchasing facilities on the station are not readily accessible, purchase of approximately the same ticket as would have been available at the station should be provided for on-train. Where trains are 'Driver-Only', purchase of approximately the same ticket should be provided for at the destination station.

Disabled passengers who have a valid reason for being unable to buy a ticket at the station should not be penalised by having to pay a penalty fare on the train.

Booking assistance in advance – the Assisted Passenger Reservation System

On grounds of equality of treatment, disabled passengers generally should be able to make a rail journey without having to book in advance.

However, the step up from the platform to the train means that wheelchair users, and some others with mobility impairments, will always require assistance in boarding trains. Moreover the sheer size of some major city stations, and the high number of un-staffed rural stations, will also mean that disabled people with a range of other impairments will need assistance to safely board the right train.

To provide assistance for passengers TOCs operate the Assisted Passenger Reservation System (APRS) which allows passengers to book assistance 24 hours before their journey. This system is also important for passengers who need to travel in their wheelchairs and want to reserve one of the limited number of wheelchair spaces on board trains.

Passengers are entitled to expect that pre-booked travel arrangements for their journey will be delivered to a high standard at the starting point, during the journey, at any station where they have to change trains and at their destination.

Because of the importance of APRS the remainder of the next covers the whole journey where passengers have booked assistance.

Booking assistance

Assistance is usually booked by telephone. To avoid penalising disabled people for having to use APRS these should be freephone numbers. For so long as disabled passengers have to

make separate telephone calls to buy their ticket and to book assistance the latter calls should be free of charge. It is however preferable to have a system which enables disabled people to book assistance in the course of the call to buy their ticket. With the increasing use of the internet to book tickets it would be desirable to allow assistance to be booked at the same time as buying a ticket on line.

When booking assistance the operating staff should confirm all the journey details with the disabled passenger. This should include any stations where it will be necessary to change train. The passenger should be advised to arrive at least 20 minutes before their train is due. If possible they should be given information to help them locate the Help Point (if there is one) where they should meet staff at the station where they will start their journey.

Arrival at the station

On arrival at larger stations there should be a clearly marked Help Point where the disabled person can identify themselves to staff as a passenger who has booked assistance. At smaller stations a Help Point may not be required, but staff should identify themselves promptly to any passenger who may need assistance.

Staff greeting disabled passengers should confirm when their train is expected and suggest where they should go to wait if there is some time before the train is due. Staff should also confirm the passenger's destination and that the appropriate staff have been informed of their need for assistance.

If it is necessary to leave the Help Point unstaffed there should be a notice advising disabled passengers to wait. It should be

the responsibility of all platform staff to acknowledge the arrival of the disabled passenger and ensure that assistance is provided, even if the help itself is provided by a dedicated team.

Boarding the train

It is important that the staff providing assistance are with the passenger as the arrival of the train is announced so that they are reassured that they will be able to board safely (on stations where there are no passenger announcements staff should be with the passenger at least as the train pulls into the station). The staff member should also discuss with the disabled passenger how they wish to be assisted. This assistance should normally include escorting them to their seat so that staff can notify their destination station where the passenger is sitting. Assistance should normally include help with stowing luggage.

On crowded trains it may not be possible to ensure that a disabled passenger gets to their seat without the risk of staff being stranded on the train. If there are on-board staff on the train they should be alerted to the position and asked to ensure that the passenger gets to a seat. If there are no staff on board the staff member should do all they can to assist, and also explain to the passenger that when they get to their destination station the staff who will be meeting them will expect them to be in the same coach so they should be cautious about moving to another carriage in search of a seat.

Changing train

If the journey involves the passenger changing train staff should be waiting on the platform when the train arrives at the station to assist the disabled passenger to alight from the train.

Even if the train terminates at the station and therefore there is an extended period in which to greet the passenger it is important that assistance arrives promptly otherwise the passenger may be offered assistance by other passengers. This can result in the passenger becoming lost in the station and failing to make contact with the assistance staff in time to catch their connecting train.

If the disabled passenger has to wait between trains they should be accompanied to a waiting area where they should wait until a staff member will meet them to take them to their connecting train. If there is a significant wait staff should point out the location of any toilets and refreshment facilities. If the person is unable to move to these facilities unaided staff may help them get there if there are no other passengers needing assistance at the time. The staff of a café or bar, who of course are not employees of the TOC, should be expected to carry someone's food and drink to a table and provide other practical assistance such as removing packaging. This would be particularly sensible if their next train doesn't have toilet or refreshment facilities.

Arrival at destination

On arrival at their destination staff again should be waiting on the platform as the train arrives. For the reason outlined above staff should avoid being late if at all possible even if the train terminates at the station. Staff should assist the passenger to the exit of the station if required, or to the mode of transport by which they will be continuing their journey.

At some stations there can be issues of insurance liability in accompanying a passenger outside the station to the bus stop or taxi rank. TOCs should try to work with their local

highways authority or PTE to address these issues as a disabled person's entire journey may be wasted if they cannot make the transfer to another mode of transport.

Moreover, crossing busy roads to access bus services, for example, may prove to be a disincentive for non-disabled as well as disabled passengers using train services.

Delays and missed connections

Delays and missed connections are a not uncommon occurrence on the busy rail network and it is vital that APRS can cope with such eventualities. In the majority of instances where a delay means that a connection is missed what is required is simply to ensure that the disabled passenger is assisted to board the next train. A message should then be passed to staff at the destination station to ensure that the passenger is met from the train on which they are travelling.

More attention is required where a delayed journey means that a disabled passenger will arrive at a station outside its normal staffing hours. On a small number of occasions it may be possible to arrange for staff to stay late to meet the train. Whether this is possible will depend on the policy of the TOC. Some TOCs may choose to have staff available on an 'on call basis' to greet trains with disabled passengers who have booked assistance. While acknowledging that such arrangements are rare they will often represent the best option for a disabled passenger who will arrive at their destination with the minimum of disruption.

Alternative arrangements are likely to involve greeting the disabled passenger at the nearest staffed station and providing them with a taxi (free of charge) to their destination station.

Where such an arrangement is necessary it is generally preferable to put the arrangement in place at a station before they reach their destination as this should involve less of a delay to an already disrupted journey than taking them past their station before putting them in a taxi.

Particular care should be taken where a passenger is a wheelchair user who requires a taxi in which they can travel in their wheelchair. Such taxis are rare in many rural areas and it may be necessary to put arrangements in place for the disabled person to be transferred to a taxi at an urban station some distance from their destination. On some occasions it may be sensible to put the disabled person in a taxi from the station where they have missed their connection rather than prolong an already delayed journey.

Because of the lack of wheelchair accessible taxis in some parts of the country TOCs are advised to collate and update information about the availability of such vehicles within their region.

Once a journey has been disrupted it is important that good communication is retained throughout with the disabled passenger. They will clearly be worried about the implications of the delay and may well panic if taken off the train before their destination station or carried past it without explanation. Where there are staff on board the train they should be responsible for providing the disabled passenger with progress reports on the arrangements in place for them. If there are no staff the arrangements should be clearly explained when they are assisted to board the train. They must be informed by platform staff at subsequent stations if the arrangements are changed in any way.

Travelling without pre-booking

Disabled people may decide to travel without booking in advance, particularly where they know there are staff at the stations they will use in the course of their journey. This may even be possible at un-staffed stations, where they know that they can get to the platform edge without assistance and that it is possible for on-train staff, who they know will be present, to assist with boarding.

Whether the passenger has booked ahead or not, staff should take all reasonable steps to provide the assistance required. Where there is space on the particular train and staff available at the origin and destination (or interchange) station and/or on the train, provision of assistance should not be a problem. However, the disabled passenger should be aware that, if they do not book ahead, there is a risk that they will not get the assistance they require precisely when they want it. There may, therefore, be a risk that they will not be able to use the train service they had intended to travel on.

For example, where a disabled passenger who requires assistance with boarding and alighting arrives, without having booked assistance, at a relatively well-staffed station and wishes to catch a train to a similarly staffed destination station they should receive assistance to board provided that there are staff available. They should also expect to receive assistance at their destination.

However, if the passenger above wanted to travel on a train with no on-board staff to an un-staffed station a relatively short way down the line, it may be reasonable for them to be asked to catch a later train in order to give sufficient time for a member of staff to get to the un-staffed station and be ready to assist the

passenger to alight.

Where there are two disabled passengers wishing to be assisted to trains within minutes of one another, and where one of these passengers has booked assistance and the other has not, availability of staff may necessitate prioritisation. Current practice is to give priority to the passenger who has booked assistance, whilst continuing to take all reasonable steps to provide the assistance required for the other passenger. This seems to be a fair course of action, although there may always be exceptional circumstances where this policy should be varied.

If this sort of situation arose regularly over a sustained period, however, then it would be reasonable for the relevant TOC to review its provision of staff for passenger assistance.

If a disabled passenger is travelling without having booked assistance it is still important that their needs are recognised in the event of their train being delayed and a connection missed. They may be travelling on a journey they make regularly where they know the staffing arrangements at the stations concerned and are confident that their needs can be met without booking assistance in advance. However if the delay means that they will reach their destination outside its normal staffing hours they may face difficulties, if for example they require staff to open a barrow crossing which is locked when the station is unstaffed.

In such circumstances TOCs should ensure that the sort of measures described in section 9.6 above are put in place to ensure that the disabled passenger eventually arrives safely at their destination. However in the absence of prior notice it is likely to be difficult to act in anticipation of need in the way

described and therefore it becomes inevitable that the passenger has to be taken past their destination station before measures can be put in place to assist them.

When delays occur it is incumbent on the disabled person who is travelling without having booked assistance to draw attention to their needs. Nevertheless where passengers have a visible disability it would be sensible for staff (at the station and on the train if it is staffed) to check what assistance they may require and whether the delay will cause them any difficulties at their destination.

Monitoring passenger journeys

It is important to monitor the effectiveness and reliability of APRS to ensure that disabled passengers receive the assistance they have booked. TOCs should consider developing key performance indicators for measuring the fulfilment of APRS booked assistance, reporting performance to their management on a periodic basis. Some TOCs operate a call back system to discover what the journey experience has been like for a disabled passenger who has used the service and therefore whether any improvements can be made for the future.

Boarding and alighting from a train

In virtually all cases the design of the infrastructure of the station and rolling stock is such that there is both a vertical and a horizontal gap between the platform and the train.

Where this needs to be bridged, for example for a wheelchair user, a member of the station or train staff should deploy an appropriate boarding aid and provide such assistance as may be

required to ensure that the passenger can board or alight safely and comfortably. When required, the boarding aid should generally be deployed promptly rather than waiting until all other passengers have boarded or alighted from that door so as to minimize any delay to the train. However when the station or train is crowded this may not be practical and ramp will have to be deployed after other passengers have alighted and boarded.

Although the angle of the ramp will inevitably vary depending on the vertical gap between the train and the platform it should never be so steep that a staff member cannot safely push a disabled person in a manual chair up or down the ramp. Electric wheelchairs should always be able to climb the ramp safely. Exceptionally a member of staff with a weak back or another injury will be unable to push a particularly heavy disabled person in a manual wheelchair up the ramp. In such circumstances the staff member can refuse to assist the passenger, but when they do so they should explain the problem and contact their manager to make alternative arrangements for the disabled passenger to be assisted.

Some wheelchair users strongly prefer to be pushed down a ramp facing forwards, whereas safety advice would normally require them to be pushed facing backwards with the staff member able to lean against the chair to prevent it gathering momentum. Staff should always try to explain the reasons for their actions and seek a compromise with the wheelchair user if possible. However they should not be required to put themselves or others at risk in acting in an unsafe way.

Finding a seat

Finding a seat may pose difficulties for disabled passengers,

including negotiating the interior of the train, identifying an empty, unreserved seat, a priority seat or, finding a reserved seat. Where a passenger is provided with assistance with boarding then that assistance should extend to help with being seated.

Making the wheelchair space available

If the wheelchair space is occupied by other passengers' luggage (meaning that the wheelchair passenger cannot travel) it is essential that the staff assisting the wheelchair user ensure that the space is cleared.

Staff may move the luggage themselves or ask passengers to remove it, particularly if it is heavy or cumbersome. To avoid delaying the departure of the train it may be appropriate for on-board staff (where present) to clear the luggage space if they are available. However it would not be acceptable to leave the wheelchair user blocking an aisle because the wheelchair space cannot be cleared in the time available.

Staff should not get involved in conflict over the clearing of the space. However they should be prepared to call for additional assistance if a dispute cannot be resolved and a wheelchair user is prevented from travelling.

Sometimes the wheelchair space(s) will already be occupied by a wheelchair user and it will not be possible for another wheelchair user to travel in their chair in the designated space. However many wheelchair users can transfer to an ordinary seat (if one is available) and their chair can be folded and stowed in the luggage compartment. Before concluding that the train cannot accommodate a wheelchair user staff should check whether either passenger is able and willing to transfer to a

seat.

Carriage of scooters

The carriage of scooters has been a difficult subject in the recent past, particularly since the withdrawal of trains with guards vans in which scooters could be carried. Many scooters are larger than the reference wheelchair on which the RVAR are based and cannot fit in the space, nor can they be manoeuvred easily from the train entrance to the space. There is no obligation on TOCs to carry such large scooters.

However recent developments in design mean that increasing numbers of scooters can be accommodated on trains. In addition some scooters are designed to be swiftly disassembled and broken down into portable elements which can be placed in the luggage compartments of trains.

Making quick decisions on which scooters can be safely carried can put station staff in a difficult position. A number of TOCs are establishing procedures to identify scooters which can be accommodated on their trains in advance of the passenger making a journey. Such systems appear sensible at a time when the design of scooters is changing rapidly. It is important that such systems are publicised.

Where a scooter is to be disassembled, this should be done by the disabled person themselves, or a companion. Staff should not be expected to do this. If assistance will be required lifting the component parts of the scooter onto the train the passenger should be advised to book assistance through APRS, although if staff are available they should not refuse assistance simply because it has not been booked in advance.

Current advice from the Department of Transport is that passengers should not travel on the train in their scooter. However as scooters are intended to be used by disabled people who can walk a short distance it should not be a problem for the passenger to transfer to a seat provided there is one vacant.

Assistance dogs

Assistance dogs should always be allowed to travel with their owner.

Travelling in the train

Train operators should consider ways in which they can make travelling in the vehicle comfortable and enjoyable for their disabled customers. Some passengers, though by no means all, will require assistance from time to time with aspects of the journey.

On-board information

Trains compliant with the RVAR will be fitted with passenger information systems (PIS) that provide both audible and visible announcements. It is important that these systems announce arrival at a station in good time to allow a disabled passenger to prepare to disembark. Similarly announcements about the service should be made prior to departure for the station to allow a passenger to confirm that they have boarded the correct train.

These requirements, however, only apply to newer rolling stock compliant with the RVAR. On trains that do not have these systems, or where such systems have failed, there is a

duty for on-board staff to ensure that disabled passengers (particularly those who have learning difficulties or who are deaf/hard of hearing and blind/partially sighted) are made aware of relevant information, including service destination and next station stop. This will be simpler where passengers have booked assistance and are known to staff. However staff should use their discretion to provide information to passengers who are visibly disabled even if they have not booked assistance.

Emergency procedures should be available on trains in a large print version; on-train staff (where present) should be prepared to explain the procedures to a disabled passenger who is unable to read them.

On-board catering

Where a buffet car or dining car is provided but a disabled passenger is unable to get to it, an at-seat service should be provided. Alternatively, if the passenger can manage to get to the buffet car but has difficulty in carrying his purchases back to his seat, on-train staff should assist by carrying the items for the passenger. Where there is a refreshments trolley which cannot be moved through the train (for health and safety reasons or because the train is too full) it would be reasonable to consider the provision of an at-seat service or assistance with carrying items. It is important that disabled passengers are made aware of this option when the buffet service is promoted, they may otherwise be reluctant to ask for assistance.

Toilets

On-train staff should be prepared to assist a disabled passenger to or from the toilet, but are not expected to help the passenger

once they are inside the toilet except in the case of an emergency. Such an emergency would most probably arise in the event of a train breakdown between stations. In such instances train staff may consider (with the agreement of the disabled passenger) using the train's announcement system to ask whether a passenger with experience of providing personal care might volunteer to assist.

ATOC's Disability Group has asked for specific advice on what action to take in the event that toilets are out of order.

The following suggestions are made on what action could be taken.

If all accessible toilets on a train are out of order and this is known prior to the disabled passenger boarding they should be informed so that they can consider catching a later train. Ideally they should be given the information in sufficient time to use the toilets before boarding at the station if they are accessible to them.

If it becomes apparent that an accessible toilet is out of order once the journey is underway, on-board train staff (if this is a staffed service) should be prepared to assist disabled passengers to reach an accessible toilet elsewhere on the train. This may involve assisting a disabled passenger to alight from the train at the next available stop and helping them transfer to another coach (including First Class if necessary) where there is an operational toilet.

If there are no other operational toilets on the train which are accessible to the disabled passenger it may be reasonable to suggest that the passenger alight at a station where there is an accessible toilet and then either catch the next train or continue

their journey by an alternative means of transport, probably a taxi provided by the TOC. The appropriateness of either of these options will depend on the frequency of the train service, the length of the journey and on how far through the journey the need to go to the toilet arises.

If the train is unstaffed it is unlikely that there will be a second toilet available for disabled passengers. Consequently disabled passengers will need to attract the attention of station staff at the next available opportunity to discuss the options available to them. Station staff should be able to advise the passenger which stations have accessible toilet facilities, and if requested telephone ahead to arrange for the passenger to be assisted to leave the train.

Decisions on whether a train should be withdrawn from service because of defective toilets are a matter addressed under Part 5 of the DDA rather than Part 3. Continued operation with a defective toilet means that the train is no longer compliant with the RVAR. It will be a matter for regulations and subsequent guidance to be published by the Department for Transport as to when a train should be taken out of service for repair.

Other on-board facilities

Increasingly, other facilities are being provided on trains, such as laptop points and reading lights. On-train staff should be prepared, if asked, to help a disabled passenger use these facilities, for example by plugging in the lead from a laptop.

Failure to provide a service

Train operators and anyone representing them must remember

that it is unlawful to discriminate against a disabled person in the way in which they provide or do not provide their services, for a disability-related reason. Thus, a company cannot refuse to accept a customer simply because they are disabled.

However, the requirement not to discriminate does not mean that a disabled person must be accepted no matter how they behave. If a disabled person who was drunk and behaving in a disorderly manner wanted assistance from rail staff then those rail staff would be justified in not permitting him to board, because a non-disabled person behaving in the same way would also be refused.

Also, the requirement not to discriminate does not mean that a disabled person must be accepted no matter how overcrowded a train is. However, if the disabled passenger had booked assistance and had a reserved seat or wheelchair space every effort should be made to assist them to board the train. If this is impractical the TOC should consider whether the passenger should simply wait for the next train, in the reasonable expectation that this will be less crowded, or, if the delay will be significant and there is no reason to expect that there will be more space on the next train then they should arrange for the journey to be made by another means (probably a taxi).

Charges for services

It should be remembered that it is not lawful to charge a disabled customer more than other customers for a train journey, for example by levying an extra charge for the carriage of a wheelchair or an assistance dog.

Substitute transport services

Where a train failure, or planned engineering works, result in a suspension of the service the TOC is required to provide an alternative mode of transport to get passengers to their destination. The alternative mode provided should be capable of carrying any disabled passengers.

In most circumstances, the alternative vehicles will be coaches or buses. Ideally these should be fully accessible for disabled passengers, but regulations have only required that scheduled coaches are accessible since 2005 and the regulations do not apply to tour coaches. Consequently there are only a limited number of such vehicles in service and they are not generally available at short notice.

Where the alternative vehicle is not accessible then operators have a commitment (within its DPPP) to provide suitable alternatives such as accessible taxis. As noted previously, there are parts of the country where accessible taxis are not easily available. This is another reason why the DRC recommends that TOCs ensure they hold the contact details of taxi operators who provide such vehicles.

If a disabled person is travelling having booked assistance to board a train with a wheelchair it makes sense to book a taxi in advance to cover any section of the journey which needs to be completed by an alternative means.

Emergency evacuation

Thankfully emergency evacuation of a train is a rare event. However emergency procedures should include arrangements

for dealing with disabled passengers. This must obviously address the provision of assistance to passengers using wheelchairs, or who have other mobility impairments. However policies should also include passengers who have visual or hearing impairments, and those with learning difficulties, who may have difficulty understanding what is happening.

Procedures should always provide for a member of staff to check that all passengers have vacated the train, particularly to ensure that disabled passengers have not been left behind for any reason.

Procedures for emergency evacuation should be kept under review and revised as necessary, particularly to take account of the increasing numbers of disabled passengers using the rail network, including wheelchair users.

Customer feedback

In order to achieve and maintain good levels of service, a train operator would be well advised to set up an effective system for obtaining, monitoring and acting on feedback from disabled customers. This could be built into an existing complaints procedure, for example, by recording if the customer is disabled and if their complaint relates to their experience as a disabled customer. The complaints procedure should encourage disabled customers to explain what the problem was and how things could have been handled better, is likely to provide a useful basis for future planning. In addition, it should reassure disabled customers that the operator is genuinely seeking their input on ways to improve its services.

The process will only really succeed however, if customers find the procedure accessible and easy to use. Operators should be

aware that some customers may require different formats, for example, if the complaint is usually made via a print form, it may be necessary to make it available on request electronically or on tape also.

Appendix 1

Legislative background

There are two Parts of the Disability Discrimination Act (DDA) which have a particular relevance to transport: Part 3, which deals with access to services and premises, and Part 5, which allows access standards to be set for certain types of vehicle.

Part 3: access to services and premises

This section sets out the bare bones of the law. For further information on these duties, their scope and how they apply, transport providers should refer to the **Code of Practice on Rights of Access to Services and Premises** (known as the Part 3 Code) for issues relating to transport infrastructure services, and to the **Code of Practice on Provision and Use of Transport Vehicles** (supplementary to the Part 3 Code) in respect of duties relating specifically to the provision and use of transport vehicles.

Current situation

All transport providers have duties under Part 3 in respect of any transport infrastructure they provide to the public. In the case of rail operators this means things like information services and booking procedures, and the accessibility of platforms and station concourses.

In addition, as of 4 December 2006, providers of certain types of vehicle (including rail vehicles) have had similar duties in respect of the provision and use of those vehicles. These duties are briefly set out below. For the most part, the duties relating to the provision and use of vehicles are the same as those relating to the provision of infrastructure services. In some cases, however, the duties relating to provision and use of vehicles are more limited, and where this is the case, it is also explained below.

What the law says

Less favourable treatment

It is unlawful for a transport provider to discriminate against a disabled person:

- in **refusing** to provide a service offered to members of the public;
- in the **standard** or **manner** of service; or
- in the **terms** on which the service is offered to the disabled person.

Reasonable adjustments

It is also unlawful for a transport provider to fail to provide a disabled person with **reasonable adjustments**, if that failure makes it impossible or unreasonably difficult for them to access a service.

This duty to make reasonable adjustments is considered to be the cornerstone of the DDA. It requires the transport provider to plan ahead, anticipating where the barriers to disabled people are in accessing a particular service, and what adjustments could reasonably be made to prevent or remove such barriers.

Reasonable adjustments are divided into three broad categories. The first two set out below apply both to providers of transport infrastructure and to providers of transport vehicles (including rail vehicles):

- **Policies, practices and procedures** – rail operators have a duty to take reasonable steps to amend any policies, practices or procedures which make it impossible or unreasonably difficult for disabled people to use their services.
- **Auxiliary aids or services** – rail operators have a duty to take reasonable steps to provide auxiliary aids or services where these would enable or facilitate disabled people’s access to a service. The third category of reasonable adjustment applies in its entirety to providers of infrastructure services **only**:
- **Physical features** – providers of transport infrastructure have a duty to take reasonable steps to remove, alter, provide a reasonable means of avoiding or provide a reasonable alternative to a physical barrier, which makes it impossible or unreasonably difficult for disabled people to access a service. As far as rail operators are concerned, they are under no obligation to alter the vehicles they provide in order to comply with this part of the DDA. However, they will have duties to consider adjustments to any buildings or venues which they provide as part of their services (for example, a booking office).

Part 5: access standards

Part 5 of the DDA allows the Secretary of State to set access standards for buses and coaches, rail vehicles and taxis. Regulations applying to rail vehicles came into effect in January 1999. These regulations, the Rail Vehicle Accessibility Regulations (RVAR), set detailed technical standards for rail vehicles brought into service since that date. These standards deal with the design or operation of the vehicles, and the requirements under this part of the Act are different from those under Part 3.

The Secretary of State must set an end date of no later than 2020, by which time all rail vehicles (not simply those brought into service since December 1998, as is currently the case) must be compliant with the RVAR.

Further information on the RVAR is available from the Department for Transport.

Appendix 2

Further reading

Code of Practice: Rights of Access: Services and Premises

copies of this publication can be downloaded from the Disability Rights Commission website www.drc-gb.org or ordered in hard copy from The Stationery Office, Telephone: 0870 600 5522, Fax: 0870 600 5533, email: customer.services@tso.co.uk

Code of Practice: Provision and Use of Transport Vehicles

copies of this publication can be downloaded from the Disability Rights Commission website www.drc-gb.org or ordered in hard copy from The Stationery Office,

Telephone: 0870 600 5522, Fax: 0870 600 5533, email:
customer.services@tso.co.uk

**Department of Transport Code of Practice for Train and
Station Services for Disabled People (2002) www.dft.gov.uk**

**Inclusive Mobility. A Guide to Best Practice on Access to
Pedestrian and Transport Infrastructure** available from
Department for Transport, PO Box 236, Wetherby, West
Yorkshire, LS23 7NB. (Telephone: 0870 1226 236,
email: dft@twoten.press.net)

Glossary of Terms

APRS – Assisted Passenger Reservation System
ATOC – Association of Train Operating Companies
DDA – Disability Discrimination Act
DfT – Department for Transport
DPPP – Disabled Persons Protection Policy
DPTAC – Disabled Persons Transport Advisory Committee
DRC – Disability Rights Commission
RVAR – Rail Vehicle Access Regulations
TOC – Train Operating Company

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