



Llywodraeth Cymru
Welsh Government

Policy Statement – Accessible and Inclusive Public Transport Objectives

December 2017

Mae'r ddogfen yma hefyd ar gael yn Gymraeg.
This document is also available in Welsh.

POLICY STATEMENT - ACCESSIBLE AND INCLUSIVE PUBLIC TRANSPORT OBJECTIVES

INTRODUCTION

1. Our programme for government *Taking Wales Forward* and national strategy *Prosperity for All* outline the headline commitments we will deliver between now and 2021 to make real improvements in the every-day lives of people in Wales. The focus is on driving improvement in the Welsh economy and public services, delivering a Wales which is prosperous and secure, healthy and active, ambitious and learning, united and connected. *Taking Wales Forward* highlights the complexity of the challenges that we face and the importance of working across traditional boundaries to deliver our priorities while *Prosperity for All* places these in a long term context and sets out how we will connect the different services we deliver to maximise our impact in these four areas.
2. It is important that passengers can have confidence in the quality of services, and that standards are universally applied to local public transport across the whole of Wales. The quality of service delivered in the more rural parts of Wales should overall be no less favourable than those provided within the metro or more urbanised parts of the country, although recognising that urban and rural areas are likely to have some different priorities. Universal network coverage and improved service accessibility are essential requirements if people are going to be able to rely on our public transport system rather than the private motor vehicle to meet their daily travel needs.
3. Under the terms of the Government of Wales Act 2006¹, the Welsh Ministers must make appropriate arrangements with a view to securing that their functions are exercised with due regard to the principle that there should be equality of opportunity for all people. This responsibility was further extended with the introduction of the Equality Act 2010,² which requires that a public authority, which includes the Welsh Ministers, must in the exercise of its functions have due regard to the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it, and foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

¹ Section 77 of the Government of Wales Act 2006

² Part 11 of the Equality Act 2010 – advancement of Equality of opportunity – the public sector equality duty

4. The Equality Act 2010 ³ makes provision for disabled persons' transport in relation to taxis, public service vehicles and trains. Whilst under the terms of the new devolved settlement for Wales set out in the Wales Act 2017, these matters will remain the responsibility of the UK Government, the Welsh Government will continue to deliver public transport improvements in fulfilment of our wider statutory and moral obligations to the people of Wales.
5. This responsibility is not only enshrined within the Government of Wales Acts, but has been established by requirements introduced within the Well-being of Future Generations Act 2015. The 2015 Act requires public bodies in Wales to give more thought to the long term, working better with people and communities and each other to prevent problems before they arise. The Act recognises that we need to adopt a more joined-up approach as we seek to improve the delivery of public services to the people of Wales.
6. The Well-being of Future Generations Act 2015 enshrines the need to deliver sustainability through co-operation and developing solutions, such as Active Travel arrangements, that will stand the test of time. As part of this Act, there is an expectation that public sector organisations in Wales will:
 - a. work together better,
 - b. involve people reflecting the diversity of our communities,
 - c. look to the long term as well as focusing on now, and
 - d. take action to try and stop problems getting worse, or even stop them happening in the first place.
7. Additionally, the Welsh Government is committed to observe the UN Convention on the Rights of Disabled Persons, which seeks to promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all disabled persons, and to promote respect for their inherent dignity. For the purpose of the convention, disabled persons include those who have long-term physical, mental, intellectual or sensory impairments which, in interaction with various barriers, may hinder their full and effective participation in society on an equal basis with others.
8. Article 3 establishes the principles of the present convention, which remain relevant to the public transport sector. The principles are:
 - a. Respect for inherent dignity, individual autonomy including the freedom to make one's own choices, and independence of persons;
 - b. Non-discrimination;

³ Equality Act 2010 Part 12 Disabled persons transport

- c. Full and effective participation and inclusion in society;
 - d. Respect for difference and acceptance of disabled persons as part of human diversity and humanity;
 - e. Equality of opportunity;
 - f. Accessibility;
 - g. Equality between men and women;
 - h. Respect for the evolving capacities of disabled children and respect for the right of disabled children to preserve their identities
9. Article 20 of the convention further requires that we take effective measures to ensure personal mobility with the greatest possible independence for disabled persons, including amongst other things, facilitating the personal mobility of disabled persons in the manner and at the time of their choice, and at affordable cost.
10. Only by improving access to an affordable integrated public transport can Wales fully meet its obligations set out in the convention to enable people to secure their rights to leisure, education, work and family life established by the convention.
11. Disability Wales estimates that disabled people make up more than 20% of the population in Wales⁴, which has a higher proportion of disabled people than other nations and regions of the UK. The registers of people with physical or sensory impairments maintained by local authorities include all persons registered under Section 18 of the Social Services and Well Being (Wales) Act 2014. Registration is voluntary and the figures may therefore underestimate the numbers of people with physical or sensory impairments. As at 31 March 2016, there were 14,729⁵ people with learning disabilities, of whom 86% were living in community placements with 14% in residential establishments. There were 75,753 people with physical or sensory impairments.
12. Research suggests that disabled people are less likely to have the use of a car (six out of ten do so compared to eight out of ten non-disabled people). Employed disabled people are nearly twice as likely not to have the use of a car as non-disabled people. In 2010, the Welsh Bus Passenger Survey reported that 25% of respondents were disabled or had a long term illness. Within this group, around 12% of bus users had restricted mobility and 1% used wheelchairs.

⁴ Estimated by Disability Wales <http://www.disabilitywales.org/calls-for-action/>

⁵ Welsh Government statistical bulletin - annual report which includes information on people with a learning, physical and sensory disability.

13. Moreover, research published by the Joseph Rowntree foundation⁶ estimates that, when account is taken of the higher costs faced by those who are disabled, half of people living in poverty are either themselves disabled or are living with a disabled person in their household.
14. Since the introduction of the Disability Discrimination Act in 1995, significant advances have been made in making our public transport system in Wales more inclusive and accessible. Buses are now required to offer priority seating, lower floors and spaces for wheelchairs, and with the commencement in 2017 of provisions in the Equality Act 2010 in relation to the publication of lists of wheelchair accessible taxis by licensing authorities, passengers can be better informed about the availability of wheelchair accessible taxis serving their areas. Additionally, from January 2020 all trains operating on our railways will be required to meet accessibility standards set down by the European Union and UK Government.
15. Whilst these advancements have been welcome, there is clearly much more action needed to make public transport inclusive and more accessible.
16. One of the key barriers to accessibility identified by many disabled people is a lack of consistency in the way that services and facilities are delivered. This can apply across a very wide range of areas from the design of an on-train accessible toilet, the availability of station facilities together with the way that signage is presented at stations or an airport, information presented at bus stops and other transport interchanges, or the availability of audio visual next stop announcement systems.
17. In part this is due to varying regional and local interpretations of basic standards and guidelines, often stemming from the desire to have a clear identity for an individual local authority or operator. The impact on many disabled, older people or people with learning difficulties can be profound. For those with visual impairments, not being able confidently to find the facilities they need is a significant problem. For people on the autism spectrum or with mental health issues, navigating the public transport system when changes have been made to services along the routes travelled, for example, can be deeply unsettling and may trigger a severe loss of confidence.
18. Central to tackling the problems of inconsistent delivery of access improvements is the need to transform the understanding of accessibility and inclusive design among professionals who plan, design, build and operate transport infrastructure and interchanges, services and streetscapes. It is about creating universally accessible standards and using these when renewing and upgrading existing infrastructure in towns and cities.

⁶ https://www.jrf.org.uk/report/monitoring-poverty-and-social-exclusion-2016?gclid=EAlaIqobChMI1dCvz9LM1QIViLftCh0gnAKXEAAAYASAAEgJZoPD_BwE

19. Evidence prepared and published by Chwarae Teg about the relationship between commuting and gender in 2016 illustrated that public transport fares and ticketing treats people working irregular hours or part time less favourably in relation to pricing policies when compared to people working full time. For example, twice as many women commute by bus. There are 1,388,200 working people (aged 16-64) in Wales, of whom 52.5% are men and 47.5% are women. 56% of women in Wales work full-time-time compared to 87% of men, and 44% work part-time compared to 13% of men.
20. On this basis, improving the physical access to our public transport system is but one aspect of advancing equality of opportunity. Not only should people be at the heart of the decision making process in the way that services are planned and delivered, care needs to be taken to ensure that transport remains affordable for people to use.
21. In developing our public transport network, the Welsh Government is also under an obligation to consider the needs of children and young people in recognition to the principles and obligations laid down in the United Nations Convention on the Rights of the Child (UNCRC). Under the Rights of Children and Young Persons (Wales) Measure 2011, Welsh Ministers must pay due regard and promote the UNCRC when exercising their functions. In March 2017, the Children's Commissioner for Wales published The Right Way: A Children's Rights Approach in Wales. This provides a principled and practical framework for working with and for children and young people. This framework is rooted in the values of a human rights-based approach and sets out the following five principles:
- a. **Embedding Children's Rights:** Children's rights should be at the core of planning and service delivery. The UNCRC needs to be integrated into every aspect of decision-making through procedures and actions. At its most basic this requires acknowledgement of the UNCRC as a framework for services impacting on children. Children's rights should guide decisions and actions having a substantial impact on children's lives in areas such as education, health or social care, but also in other areas such as planning, transport and the environment.
 - b. **Equality and Non-Discrimination:** Equality is about ensuring that every child has an equal opportunity to make the most of their lives and talents, and that no child has to endure poor life chances because of discrimination. Equality involves treating all children fairly, and providing them with opportunities and resources according to their needs, equal with others, ensuring that they are able to develop to their fullest potential.

- c. **Empowering Children:** Empowerment means enhancing children’s capabilities as individuals so they are better able to take advantage of rights, and to engage with, influence and hold accountable those individuals and institutions that affect their lives.
- d. **Supporting Children’s Participation:** Participation means listening to children and taking their views meaningfully into account. All children should be supported to freely express their opinion; they should be both heard and listened to. Their views should be taken seriously when decisions or actions are taken that affect their lives directly or indirectly.
- e. **Being Accountable to Children:** Children’s human rights give rise to obligations which demand accountability. Authorities should be accountable to children for decisions and actions which affect their lives.

MAKING PUBLIC TRANSPORT INCLUSIVE AND ACCESSIBLE

Vision – We aim to provide access to safe, affordable, inclusive, accessible and sustainable integrated age friendly transport systems.

Objective 1

Disabled people are able to make successful door-to-door journeys on demand and on the day of travel.

We will:

- Remove the need to pre-book rail passenger assistance 24 hours in advance of travel;
- Reiterate the published guidance to local authorities about free bus travel for companions to ensure that people who need assistance when using local bus services are able to get it;
- Encourage the continue roll out of the “orange wallet” and similar schemes to improve access to public transport;
- Ensure bus and rail vehicles are compliant with statutory requirements by the required date;
- Work with local licensing authorities in Wales to ensure that assessments are undertaken to ensure that sufficient wheelchair accessible taxis are available to meet demand;

Objective 2

Transport staff will be provided with training to help them create a supportive, inclusive and accessible transport environment.

We will:

- Work with groups representing disabled people to develop training designed to raise awareness amongst transport workers of the barriers that disabled people encounter when using public transport;
- Work with providers of public transport to raise awareness of the risk of trips and falls for older people and people with restricted mobility when vehicles move away from stops before passengers are seated.

Objective 3

Transport information enabling passengers to plan and undertake their journeys will be available in accessible formats – at bus stops, stations, transport interchanges, on vehicles and in electronic/printed media.

We will:

- Continue to develop a “one stop shop” for the provision of transport planning services that provides information of timetables and fares across all modes of public transport;
- Work with our partners, including groups representing disabled people and older people, to ensure that guidance is made available to providers of public transport to improve the accessibility and availability of passenger information to meet the needs of all users;
- Work with operators to make audio visual next stop announcement systems more widely available on all vehicles providing scheduled rail and bus services.

Objective 4

People feel comfortable and safe using public transport this includes being free from hate crime, bullying and harassment when travelling.

We will:

- Work with transport providers to improve the CCTV coverage across the public transport system;
- Work to raise awareness of mutual respect and dignity when using public transport and tackle offensive and harmful behaviour where it persists.

Objective 5

Passengers are more involved in the design, development and improvement of transport services and infrastructure.

We will:

- Develop and publish guidance setting out the quality expectations for bus and rail stations, stops, shelters and other infrastructure;
- Continue to involve disabled people, older people with restricted mobility and young people in the design of public transport infrastructure and the delivery of transport services across Wales;
- Encourage local authorities to arrange safe drop off and pick up zones for passengers using taxis and private hire vehicles.

Objective 6

Public Transport is an accessible and affordable mode of transport.

We will:

- Work with transport providers to develop ticketing options that will better meet the needs of part time workers and people working irregular work patterns;
- Maintain free bus travel for older and disabled people and explore opportunities to extend discounted fares for younger people and other groups to improve access to public services and facilities.

Delivering results

22. Whilst the Welsh Government is committed to working towards the fulfilment of our objectives for delivering an inclusive and accessible public transport network, our ambition is constrained by the resources available to us and the limited powers to change the legislative framework governing the way some of our public transport is planned and delivered. Our preferred approach however, is to work with partners in the public, private and Third sectors to make the changes happen.

Our Railways

23. In 2018, we expect responsibility for franchising local rail services in Wales to be devolved to the Welsh Government.

24. This will mean as part of the new Wales and Borders Rail Franchise, the Welsh Ministers will become responsible for local railway services delivered by the Train Operating Company awarded the next Wales and Borders Franchise, whilst the Department for Transport will continue to be responsible for local rail services in England, together those longer distance cross border railway services provided by Great Western, West Coast and Cross Country railways.
25. Network Rail will continue to be the Infrastructure Manager for the majority of the railway network in Wales, with the exception of parts of the Valleys Lines operated as part of the south east Wales Metro.
26. These organisations are represented nationally by the Rail Delivery Group. Britain's railway is one of the safest and most intensively used rail networks in the world. The system is operated by a number of organisations with clearly defined roles that work closely together to deliver a successful railway for passengers, freight customers and the public. Passenger and freight services are provided by train companies who operate over infrastructure provided by Network Rail. These organisations collaboratively deliver the timetable and customer service. Through the Rail Delivery Group (RDG), they also develop strategies and plans to improve the railway.
27. Members of RDG work with Rail Safety & Standards Board (RSSB). RSSB supports the industry to help them achieve their objectives - particularly in regard to efficiency and safety. RSSB is independent, works across the whole rail network and facilitates cross industry collaboration.
28. These arrangements will continue to be governed by the Office of Rail and Road (ORR) as the Rail Regulator for Great Britain. The ORR is responsible for licensing arrangements for the GB Rail Industry, including matters such as Disabled Persons Protection Policies, a licensing requirement imposed on train operating companies as part of the rail franchising regime.
29. In advancing our objectives for a more inclusive and accessible railway network in Wales, our key partners will be the Department for Transport, the Office of Rail and Road, the Rail Delivery Group, the Train Operating Companies and Network Rail.

Our buses

30. Under the current framework, local bus services are planned and delivered by commercially operated bus companies, who plan local bus services, register routes with the Traffic Commissioner for Wales, and then operate those routes. About three quarters of the routes operated are registered by bus companies on a commercial basis, whilst the remaining local bus services are contracted by local authorities to provide services which would otherwise not be provided.

31. The Confederation of Passenger Transport (CPT) Wales represents the interests of affiliated local bus operators in Wales. In some areas, local bus services are provided by community transport operators under agreements made with local authorities. These services meet the needs of particular communities and where bus services provided by bus operators would not be financially viable or sustainable in the longer term.
32. Local authorities are largely responsible for providing the infrastructure used by bus operators, such as bus stations, shelters, stops and local passenger information. Because local bus services often travel across local authority boundaries, local authorities in Wales are encouraged to work in partnership with bus operators to develop and deliver local scheduled or demand responsive bus services, and supporting infrastructure.
33. The Traffic Commissioner for Wales is responsible for registering local bus routes, the licensing of bus operators and their drivers and ensuring that local bus services are punctual, reliable and meet the required levels of safety for passengers.
34. In advancing our objectives for a more inclusive and accessible bus network in Wales, our key partners will be the Department for Transport, the Traffic Commissioner for Wales, local authorities, Community Transport Association, the Confederation of Passenger Transport Wales, individual bus operators and community transport providers.

Taxis and Private Hire Vehicles

35. Responsibility for the licensing of taxis and private hire vehicles is a non devolved matter but under the new devolved settlement established by the Government of Wales Act 2017, is expected to become devolved in 2018. Provisions within the Equality Act 2010 relating to accessible taxis shall remain as matters reserved to the UK Government.
36. In Wales, the taxi and private hire industry employs about 9200 licenced drivers. These drivers operate more than 5,000 taxis and more than 4,000 private hire vehicles. More than a third of these operate in and around Cardiff and Swansea.
37. The market comprises two distinct sectors. The hackney or taxi market is characterised as being for “there and then” hire on the street, or from taxi ranks. The fares payable by passengers are regulated and the drivers are under a legal duty to accept fares when hailed. The Private Hire Vehicle market is often mistaken as taxis, but a significant difference between the taxi and private hire vehicles is the requirement to pre-book a journey. The private hire vehicle market is able to set fares on a commercial basis and is not able to accept “there and then” hire.

38. In Wales, the role of the licensing authority is a function of local authorities, although Blaenau Gwent has no separate licensing authority. This means that there are 21 local licensing authorities in Wales, each free to set their own standards, fees and fare regimes in their local areas.
39. In advancing our objectives for a more inclusive and accessible network of taxis and private hire vehicles, our key partners will be the Department for Transport, Local Licensing Authorities in Wales, private hire vehicle operators, professional drivers and their representative bodies.