

# Accessibility Review

## April 2012



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## Abbreviations

BSL – British Sign Language

CPC – Certificate of Professional Competence (annual driver training)

DDA – Disability Discrimination Act 1995 (or 2005 if stated)

DfT – Department for Transport

EA – Equality Act 2010

EHRC – Equality and Human Rights Commission

LB – Lothian Buses

PSVAR – Public Service Vehicles Accessibility Regulations 2000 (or other date if stated)

In this report the term “buggy” or “baby buggy” is used to mean any wheeled carriage for small children, usually used for children aged 3 years or younger. The term is intended to include what could be described as “strollers” “prams” “pushchairs”, “travel systems” and any other similar item.

## **Introduction**

### Overview

This report is the result of research carried out between August 2011 and February 2012. The key aims were:

1. To review the accessibility of Lothian Buses' services for all users.
2. To consider broader evidence from the public transport industry to identify and prioritise areas where changes might be appropriate.
3. To engage with stakeholders to assess reactions to the current situation,
4. To identify potential improvements and to promote the accessibility of Lothian Buses.

### Research

Research for this report has included:

- A review of Lothian Buses' legal obligations on accessibility.
- Collation of wider research on accessibility issues faced by the public transport industry.
- A review of responses to the 2010 Department for Transport (DfT) consultation paper on Driver and Passenger conduct regulations<sup>1</sup>.
- A review of customer survey responses on Lothian Buses' services relevant to accessibility.
- A review of attitudes to public transport accessibility issues in the media and on social media sites.
- Identifying and speaking with key stakeholders.
- A review of baby buggies currently available on the market.
- Analysis of number of passengers using wheelchairs or travelling with buggies on route 10 and 22.
- Discussion with Lothian Buses staff members who are involved in accessibility issues.
- A review of existing internal and external communications on Lothian Buses' "Access for All" policy.

### Developments

After the start of this research exercise, a campaign was started by a parents' and carers' group asking that Lothian Buses allow baby buggies that are not collapsible as a single unit to be brought on buses. The original aims of the report included considering accessibility of Lothian Buses services to passengers with baby buggies, and the option of providing an onward ticket for passengers who choose to get off the bus to allow a wheelchair user to get on. The campaign did not therefore have a direct impact on the direction of the research. The increased debate on the subjects addressed was taken into account but care has been taken to seek out a variety of views on the topic.

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<sup>1</sup> Improving Bus Passenger Service through the Regulatory Framework: Consultation Paper *Department for Transport* March 2010 (DfT Consultation 2010)

## **Executive Summary**

This research into the accessibility of Lothian Buses' services was undertaken between September 2011 and February 2012. Lothian Buses is one of the first bus companies in Scotland to have an entire fleet which meets legal accessibility requirements. This report indicates ways in which Lothian Buses can continue to lead the industry in providing an outstanding and easily accessible service to all passengers.

### **General Access: Findings**

In accordance with legal requirements, all vehicles in Lothian Buses' (LB's) fleet have low floor access and a wheelchair space, as well as suitable handrails, priority seating and other accessible features<sup>2</sup>. LB's fleet has been called "*arguably the most accessible in the country*" in relation to the company's receipt of the 'Top City Operator' award at the 2011 UK Bus Awards<sup>3</sup>. LB is legally obliged not to discriminate against disabled people and to make 'reasonable adjustments' for disabled people<sup>4</sup>. Drivers are legally obliged to provide assistance to disabled people if possible, and passengers should remove items from the wheelchair space if requested to do so by the driver<sup>5</sup>. Information collected in the autumn of 2011 indicates that an estimated 1100 journeys are made by wheelchair users on LB services each week. In accordance with these legal requirements, LB only allows baby buggies which are collapsible as a single unit to travel on its vehicles at present, and has been installing improved luggage racks and buggy spaces on buses to ensure that the wheelchair space can be easily vacated if needed by a wheelchair user.

All new drivers have been provided with disability equality training by Capability Scotland since 2005. Accessibility issues are also covered in drivers' compulsory annual training. LB has been involved in programmes to raise awareness of public transport accessibility among disabled people with disability group ECAS Edinburgh<sup>6</sup> and offers assistance to wheelchair users to familiarise themselves with getting on and off a bus<sup>7</sup>. LB recently helped publicise the re-launch of SEStran's Thistle Assistance Card<sup>8</sup>. Other features of LB services include audio/visual announcements on Service 10 and Airlink buses and real-time mobile information including bus times and stop proximity alerts.

The main comments from disabled passengers relating specifically to LB services were:

- ✓ LB services are perceived as having a relatively good level of accessibility.
- ✓ Audio-visual announcements are popular and should be provided on more services.
- ✗ Some drivers drive away before the passenger is seated.
- ✗ Some drivers do not always lower the bus or the ramp to aid access to the bus.
- ✗ Some drivers do not ask other passengers in the wheelchair space to move for a wheelchair user.
- ✗ Variations in bus design can make the priority seating hard to find for some people.
- ✗ More than one wheelchair user cannot travel on the same bus.
- ✗ Bus timetables and information can be difficult to access and complaints procedures are not always clear.
- ✗ Cash payment and card ticketing systems can be difficult for a variety of people.
- An acknowledgement of problems that cannot be immediately solved is appreciated.
- More communication of accessible features is needed to reach more people.

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<sup>2</sup> Public Service Vehicles (Accessibility) Regulations 2000

<sup>3</sup> UK Bus Awards 2011 Results: Top City Operator  
[www.ukbusawards.org.uk/content/index.php?option=com\\_content&view=article&id=564:city-operator-of-the-year&catid=101&Itemid=244](http://www.ukbusawards.org.uk/content/index.php?option=com_content&view=article&id=564:city-operator-of-the-year&catid=101&Itemid=244)

<sup>4</sup> Equality Act 2010

<sup>5</sup> Public Service Vehicles (Conduct of Drivers, Inspectors, Conductors and Passengers)(Amendment) Regulations 2002

<sup>6</sup> ECAS Edinburgh News 2009: [www.ecas-edinburgh.org/component/content/article/35-latest-news](http://www.ecas-edinburgh.org/component/content/article/35-latest-news)

<sup>7</sup> Lothian Buses News: [www.lothianbuses.com/news/2-general-news/750-were-helping-to-make-bus-travel-easier.html](http://www.lothianbuses.com/news/2-general-news/750-were-helping-to-make-bus-travel-easier.html)

<sup>8</sup> Lothian Buses news: [www.lothianbuses.com/news/2-general-news/910-we-help-sestran-launch-their-thistle-assistance-card.html](http://www.lothianbuses.com/news/2-general-news/910-we-help-sestran-launch-their-thistle-assistance-card.html)

### General Access: Recommendations

LB has made genuine efforts to buy vehicles that comply with accessibility requirements far ahead of the legal deadline, and has paid attention to disabled people's needs when considering company policy. They are well placed to continue to improve the accessibility of their services, leading the way among bus operators.

- Continue with Disability Equality training for drivers and assistance programmes for passengers.
- Reinforce to drivers the importance of being considerate when stopping and starting the bus; lowering the ramp; and indicating to passengers when they should vacate the wheelchair space for a wheelchair user.
- Continue to review the accessibility of the services provided and maintain relationships with disability groups to ensure that the level of accessibility is satisfactory.
- Encourage passengers to speak to the driver if they feel they need assistance.
- Ensure that driver training is up to date on accessibility issues. Include realistic examples of disabled people's experiences in the training to illustrate and humanise legalistic instructions.
- Provide audio-visual stop announcements on more services.
- Provide further opportunities for all staff to take Disability Equality training.

### **Information and Auxiliary Services' Accessibility: Findings**

Some disabled people are nervous of travelling by bus because of unfamiliarity with the process or previous bad experiences. These problems could be reduced through improved communication. Despite compliance with legal requirements, vehicles should not be described as "entirely accessible" as certain wheelchairs cannot be accommodated onboard LB vehicles, and there are other features of LB bus services which limit their accessibility.

LB's Customer Satisfaction Survey and consultation with passengers indicate that the most popular sources of information among all passengers in order of preference<sup>9</sup> are:

- Timetables at Bus stops.
- LothianBuses.com website.
- Real time internet/mobile service and bus stop signs
- Travel Shops.
- Telephone Information service.
- Leaflets
- Mainstream, specialist, online and social media.

A page of the LB website is currently dedicated to accessibility, but the website itself does not conform completely to recognised web accessibility standards. Large print leaflets and timetables can be printed on request but this option is not widely publicised. Information at bus stops can be hard to access because of bus stop design.

Two of LB's travel shops have a step at the main entrance door and all doors are heavy and can be difficult to open. The Hanover Street travel shop also serves as the lost property office and is the only place where lost property can be collected. If a wheelchair user visits the shop they must wait outside and speak to staff through the door. There are no other specific facilities for disabled people at travel shops, such as induction loops or seating. A planning application to build a permanent ramp at the entrance to the Shandwick Place travel shop was rejected by the local planning authority.

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<sup>9</sup> Lothian Buses' Customer Satisfaction Survey 2011

### Information Accessibility: Recommendations

- Celebrate and promote the extent and limits of LB's service accessibility through a publicity campaign, engaging the help of disability equality organisations and local authorities.
- Highlight the option of large print leaflets and timetables in existing literature.
- Ensure that there is accessible information available about providing feedback on accessibility issues.
- Ensure that the website conforms to the W3C Web Content Accessibility Guidelines<sup>10</sup> or equivalent.
- Ensure all auxiliary services are available to those with limited mobility and those in wheelchairs. This could be done by moving lost property to the Waverley Bridge travel shop, or by installing assisted opening doors at all travel shops, and providing manual ramps that staff can deploy for wheelchair users.
- Produce an accessibility leaflet in as many accessible formats as possible.
- Provide a few seats at travel shops for people who may need to sit down when queuing.
- Install induction loops at travel shops.
- Promote the use of typetalk services for telephone advice and ensure relevant staff understand the system.

### **Buggy Access: Findings**

The fact that LB vehicles all comply with legal requirements for wheelchair access means that it is also possible to bring unfolded baby buggies onto all vehicles. A number of reports and individuals' experiences suggest that buggies placed in the wheelchair space can limit wheelchair users' access to buses<sup>11</sup>. This can be due to drivers failing to make the situation clear to the person with a buggy, or due to passengers with buggies refusing to move from the wheelchair space. In order to comply with legal requirements to make 'reasonable adjustments' for disabled people and to limit the impact of buggy access on wheelchair users, LB will only allow baby buggies which can be collapsed as a single unit (and therefore can be easily removed from the wheelchair space) to be carried on its services. Some parents and carers claim that buggies which are collapsible as a single unit are not generally suitable for babies younger than six months. As part of this research a review of one hundred and eleven buggies currently on the market was carried out. Of these, 86 buggies were classified as suitable from birth and 45 were both collapsible as a single unit and suitable from birth, meaning that 52% of buggies reviewed which are suitable from birth conform with LB's buggy policy. Nine buggies in total were suitable from birth, collapsible as a single unit and capable of carrying more than one child. Figures collected in autumn 2011 indicate that around 10,000 journeys are made on LB services by passengers with buggies each week, with the current policy in place.

Buses with a buggy space make up around 40% of the LB fleet. Those buses are allocated to busier routes, so they account for 52% of LB's passengers. The company's long term aim is to reach a point where all buses have a buggy space but reaching that point will take a number of years while the fleet is updated. A warrant is available to disabled parents or parents and carers with disabled children, which means they will not be asked to fold their buggy. It does not guarantee them priority of access over other passengers.

Women are more likely to be the carers of young children<sup>12</sup>, and mothers of children under six months old may be more likely to choose a buggy which is not collapsible as a single unit. These issues have been considered in relation to equalities laws which prevent indirect sex discrimination and discrimination against a woman because she is in the first 24 weeks of maternity<sup>13</sup>. The policy affects new mothers because of their choice of buggy, rather than because of their maternity, and applies equally to all carers of small children using a certain type of buggy. The buggy market figures above indicate that there are a significant number of buggies available which comply with LB

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<sup>10</sup> Available [www.w3.org/TR/WCAG10](http://www.w3.org/TR/WCAG10)

<sup>11</sup> See review of Accessibility Reports chapter 2 of the main report

<sup>12</sup> Equality and Human Rights Commission 2010

<sup>13</sup> Equality Act 2010

policy and are suitable for carrying a child from birth. Indirect sex discrimination can be legally justified if it is a proportionate means of achieving a legitimate aim. LB considers that the buggy policy has been a proportionate means of ensuring that wheelchair users can use the wheelchair space when they want to travel.

Feedback about buggy access includes these comments:

- ✓ Reactions to the number 22 pilot service with buggy spaces were very positive. 75% of passengers with buggies who took part in a survey said they were satisfied with the provision of space for buggies<sup>14</sup>.
- ✗ Buggies which are not collapsible as a single unit could now travel in the dedicated buggy space on many services without causing any obstruction for wheelchair users, but they are still refused access.
- ✗ Some parents and carers feel that buggies that are collapsible as a single unit are unsuitable for newborns.
- ✗ Some 'travel system' buggies which are not allowed on buses have a detachable seat or cot and an easily foldable frame. This means that the parent or carer can fold the frame without disturbing the child.
- ✗ Parents or carers who do not want to fold their buggy can choose to vacate the wheelchair space by getting off the bus. Many of these passengers have to buy another ticket to continue their journey.
- ✗ Some drivers allow non-collapsible buggies onto buses to avoid confrontation with passengers. This can lead to confusion over the consistency of the policy.

#### Buggy access: Recommendations

Onward Travel: Passengers with a single ticket who would prefer to get off the bus to allow a wheelchair user to board need not have to pay for another ticket to continue their journey. They could be treated in the same way as passengers who have their journey disrupted for other reasons and provided with an overpayment slip ('receipt') which can be used as another single ticket to complete their journey.

If LB chooses to make changes to extend access for passengers with buggies, three options are possible:

1. Allowing all buggies onto all buses. This is the simplest option. It would increase access for passengers with buggies but could reduce access for wheelchair users.
2. A separate rule for buses with buggy spaces and buses without: Buggies which are collapsible as a single unit would still be allowed in all spaces on all buses. Buggies which are not collapsible as a single unit could be allowed onto all buses with a designated buggy space and placed in either space on the understanding they move out of the wheelchair space if a wheelchair user wants to board. This option provides the current level of protection for wheelchair spaces in single space buses but increases access for passengers with buggies. There is the potential for inconsistent application and confusion among passengers over which buses they can use.
3. A separate rule for the wheelchair space and for the buggy space: Buggies which are collapsible as a single unit would still be allowed in all spaces on all buses. Buggies which are not collapsible as a single unit would only be allowed into designated buggy spaces. This theoretically keeps the existing protection for wheelchair spaces while increasing access for passengers with buggies. If applied and enforced fully, this rule would require significant intervention from the driver and clear communication to passengers.

If any of these options are pursued, it is very important that provisions are made to ensure that wheelchair users can enjoy the best possible level of access to buses under the circumstances. This can be done by:

- Continued installation of buggy spaces.
- Provision of overpayment slips to passengers with buggies who get off the bus to let a wheelchair user on.

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<sup>14</sup> Lothian Buses Space Allocation – Initial Summary Report *George Street Research June 2010*

- Encouraging passengers to use smaller, easily foldable buggies.
- Continuing and improving driver training programmes.
- Clear communication of wheelchair users' priority in the wheelchair space.

If any changes are made, the situation should be reviewed following the change to see whether there have been any significant impacts on wheelchair users' access to LB services.

#### Buggy Access Communication

Information about the current buggy policy is available in two main places: signs on buses and on the LB website<sup>15</sup>. The website provides detailed information about the policy, and about bus routes that will usually have buses with dedicated buggy spaces, as well as information about wheelchair spaces. The website page will mainly be used by people searching for accessibility information.

New parents and carers are not all immediately aware of the policy when buying buggies. Parents, carers and health professionals have said that buying a buggy is usually considered before the baby is born. The best opportunity to provide information about bus travel with a baby is therefore NHS points of contact before birth such as ante-natal facilities. It is currently unclear whether it would be possible to provide information in these places. An easy way to target the public is through increased information at bus stops, in local media and on buses.

Buggy Access communication recommendations:

- Provide information on the buggy policy/policy changes to passengers before they attempt to board a bus.
- Provide further signposts to the accessibility policy section of the website.
- Ensure that the terms of the policy are communicated as clearly and simply as possible.
- Ensure that conditions of carriage information is available elsewhere than the website.
- Widely publicise the fact that wheelchair users' access to the wheelchair space is prioritised
- Encourage the use of smaller, collapsible buggies for easier access, even if larger buggies are allowed on buses.

#### **Further Accessibility issues**

LB must also ensure that other users of the wheelchair space do not unreasonably prevent wheelchair users from travelling on a bus. This includes taking full account of the needs of wheelchair users when considering other requests for the wheelchair space, including bringing mobility scooters, bicycles and large luggage onto buses.

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<sup>15</sup> Easy Access section: [www.lothianbuses.com/what-we-do/easy-access.html](http://www.lothianbuses.com/what-we-do/easy-access.html)



## BACKGROUND

### 1. Legislation

There is a wide range of legislation relating to the accessibility of public service vehicles:

#### 1. 1. General

**Public Passenger Vehicles Act 1981**

**Public Service Vehicles (Carrying Capacity) Regulations 1984 (SI 1984 No. 1406)**

**Transport Act 1985**

**Public Service Vehicles (Conditions of Fitness, Equipment, Use and Certification) Regulations 1981 (SI 1981 No. 257)**

**Scotland Act 1998**

This legislation regulates public transport operators and public transport vehicles. It includes vehicle fitness requirements, conditions of operators' licenses and carrying capacity requirements. They form the basis for the specific accessibility related legislation below.

Public Service Vehicle licensing, The Public Passenger Vehicles Act 1981 and the Transport Act 1985 are reserved to the Westminster Parliament under the Scotland Act 1998 Schedule 5 Head E Section E1(b).

#### 1. 2. Vehicle Regulations

**Public Service Vehicles Accessibility Regulations 2000 (SI 2000 No. 1970)**

**Road Vehicles (Construction and Use) (Amendment) (No. 2) Regulations 2000 (SI 2000 No. 1971)**

These regulations prescribe layout and facilities on buses. They require that all buses built since 2000 must have an accessibility or compliance certificate showing that they comply with the regulations' specifications. There are varying deadlines between 2016 and 2020 for all buses used by operators in the UK to comply with the specifications.

These specifications include low floor access and at least one wheelchair space as well as priority seating, handrail and display screen provisions.

#### 1.3 Equality legislation

**Disability Discrimination Act 1995**

**Disability Discrimination Act 2005**

**Equality Act 2010**

##### *1.3.1 Equality Legislation and Disability*

The Disability Discrimination Act (DDA) 2005 extended obligations in the DDA 1995 to include service providers.

The Equality Act 2010 (EA) is a consolidation of various equality laws and replaced the DDA. Most disability equality provisions in the EA are directly transposed from the DDA.

The EA provides a definition of disability for the purposes of the Act<sup>16</sup> and protects disabled people from various forms of discrimination<sup>17</sup>, harassment<sup>18</sup> and victimisation<sup>19</sup>. It also includes the duty to make reasonable adjustments to ensure that disabled people have equal access to services and information<sup>20</sup>.

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<sup>16</sup> Section 6 Equality Act (EA) 2010

The EA also states that treating a disabled person more favourably than a non-disabled person does not constitute discrimination against the non-disabled person<sup>21</sup>.

### 1.3.2 Equality legislation and Pregnancy and Maternity

Pregnancy and Maternity are also protected characteristics under the Equality Act<sup>22</sup>. The protection applies to pregnant women and women within 24 weeks (6 months) of giving birth. This is significant in the context of buggy access to buses because fewer collapsible buggies are available for children younger than 6 months<sup>23</sup>.

LB's buggy policy is not applied to passengers 'because of' their pregnancy or maternity<sup>24</sup>, and would affect mothers with children older than 6 months and all other carers of small children travelling with a non-collapsible buggy. For this reason LB's buggy policy is unlikely to fall under the pregnancy and maternity protection.

It is also possible that the policy could be considered indirect sex discrimination<sup>25</sup> as women are more likely to be the carers of young children<sup>26</sup>. However, any such discrimination can be justified if it is a 'proportionate means of achieving a legitimate aim'<sup>27</sup>. LB staff believe that the policy is a proportionate means of achieving the legitimate aim of ensuring that wheelchair users have the best possible level of access to the wheelchair space.

## 1. 4. Conduct regulations

### **Public Service Vehicles (Conduct of Drivers, Inspectors, Conductors and Passengers) Regulations 1990 (SI 1990 No. 1020)**

### **Public Service Vehicles (Conduct of Drivers, Inspectors, Conductors and Passengers) (Amendment) Regulations 2002**

These regulate behaviour of drivers, passengers and conductors on a public service vehicle. Drivers must not prevent people from bringing guide dogs onboard buses when they have the appropriate identification. Passengers with "bulky or cumbersome" items are required to move them or put them in a particular place if the driver requires it<sup>28</sup>

The 2002 amendment to these regulations was intended to bring the PSVAR 2000 requirements into consideration. This includes requirements for the driver to assist disabled passengers to board by operating ramps and lifts. Drivers are encouraged to pre-empt requests for a ramp or a kneeling system to be operated<sup>29</sup>. The driver is under no obligation to provide assistance if doing so would damage the health or safety of the driver, the passenger requesting help, or the other passengers or the bus<sup>30</sup>.

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<sup>17</sup> Sections.13-15 and 19 EA 2010

<sup>18</sup> Section 26 EA 2010

<sup>19</sup> Section 27 EA 2010

<sup>20</sup> Sections 20-22 EA 2010

<sup>21</sup> Section13(3) EA 2010

<sup>22</sup> Sections 17-19 EA 2010

<sup>23</sup> See Review of the Buggy Market chapter 9 of this report

<sup>24</sup> Section 17(2) EA 2010

<sup>25</sup> Section 19 EA 2010

<sup>26</sup> Services, Public Functions and Associations Statutory Code of Practice *Equality and Human Rights Commission 2011 p.71*

<sup>27</sup> Section 19(2)(d) EA 2010

<sup>28</sup> Regulation 6(2) and (4)PSV(CDICP)R1990

<sup>29</sup> Regulation 13(2) PSV(CDICP)R1990 (added by reg. 6 2002 amendment)

<sup>30</sup> Regulation 17(2)(b) PSV(CDICP)R1990 (added by reg. 6 2002 amendments)

No passenger may be refused access to the bus on the sole grounds of their disability. If the wheelchair space is free and the passenger wishing to board is using a wheelchair which is a size and is in a fit and safe state to be placed safely on the bus, they should not be refused access by the driver<sup>31</sup>.

#### 1. 5. Guidance

**DFT guidance on Public Service Vehicles (conduct) regulations 2002<sup>32</sup>.**

**Provision and use of transport vehicles: Statutory Code of Practice 2006 (Supplement to part 3 code of practice)<sup>33</sup>.**

**RTIG: Meeting the needs of disabled travellers - A guide to good practice for bus passenger technology providers<sup>34</sup>**  
(new version pending).

**The Equality Act 2010 Codes of Practice (Services, Public Functions and Associations, Employment, and Equal Pay) Order 2011 and Equality and Human Rights Commission's Equality Act 2010 Statutory Code of Practice<sup>35</sup>.**

None of this guidance is legally binding but some could be influential in a court.

Guidance on the Public Service Vehicles (conduct) Regulations states that a wheelchair user may be refused access to the bus if the wheelchair space is not available, and it suggests that if a buggy is in the wheelchair space, the space may be considered 'not available'<sup>36</sup>. The legislation itself says that the wheelchair space is occupied if "*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*". Under these circumstances LB has interpreted their EA "reasonable adjustments" obligation to mean that it should ensure that only buggies which can 'reasonably' be moved to another part of the vehicle can be placed in the wheelchair space. In order to be carried in another part of the vehicle a buggy must be folded and placed in a luggage rack or put between seats, so only buggies which are collapsible as a single unit may be taken onto buses unfolded and placed in the wheelchair space.

The EHRC guidance on the Equality Act 2010 highlights a number of areas relating to this topic. Most significant are areas relating to sex discrimination. The guidance implies that failing to provide facilities for a person to access a site with a buggy could be considered indirect sex discrimination as women are more likely to be carers of small children. Many kinds of buggy can be brought onto LB vehicles.

The inclusion of pregnancy and maternity is a protected characteristic in the Equality Act. This could indicate that protection of mothers and carers of small children will continue to be a focus of equality legislation in the future. In these circumstances an effort to provide the greatest level of access and service for passengers travelling with small children now could prevent the need for further changes in the future. This must be considered in the light of existing disability equality laws.

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<sup>31</sup> Regulation 12(2) PSV(CDICP)R1990 (added by reg. 6 2002 amendment)

<sup>32</sup> Disability Discrimination Act, The Public Service Vehicles (Conduct of Drivers, Inspectors, Conductors and Passengers)(Amendment) Regulations 2002 Guidance, DfT available: <http://assets.dft.gov.uk/publications/transportforyou-access-buses-pubs-conduct/sstopublicservicevehicle5990.pdf>

<sup>33</sup> Equality and Human Rights Commission:

[http://www.equalityhumanrights.com/uploaded\\_files/code\\_of\\_practice\\_provision\\_and\\_use\\_of\\_transport\\_vehicles\\_dda.pdf](http://www.equalityhumanrights.com/uploaded_files/code_of_practice_provision_and_use_of_transport_vehicles_dda.pdf)

<sup>34</sup> Real Time Information Group: [www.rtig.org.uk](http://www.rtig.org.uk)

<sup>35</sup> Equality and Human Rights Commission guidance: [www.equalityhumanrights.com/advice-and-guidance/new-equality-act-guidance/equality-act-guidance-downloads/#Guidance\\_for\\_service\\_providers](http://www.equalityhumanrights.com/advice-and-guidance/new-equality-act-guidance/equality-act-guidance-downloads/#Guidance_for_service_providers)

<sup>36</sup> Disability Discrimination Act, The Public Service Vehicles (Conduct of Drivers, Inspectors, Conductors and Passengers)(Amendment) Regulations 2002 Guidance p.4

## **2. Background/History**

### **2.1 Wheelchair Access: Accessibility and Equality**

Disability discrimination legislation has led LB to make a variety of changes and adjustments to remove barriers faced by disabled people trying to access their services.

All vehicles in LB's fleet are low floor and have a wheelchair space. This has been the case since 2009.

LB has approached the obligation not to discriminate against disabled people and to ensure staff do not discriminate against disabled people by providing all drivers with disability equality training from Capability Scotland. Low floor buses with a wheelchair space were introduced in response to the PSVAR 2000, removing immediate physical barriers to wheelchair users boarding and travelling on a bus. Wheelchair users may encounter additional barriers to travelling on a bus if the wheelchair space is occupied by other passengers, luggage or a baby buggy. If a bus is full to capacity, neither a wheelchair user nor a non wheelchair user will be able to board, and so a wheelchair user is not being treated any differently from a non wheelchair user if they are refused access to the bus. If a bus is not full to capacity but the wheelchair space is occupied, a non wheelchair user can board but a wheelchair user can't.

LB therefore made what was considered a "reasonable adjustment", implementing a policy that only wheelchair users and those with items that can be easily removed from the wheelchair space may travel in the wheelchair space. Non-wheelchair users requiring the wheelchair space are usually parents or carers with baby buggies and people with large luggage. Carriage of luggage on a bus is at the discretion of the driver. Improved luggage racks have been provided so that bags don't have to be placed in the wheelchair space. Carriage of baby buggies on buses is limited to those that are collapsible as a single unit. This allows for them to be easily removed from the space.

Dedicated buggy spaces were introduced on buses in 2009. These spaces were intended to allow more opportunities for parents and carers with baby buggies to travel on the bus without using the wheelchair space. This also means more than one unfolded buggy can be accommodated on a bus at one time, though only one wheelchair user can travel on a bus at once as a wheelchair user cannot be safely or legally accommodated in the buggy space. When buggy spaces were introduced onto buses, there were so few buses with buggy spaces that it was considered unenforceable to introduce a new rule allowing non-collapsible buggies into these buggy spaces. The increased proportion of buses with buggy spaces to over 40% of the fleet has led in part to this review.

### **2.2 Buggy Access**

Legal obligations to build and use buses which are accessible to most wheelchair users have had the additional effect of making buses easier to access with an unfolded buggy. LB's current buggy policy (allowing only buggies which can be collapsed as a single unit onto buses) was implemented in an attempt to reduce situations where competing demands on the wheelchair space meant that wheelchair users were unable to use their services.

In reaction to the introduction of LB's buggy access policy in 2008, a group of parents and carers raised the subject with the Public Petitions Committee of the Scottish Parliament, and Edinburgh City Council. In August 2009, a number of buses were ordered with specific buggy spaces<sup>37</sup>. The buses were introduced as a pilot scheme on the route 22 and are still identifiable by their pink top livery. Following this, more buses with buggy spaces were bought, and a scheme to retrofit existing buses with buggy spaces was adopted. As of December 2011 buses with a

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<sup>37</sup> Submission to the Public Petitions Committee of the Scottish Parliament PE1206/X, *Lothian Buses* March 2009.  
<http://archive.scottish.parliament.uk/s3/committees/petitions/petitions/submissions/sub-08/08-PE1206X.pdf>

buggy space make up around 40% of the LB fleet. Those buses are allocated to busier routes, so they account for 52% of LB's passengers. The policy to buy buses with a space and retrofit older ones will continue. At present it is not possible to predict a date by which all vehicles in the fleet will have buggy spaces. In June 2010 George Street Research conducted surveys of passengers on the route 22 to find out what the reaction to the spaces was. The results were overwhelmingly positive<sup>38</sup>.

The policy to allow only buggies that are collapsible as a single unit has continued since its introduction. There are a regular but proportionately small number of complaints on the topic from passengers and the issue is also raised occasionally by elected representatives. During October and November 2011 a new campaign was launched asking for all buggies to be allowed on buses with a buggy space<sup>39</sup>.

#### 2.4 Information access

Legal obligations not to discriminate and to make reasonable adjustments to assist disabled people to access services include the provision of information.

- **Audio/Visual provisions:** Additional accessibility features on LB vehicles include audio and visual stop announcements on two services: Airlink and service 10. The RNIB claim that visual stop announcements alone would discriminate against visually impaired passengers.
- **Real Time Information:** LB staff are involved with the reconsideration of the Real Time Information Group's good practice guide *'Meeting the Needs of Disabled Passengers'*<sup>40</sup>.
- **Information Accessibility:** If large print versions of leaflets or notices are required, they are printed off for the person asking for them. This service cannot currently be provided in travel shops.

#### 2.5 Other Access

A number of other features and facilities are available when using LB services:

- **PSVAR 2000 obligations:** Having an entire fleet certified under the PSVAR2000 means that all LB vehicles have handrails; priority seating; communication devices; kneeling or low floor functions and route and destination displays that comply at least with a set standard.
- **Training:** Since 2005 new drivers have received a half day disability equality training session from Capability Scotland that thoroughly covers legal obligations and best practice suggestions. Drivers receive a handbook on disability equality issues in their training packs. Disability access issues are covered as part of compulsory annual CPC training. Drivers are also briefed on the buggy policy by LB staff.
- **Priority seating:** As wheelchair and buggy spaces are included in bus designs, priority seating has been moved further away from the entrance to the bus. Priority seat layout differs on different buses. Depending on the layout it sometimes overlaps with wheelchair and/or buggy spaces.
- **Practice using buses:** LB arranges to give wheelchair users the opportunity to practice boarding and leaving buses<sup>41</sup>, and LB has taken a bus to bus users' surgeries in the city centre. LB also took part in ECAS Edinburgh's 'try a bus day' in 2009<sup>42</sup>. An annual scheme is run with the Royal Blind School to help graduating students of the school to travel on buses independently.

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<sup>38</sup> "Lothian Buses Space Allocation – Initial Summary Report" Jo Fawcett and David Primrose of George Street Research, June 2009.

<sup>39</sup> Babies on Buses website: [www.babies-on-buses.co.uk](http://www.babies-on-buses.co.uk)

<sup>40</sup> Real Time Information Group: [www.rtig.org.uk](http://www.rtig.org.uk)

<sup>41</sup> Lothian Buses website, news section: [www.lothianbuses.com/news/2-general-news/750-were-helping-to-make-bus-travel-easier.html](http://www.lothianbuses.com/news/2-general-news/750-were-helping-to-make-bus-travel-easier.html)

<sup>42</sup> ECAS Edinburgh website news 2009: [www.ecas-edinburgh.org/news](http://www.ecas-edinburgh.org/news)

## RESEARCH RESULTS

### **3. UK Bus Accessibility Reports**

#### 3.1 Disabled people's access to public transport

There are a number of reports and comments available on this topic from the last five years:

2008: DfT Assessment of Accessibility Standards for Disabled People in Land Based Public Transport Vehicles<sup>43</sup>

2009: Trailblazers Transport Report: End of the Line<sup>44</sup> *report on accessibility of public transport in the UK by young people*

2009: Young Equals<sup>45</sup> *report by the Children's Rights Alliance CRAE on age discrimination in the Equality Bill, now the Equality Act.*

2010: the DfT launched a consultation on changes to the regulatory framework governing local bus services<sup>46</sup>.

Among questions asked was whether economic sanctions should be placed on bus companies for failure to comply with existing Public Service Vehicles (Conduct of Drivers, Inspectors, Conductors and Passengers) Regulations, including the failure to ensure the wheelchair space was available for wheelchair users.

Responses included those from:

- Aspire and the Back UP Trust<sup>47</sup>,
- Passenger Focus<sup>48</sup>,
- TravelWatch Northwest<sup>49</sup>,
- Disabled Persons Transport Advisory Committee<sup>50</sup>,
- Joint response from RNID, Sense, RADAR and Leonard Cheshire Disability<sup>51</sup>.

2011: Disability-Related Harassment: the role of public bodies. A qualitative Research Report<sup>52</sup> and Hidden in Plain Sight: a report on disability related harassment<sup>53</sup> both by the Equality and Human Rights Commission

The following problems are raised in a number of the reports:

- Difficulty getting onboard: driver parking too far away/not lowering the bus or the ramp<sup>54</sup> (7 mentions in 4 reports).
- Difficulty reaching a seat: driver moves off before the passenger is seated<sup>55</sup> (9 mentions in 6 reports).
- Difficulty finding a seat: bus is full and people are seated in priority seating<sup>56</sup> (6 mentions in 3 reports).
- Difficulty finding a space: buggies/luggage in wheelchair space<sup>57</sup> (9 mentions in 6 reports).

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<sup>43</sup> Reference: HEL/DfT/061496/RT02 by Human Engineering Limited and Guide Dogs for the Blind Association. January 2008. ('DfT2008')

<sup>44</sup> Trailblazers Muscular Dystrophy Campaign May 2009 ('Trailblazers')

<sup>45</sup> Making the case: why children should be protected from age discrimination and how it can be done Proposals for the Equality Bill Young Equals Campaign (CRAE) 2009 ('Young Equals')

<sup>46</sup> Improving Bus Passenger Service through the Regulatory Framework: Consultation Paper Department for Transport March 2010 ('DfT Consultation')

<sup>47</sup> Consultation on Improving Bus Passenger Service through the Regulatory Framework: Response Aspire and the Back Up Trust June 2010 ('Aspire')

<sup>48</sup> Passenger Focus Response to the Department for Transport consultation on Improving Bus Passenger Services through the Regulatory Framework Passenger Focus June 2010. ('Passenger Focus')

<sup>49</sup> Improving Bus passenger Service through the Regulatory Framework, response letter TravelWatch North West May 2010 ('TravelWatch')

<sup>50</sup> Consultation Response Form Disabled Persons Advisory Committee (DPTAC) May 2010 ('DPTAC')

<sup>51</sup> Consultation Response: Improving Bus Passenger Service through the Regulatory Framework RNID, Sense and RADAR June 2010 ('Joint Response')

<sup>52</sup> Equality and Human Rights Commission Research Report 78 Wendy Sykes, Carola Groom, Philly Desai ('EHRC')

<sup>53</sup> Hidden in Plain Sight: Inquiry into Disability-Related Harassment, EHRC, 2011

<sup>54</sup> Paragraphs 5.3.6, 5.3.7, 6.3.23 and 6.3.35 DfT2008; paragraph 7.3 Aspire; p.4 Trailblazers; p.20 EHRC

<sup>55</sup> Paragraphs 5.3.9, 5.3.14, 6.3.25 and 6.3.40 DfT2008; p.6 Passenger Focus; Question 19 response DPTAC; p.7 Joint Response; p.4 Trailblazers; p.20 EHRC

<sup>56</sup> Paragraphs 5.3.8, 5.3.14, 6.3.28 and 6.3.36 DfT2008; p.7 Joint Response; pp20-21 EHRC

- Differing layout of buses means visually impaired passengers can't find the priority seating<sup>58</sup> (2 mentions in 1 report).
- Lack of audio/visual information on buses and audio information at bus stops<sup>59</sup> (3 mentions in 1 report).
- There is not enough space for an assistance dog<sup>60</sup> (4 mentions in 2 reports).
- Poor attitude of bus drivers<sup>61</sup> (7 mentions in 3 reports).
- Information at bus stops is not accessible or is difficult to understand<sup>62</sup> (6 mentions in 2 reports).

The problem of balancing conflicting demands on the wheelchair space is one faced by a number of operators<sup>63</sup>.

The Joint Report of RNID, Sense, RADAR and LCD echoes the current Guide Dogs for the Blind Talking Buses campaign<sup>64</sup>

Most of these issues were also raised during a debate on Public Transport (Disabled Access) in the House of Commons in October 2011 by Lisa Nandy MP who said that she had been contacted by young people across country about the subject<sup>65</sup>.

### 3.2 Buggy users' access to public transport

Both TravelWatch North West in its response to the DfT Consultation<sup>66</sup> and the Young Equals 2009 report noted that a change in the law was needed in order to specifically protect newborn babies, and to impose a 'reasonable adjustments' obligation on bus companies to remove barriers to boarding for people with buggies.

LB's buggy policy is referred to in the Young Equals Report as a policy that discriminates against children. The report also highlights a number of other problems faced by parents and carers of small children using buses, which have been reflected in discussions with parents and carers in Edinburgh, and which are discussed below<sup>67</sup>.

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<sup>57</sup> Paragraphs 5.3.9, 7.62 and 8.8.6 DfT 2008 7.2b; paragraph 7.9 Aspire; p.6 Passenger Focus; Question 19 response DPTAC; p.7 Joint Response; p.4 Trailblazers.

<sup>58</sup> Paragraphs 5.3.10 and 6.3.45 DfT2008.

<sup>59</sup> Page 68 and paragraphs 6.3.8 and 6.3.44 DfT 2008; p.11 Joint response.

<sup>60</sup> Page 68 and paragraphs 6.3.29 and 6.3.41 DfT 2008.

<sup>61</sup> Paragraphs 5.3.14, 6.3.23, 6.3.30, 6.3.32 and 6.3.49 DfT2008; p.4 Trailblazers; p.20 EHRC

<sup>62</sup> Paragraphs 5.3.3 6.3.5 and 6.3.8 DfT2008; paragraph 7.11 Aspire.

<sup>63</sup> Paragraph 7.6.2 DfT 2008.

<sup>64</sup> Consultation Response: Improving Bus Passenger Service through the Regulatory Framework *RNID, Sense and RADAR* June 2010 p.11; Guide Dogs for the Blind Talking Buses campaign [www.guidedogs.org.uk/index.php?id=1242](http://www.guidedogs.org.uk/index.php?id=1242)

<sup>65</sup> Hansard 12 October 2011 Columns 103WH to 127WH

<sup>66</sup> Paragraph 13.2 (p.7) TravelWatch NorthWest report

<sup>67</sup> Young Equals Report p.20-21

#### **4. Other Bus Companies' policies**

While the PSVAR and the EA apply to many other bus operators in Scotland, approaches to disabled access and buggy access differ greatly. Few other bus operators in Scotland had reached the point of 100% compliance with the PSVAR specifications by December 2011.

There are a variety of approaches to buggy access amongst large bus operators in Scotland. Most companies note that their policy only applies on buses which can accommodate wheelchair users and unfolded buggies. These policies were collected in January 2012 and may have changed since:

Glasgow Citybus takes a similar approach to LB's current policy:

*"The driver has the discretion to require that pushchairs are folded at busy times or if a customer wishes to board with a wheelchair. Passengers should cooperate in allowing proper use of the designated wheelchair space by vacating this space if required by a passenger in a wheelchair. We cannot accommodate wheelchairs or unfolded buggies on buses without these facilities. In addition, we do not carry prams on any buses."*<sup>68</sup>

Stagecoach (operating in West Scotland / East Scotland / North East Scotland ("Bluebird") / Highlands) allows "buggies and small prams" but notes the legal requirements relating to the wheelchair space:

*"You are... required by law to ensure that the designated wheelchair space is made available if a customer wishes to board with a wheelchair or approved mobility scooter. You are required to co-operate in allowing proper use of the designated wheelchair space by vacating this space if it is required by a customer in a wheelchair...including repositioning small prams, folding any buggies and storing them in the luggage space."*<sup>69</sup>

Arriva (operating in Glasgow) takes a similar view but does not note the legal obligation:

*"The driver can require that pushchairs and all types of buggies are folded at busy times, or to request occupants of the priority area to move elsewhere on the vehicle if a customer wishes to board with a wheelchair or scooter. You should co-operate in allowing proper use of this space by vacating it if necessary in favour of a wheelchair...user."*<sup>70</sup>

FirstBus (Operating in Scotland East / Greater Glasgow / Aberdeen) does not give wheelchair users priority in the wheelchair space:

*"Wheelchairs do not have priority over buggies, but to ensure all our customers are treated fairly and with consideration, other customers are asked to move to another part of the bus to allow [a wheelchair user] to board."*<sup>71</sup>

Most other operators in Scotland are smaller than LB and do not appear to cover the subject in their conditions of carriage.

Elsewhere in the UK the situation is similar:

Transport for London says that a person with a buggy "will only be refused admittance if absolutely necessary", but that

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<sup>68</sup> Glasgow Citybus conditions of carriage, available: [www.glasgowcitybus.co.uk/pdf/Glasgow\\_Citybus\\_Conditions\\_of\\_Carriage.pdf](http://www.glasgowcitybus.co.uk/pdf/Glasgow_Citybus_Conditions_of_Carriage.pdf)

<sup>69</sup> Stagecoach Conditions of Carriage available: [www.stagecoachbus.com/conditionsofcarriage.aspx](http://www.stagecoachbus.com/conditionsofcarriage.aspx)

<sup>70</sup> Arriva Bus Conditions of Carriage [www.arrivabus.co.uk/conditions-of-carriage](http://www.arrivabus.co.uk/conditions-of-carriage)

<sup>71</sup> "Bus Accessibility" Page and related pages on FirstBus Website [www.firstgroup.com/ukbus/scotland\\_east/bus\\_access](http://www.firstgroup.com/ukbus/scotland_east/bus_access)



*"Wheelchair users have priority over everyone else for use of the wheelchair space. If someone in a wheelchair wishes to board, and the wheelchair space is occupied by standing passengers or buggies, standing passengers will be asked by the driver to make room if possible, buggy owners will be asked to fold them and put them in the luggage space or keep them by their side."<sup>72</sup>*

Brighton and Hove Buses says that their fleet is entirely low floor and nearly entirely PSVAR compliant. Their position on other passengers who use the wheelchair space is:

*"There is no legal requirement for other passengers to give up their seat to accommodate a wheelchair user, but we do rely on the goodwill of other passengers to cooperate. We ask our drivers to make reasonable requests to other passengers to move if it is practical, but we rely on everyone helping each other."<sup>73</sup>*

Nottingham Transport does not give priority to wheelchair users

*"A wheelchair user does not have any priority over any other passenger on the bus and the space designed to accommodate a wheelchair is available on a first come, first served basis."<sup>74</sup>*

Reading bus: takes the opposite approach

*"Wheelchair users have priority over all other passengers in using the dedicated space – please ask the driver if you need any assistance"<sup>75</sup>.*

This range of approaches shows that different companies interpret their obligations and their passengers' obligations in different ways. The question of how to approach the fact that buggies are placed in the wheelchair space is something faced by most city bus operators, if not all bus operators, but there is no clear answer of how to prioritise the use of space.

In the absence of further guidance on application of the EA 2010 by public transport operators, and of any litigation on the subject, the extent of the legal obligation to provide a wheelchair space for a wheelchair user whenever they need it remains unclear. LB has, at present, chosen to give maximum protection to wheelchair users that it reasonably can.

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<sup>72</sup> Transport for London 'Buses' website [www.tfl.gov.uk/gettingaround/transportaccessibility/1171.aspx](http://www.tfl.gov.uk/gettingaround/transportaccessibility/1171.aspx)

<sup>73</sup> Brighton & Hove Buses Accessible buses page [www.buses.co.uk/information/accessible-buses-wheelchairs.aspx](http://www.buses.co.uk/information/accessible-buses-wheelchairs.aspx)

<sup>74</sup> Nottingham Transport Conditions of Carriage paragraph 65 [www.nctx.co.uk/about/nottingham-city-transport-terms-and-conditions-of-carriage](http://www.nctx.co.uk/about/nottingham-city-transport-terms-and-conditions-of-carriage)

<sup>75</sup> Reading Bus website Frequently Asked Questions section: [www.reading-buses.co.uk/faqs](http://www.reading-buses.co.uk/faqs)

## 5. Consultation

A number of groups and individuals have a particular interest in matters relating to bus service accessibility in Edinburgh. Their opinions have been gauged in a variety of ways, and their responses are outlined below.

Group	Contacts	Method of contact
The general public / bus passengers	General Public (survey respondents)	Annual passenger satisfaction survey results 2011
	Bus passengers on route 22 buses	George Street Research on-street passenger survey report <sup>76</sup>
Disabled bus users and disability equality groups	Individuals contacted through Capability Scotland and independently	Informal email questionnaire / phone calls and meetings
	Individuals in media and social media	From media/social media sites
	Capability Scotland	Meeting and email contact
	ECAS Edinburgh	Telephone conversation
Parents and parents' groups	Pregnancy and Parenting Centre new mothers' group	Meeting
	Pregnancy and parenting centre staff	Informal chat
	Members of Babies on Buses campaigning group	Meeting in person; written questions and responses
	Social media activists	From media/social media sites
Bus drivers	Drivers' Trade Union Officials	Meeting
Buggy shops	John Lewis Edinburgh	Visit and informal conversation
	All Edinburgh shops	Letter sent outlining buggy policy

<sup>76</sup> "Lothian Buses Space Allocation – Initial Summary Report" Jo Fawcett and David Primrose of George Street Research, June 2009.

## **6. Survey Results**

### **6.1 Passenger Satisfaction Survey**

The LB passenger satisfaction survey is carried out annually by telephone. The 2011 survey results cover responses from two thousand and seven bus users and non-bus users<sup>77</sup>.

The 2011 results show:

- 92% of the 1808 participants who use the bus at least monthly responded “good” or “very good” when asked what they thought of efforts made by LB to provide services accessible to everyone.
- When asked about ways of improving accessibility, 7% of passengers asked responded that services should be “more accessible for those with children” while 7% responded that there should be a limit to the number of pushchairs and wheelchairs on board LB services.
- To the same question, 5% responded that the pushchair / wheelchair policy should be “enforced more” and 5% responded that wheelchairs should not have priority over buggies.
- 1.54% of all participants gave a reason for being deterred from bus travel as “the bus is not suitable for large families/buggies”, while 0.08% responded “too many buggies onboard” to the same question.
- 3 people gave the reason for feeling unsafe on the bus as “if they start up before I’m sitting down”.

**Further results are available in Appendix A**

These responses show that the general public is largely satisfied with the accessibility of LB’s services, but that improvements are still desired.

### **6.2 Passenger surveys – route 22: George Street Research**

George Street Research was commissioned to carry out independent, objective research into responses to the route 22 buses when they had been newly launched with buggy spaces. Respondents were questioned as they got off route 22 ‘pink top’ buses.

Responses are grouped into:

- All passengers
- Without wheelchair or buggy
- With Wheelchair
- With buggy

The responses were largely positive. Particularly notable are responses of wheelchair and buggy users:

- 100% of wheelchair users said they were “very satisfied” with provision of space for wheelchair users.
- 100% of wheelchair users said they were either “very satisfied” or “satisfied” with ease of access to doors when getting off.
- 87% of all passengers answered that they were “very satisfied” or “satisfied” with provision of space for buggies. This increases to 91% when only answers from passengers with buggies are considered.

The responses generally show a positive reaction to the new bus layout. 52% of all passengers and 49% of passengers without a buggy or wheelchair preferred the new route 22 layouts.

The report from George Street Research does not provide any feedback from passengers who may need to use the priority seating, except that 97% of passengers without a buggy or wheelchair were “very satisfied” or “quite satisfied” with “ease of access to available seats”.

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<sup>77</sup> Independent research commissioned by LB from SKM Colin Buchannan

## **7. Discussion and Social Media**

### 7.1 Disabled People and Disability Groups

Conversations with representatives of Capability Scotland and ECAS and individuals indicate that LB is perceived as having improved its service for disabled people over the last few years. Opportunities to practise using the bus (such as 'try a bus day' with ECAS) and more information to help people plan their journey and their bus travel in advance can help people gain the confidence to use the bus.

Topics raised were (in no particular order):

#### *Drivers*

- ✓ The buggy policy has greatly improved access to the wheelchair space for passengers who use wheelchairs. This is partly because drivers are more aware of the situation and ask other passengers to move.
- ✗ Drivers do not always give passengers time to sit down before moving off.
- ✗ Drivers do not always speak to or help visually impaired people.
- It is important that drivers are trained to understand the realities of equal access requirements as well as the legislation. Disability equality training helps this but the message should be regularly refreshed.

#### *Using the bus*

- ✗ There are no visual stop indicators or audio announcements except on service 10 and Airlink.
- ✗ Differing bus layouts cause problems for visually impaired people to find priority seating.
- ✗ Two or more wheelchair users cannot travel on the same bus together.
- ✗ Other passengers' attitudes can be aggressive or unhelpful.
- ✗ Mobility- and visually impaired people have to walk further to priority seating because of the buggy and wheelchair spaces, and there is a wide gap between hand rails.
- ✗ Providing the correct change on buses can be difficult for passengers with learning difficulties. An Oyster Card style system for individual journeys would be easier to deal with.
- ✗ Using the Ridacard/pass scanner can be difficult for some people. Some wheelchair users need their hands to steady their wheelchair and cannot pass the card to the driver.
- A single bad experience can put an individual off trying again.
- There are some situations where it would be acceptable and appropriate to allow a person with a mobility scooter to use the wheelchair space. Drivers need to be more aware of these situations.

#### *Information*

- ✗ It is still not universally known that all LB vehicles can be accessed by people in most types of wheelchair.
- ✗ Some aspects of the LB website are not accessible.
- ✗ There is not a lot of information provided about *how* to use the bus for disabled people.
- A perception of accessibility will encourage people to try to use the bus.
- It is important that both the extent and limits of bus facilities are acknowledged and publicised.
- A wide range of information formats provides the broadest level of accessibility.

### 7.2 Parent and Carer Groups

Two groups of parents and carers were consulted in person in relation to the research: new mothers at the Pregnancy and Parenting Centre, and representatives of the Babies on Buses group. Social media and media stories were also used to get an overview of the position of parents and carers in Edinburgh on access to buses.

There is a voiced dissatisfaction with the current buggy policy among parents and carers. Some individuals had not heard of the policy, while others had experienced inconsistent application of the policy. Some parents and carers

would be happier to travel on a bus with their travel system as the carry cot or car seat can be removed and the frame folded without disturbing the child. All respondents said that they understood the need for the current policy in the wheelchair space, but that access for more kinds of buggy would be preferred.

Representatives from Babies on Buses noted that new parents are usually at a very vulnerable time when leaving the house is difficult in any case, and that the current situation creates further barriers to services and socialising for some new parents. As a public transport provider, they believe that LB has an obligation to accommodate people in this position.

The main concerns in this area are:

1. Limit on buggies allowed on buses: Not all buggies can be brought onto buses. Parents and carers want to be free to travel with the buggy of their choice and many believe that buggies that are collapsible as a single unit are unsafe for newborn babies. As there are now buggy spaces on some buses, it could be possible to board a bus with a buggy that cannot be folded, without placing it in the wheelchair space.
2. Ticketing: If a parent or carer is in the wheelchair space with an unfolded collapsible or non-collapsible buggy, and they are unwilling to fold it, the passenger can also vacate the space by getting off the bus. At present a passenger in this situation with a single ticket is not treated in the same way as passengers whose journeys are disrupted for other reasons such as breakdowns. A passenger with a buggy must pay again if they want to complete their journey by bus. This acts as a disincentive for the passenger to move from the wheelchair space.
3. Safety and ease of access: As for wheelchair users and people with limited mobility, passengers travelling with buggies comment that drivers do not always lower the step or ramp for them to bring the buggy onboard and that they drive away before the buggy and the passenger are safely positioned or sat down.

Other areas of concern:

#### *Inconsistency*

Parents and carers are concerned by the 'inconsistency' of the buggy policy, as sometimes buggies that cannot collapse in a single unit are allowed on buses. Responses from the drivers' trade union officials suggests that drivers' desire to avoid conflict with passengers brought about by refusing passengers with buggies is a reason for the inconsistency.

#### *Collapsible as a single unit*

The 'collapsible as a single unit' criterion for buggies to be allowed on buses is flawed from many parents' and carers' points of view. Some buggies with a removable car seat and a collapsible frame are considered easier to fold and safer as the baby can remain in the car seat and need not be held or passed to a stranger while the passenger folds the frame. These passengers might be as able and willing to remove their buggy from the wheelchair space by folding it as a passenger with a collapsible as a passenger with a single unit buggy. See section 9 for a further review of the buggy market.

#### *Attitudes to access*

There is a divide within the group of parents and carers who oppose the current policy. Some accept that the current policy is appropriate in the wheelchair space, but are complaining or campaigning because they cannot understand why it should apply to the buggy space. Others retain a "first come first serve" approach, saying that they would refuse to move from a wheelchair space for a wheelchair user if they were there first. This suggests that

any increase in access for buggies that do not collapse as a single unit could still create a barrier to access for wheelchair users.

### *Priority Seating*

This divide in attitudes is also seen in relation to the priority seating. There are a large number of reasons why new mothers will need the priority seating and it is important that this is understood by other passengers. However, the inclusion of both wheelchair and buggy spaces in buses means that priority seating is necessarily moved further from the entrance of the bus. Those with limited mobility – including new mothers – must walk further to the seats. It is important that the priority seating does not automatically become seating for those with buggies only, and that able bodied passengers with buggies understand that they should vacate the seats when possible for a person more in need of the priority seating.

### *Negative experiences*

There was a concern that in general, bus travel is presented as a negative experience for passengers with buggies. Many had either been rejected from getting on the bus or told that they would be rejected. Increased information and encouragement of drivers to maintain a positive attitude towards passengers with buggies, and to help by lowering the bus and/or the ramp for passengers with buggies to board would show greater good will towards passengers with buggies.

### 7.3 Drivers' Union

Drivers' Union officials said that accessibility for buggies and wheelchairs does not pose a big problem for drivers, and there are rarely complaints from drivers about problems in that area.

However, they also noted that the current policy creates complications and can lead to drivers being involved in conflict situations. When they speak with new drivers, the Union officials recommend that they avoid conflict situations. This can include allowing all buggies onto the bus without checking that they fold as a single unit.

The option of a separate policy for the buggy space and the wheelchair space was considered unenforceable. A change of policy, from their point of view, would make little difference to the current situation.

The Union's priority in this area is the provision of simple and straightforward instructions for drivers, and the reduction of the possibilities of conflicts with passengers arising. They consider that drivers would prefer to allow anyone on the bus if possible, and that the few seconds' contact that drivers have with passengers getting on the bus is not enough to decide if a buggy folds as a single unit or not.

Neither of the officials who contributed had taken disability equality training.

## **8. Media**

Since 2008 there have been a number of stories and comments on disabled access to public transport across the UK. Disabled access gains much more media attention than buggy access except in Edinburgh local media.

The Edinburgh Evening News (EEN) has focussed on the babies on buses campaign since its launch in 2008. The Babies on Buses website carries a list of supportive articles from the EEN<sup>78</sup>. The EEN has also published a public letter from LB's Managing Director explaining the buggy policy, which is also available on the LothianBuses.com website<sup>79</sup>.

There is an increased focus on disabled people's access to public transport in the run up to the London Olympics and Paralympics. Prototypes of the new Routemaster buses in London were made available to disabled people to inspect, and criticised because the wheelchair spaces conformed to minimum standards only and accessing the wheelchair space was difficult<sup>80</sup>. The inaccessibility of London public transport was raised more generally towards the end of 2011<sup>81</sup>. The removal of the last 'bendy buses' from use in London led to further comments from wheelchair users, and again highlighted problems arising from wheelchair spaces being occupied by unfolded buggies<sup>82</sup>. A general comment on problems experienced by blind people when travelling on buses appeared in the Scotsman in early 2012<sup>83</sup>

Some older stories highlight the problems passengers with buggies face when trying to use buses<sup>84</sup>. A number of other stories contain anecdotal evidence of buggies placed in the wheelchair space causing problems for wheelchair users<sup>85</sup>. When the DfT consultation on bus travel was launched in 2010 media focussed on the mention of buggies in the consultation document, claiming parents were 'facing a crackdown' from the DfT<sup>86</sup>.

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<sup>78</sup> Babies on Buses website news section [babiesonbuses.weebly.com/news.html](http://babiesonbuses.weebly.com/news.html)

<sup>79</sup> <http://www.lothianbuses.com/news/2-general-news/769-edinburgh-evening-news-commentary.html>

<sup>80</sup> <http://www.bbc.co.uk/news/uk-england-london-12329174>

<sup>81</sup> <http://www.guardian.co.uk/society/2011/nov/17/paralympics-disabled-travel-access>

<sup>82</sup> <http://www.bbc.co.uk/news/uk-england-london-16091997>

<sup>83</sup> [http://www.scotsman.com/news/transport/blind\\_bus\\_passengers\\_regularly\\_miss\\_their\\_stops\\_1\\_2085593](http://www.scotsman.com/news/transport/blind_bus_passengers_regularly_miss_their_stops_1_2085593)

<sup>84</sup> <http://news.bbc.co.uk/1/hi/england/lincolnshire/6201081.stm>, <http://news.bbc.co.uk/1/hi/england/london/8021703.stm>

<sup>85</sup> <http://news.bbc.co.uk/1/hi/england/london/5270032.stm>

<sup>86</sup> [http://www.southwalesargus.co.uk/news/9489698.Stagecoach\\_sorry\\_for\\_barring\\_disabled\\_Underwood\\_teen\\_from\\_bus/](http://www.southwalesargus.co.uk/news/9489698.Stagecoach_sorry_for_barring_disabled_Underwood_teen_from_bus/)

<sup>86</sup> <http://news.bbc.co.uk/1/hi/uk/8560828.stm>; <http://www.dailymail.co.uk/news/article-1256699/Mothers-use-buses-wheelchair-areas-buggies-labelled-anti-social-menace-Government.html>

## 9. Review of buggy market

A review of 10 of the main brands of buggy currently available has shown that there are at least four buggy types:

- Collapsible as a single unit;
- Removable cot/seat/car seat with a foldable frame;
- Foldable in many units; and
- Not foldable.

These categories are not definitive. It is very difficult to distinguish between these categories by sight as buggies in one category can often superficially resemble those in another category.

Regarding suitability for different ages, buggies can also be divided into two main categories:

- Suitable from birth
- Not suitable from birth

Buggies that are suitable from birth are those that allow the occupant to lie flat – at least at an angle of 150 degrees. Premature babies may need extra support. Buggies that are not suitable from birth are generally suitable from 3 or 6 months to around three years.

### 9.1. Method:

- 10 popular brands were reviewed. No particular weighting given to brands with or without known attributes.
- Manufacturers' own websites were used to identify ability to fold, age suitability and additional attachments.
- Numbers are based on models available at the time of writing.
- Buggies that could be configured in more than one way (such as foldable as a 'pushchair' but with a cot or car seat attachment alternative) were counted as two separate buggies. In these cases, it was ensured that the 'pushchair' seat was suitable from birth as well as the attachments, before counting it as such.
- Different colours, styles and designer versions of the same buggy were not counted as multiple buggies.
- In cases of doubt, it was assumed that a buggy was not suitable from birth and/or was not foldable as a single unit so as not to overestimate the number of buggies suitable for carriage on LB services.
- Older buggies have not been included in this review and may be more difficult to fold.

### 9.2. Results

	Total	As %
Total buggies reviewed	111	100%
Suitable from birth	86	77%
Collapsible as a single unit	64	58%
<b>Suitable from birth and collapsible as a single unit</b>	<b>45</b>	<b>41%</b>
Foldable as 2 clear units (baby/car seat + frame)	30	27%
Foldable in multiple units/ folds but unclear how	15	14%
Not clearly foldable	2	2%
Suitable for more than one child	20	18%
Suitable for more than one child –at least one child from birth	14	13%
Suitable for more than one child and collapsible as a single unit	12	11%
Suitable for more than one child from birth and collapsible as a single unit	9	8%
% of those suitable from birth that are collapsible as a single unit	45/86	52%
% of those collapsible as a single unit that are suitable from birth	45/64	70%



Brands considered were: BabyJogger; Bugaboo; John Lewis; Maclaren; Mamas & Papas; Mothercare; Obaby; Phil & Ted; Quinny; Stokke.

- A higher proportion than expected (41%) of buggies are identified by the manufacturers as collapsible as a single unit and suitable from birth.
- 70% of buggies reviewed that are collapsible as a single unit are also suitable from birth.
- Buggies that are most clearly foldable as a single unit are those identified as “umbrella fold”, some of which can be laid at an angle of 150 degrees and are classed by their manufacturers as suitable for newborns.
- Accessories available include head cushions, straps, foot muffs and aprons that can enhance the safety of these buggies for newborns.
- Two of the buggies reviewed appeared to be very difficult or impossible to fold in any way. Both were specifically designed for sport or jogging and as such are less likely to be used when carrying out other daily activities.
- The majority of those classed as “foldable in multiple units” are foldable buggies with a “duo” or “tandem” option, where a seat is added allowing two children to be carried.
- Some buggy websites and parenting websites highlight the need to consider how easy the buggy is to fold if the purchaser intends to travel with the buggy on public transport<sup>87</sup>.

#### Issues arising

- Defining a single clear identifier for buggies that can be easily removed from the wheelchair space easily is near impossible.
- It is harder, though not impossible, to find a buggy for two or more children folds as a single unit.
- The ease with which a buggy can fold may be impaired by additional bags and luggage.
- Buggies that are suitable from birth are not necessarily suitable for premature babies during their first months, when they may need additional support.
- Parents and carers with newborn children or travelling with several children will have trouble holding their baby and their bags and folding even an umbrella fold buggy.
- Some parents and carers say that, in general, they do not consider whether their buggy will be allowed onto a bus or easy to use on public transport when choosing the buggy.

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<sup>87</sup> Mumsnet buggies and strollers guide: [www.mumsnet.com/guides/buggies-and-strollers](http://www.mumsnet.com/guides/buggies-and-strollers); Mothercare guidance: [www.mothercare.com/Pushchair-options-explained-pushchair-buyers-guide-prams-pushchairs/b/170216031](http://www.mothercare.com/Pushchair-options-explained-pushchair-buyers-guide-prams-pushchairs/b/170216031)

### **10. Buggy and wheelchair count results**

During the fortnight Wednesday 23<sup>rd</sup> November – Tuesday 6<sup>th</sup> December 2011 LB carried out a buggy count on its service 10 and service 22.

Method:

- Drivers were provided with buttons to press if either a wheelchair user or a passenger with a buggy got on the bus.
- A reminder note was issued to each driver each time they started a shift on these routes during the fortnight.
- Service 10 was chosen first as an experiment to consider uptake. After the experiment it was shown that the count broadly worked, though the specific numbers could not be relied on as completely accurate as drivers sometimes missed buggies or wheelchairs in their count.
- The service 22 was then included in the count for a fortnight.
- Both service 10 and service 22 are usually run on vehicles that have buggy spaces: Service 10 hybrid buses have a small buggy space, while service 22 pink top buses are known for having buggy spaces.
- The two routes are quite different and provide a relatively rounded view of Edinburgh demographics.

Results:

Service 10 buses carried fewer buggies and wheelchairs than route 22 buses.

The proportion of wheelchairs to buggies carried was approximately 1:10.

	total	each day	each week
Service 10: Buggies	287	21	144
Service 10: Wheelchairs	27	2	14
Service 10: proportion wheelchair/buggies	9.41%		
Service 22: Buggies	1943	139	971
Service 22: Wheelchairs	178	13	89
Service 22: proportion wheelchair/buggies	9.16%		
Both: Buggies	2230	159	1115
Both: wheelchairs	205	15	103
Both: proportion wheelchair/buggies	9.16%		

When considered in relation to weekly passenger numbers, this indicates that approximately 1100 journeys are made by wheelchair users, and 10,000 journeys are made by passengers with unfolded buggies on LB services every week.

## **11. Consultation conclusions and recommendations**

Providing the best level of accessibility to all passengers is an ongoing process and there are always improvements that can be made. The limits of bus layout and the wide variety of passengers' needs mean that a balance must be struck between providing facilities for different passengers.

### **11.1 General accessibility**

A range of issues have been raised that impact on all passengers, but which are likely to have a particular impact on disabled passengers and those travelling with baby buggies.

#### **11.1.1 Drivers moving away before passengers are seated, parking too far from the kerb and failing to lower the ramp or kneel the bus**

These are the main problems highlighted for many passengers who use LB services, including those who do not consider themselves disabled. The problems are mentioned in UK wide reports on bus accessibility, in LB's annual passenger survey and by disability and parent and carer groups who were interviewed. The introduction of wheelchair and buggy spaces on buses has placed the priority seating further back in most buses, so passengers have further to walk to any seating.

There are four options for addressing this problem:

##### *1. Communications: Thistle card publicity*

LB has recently accepted the re-introduction of the Thistle Card, run by SEStran<sup>88</sup>. This card is available to anyone and allows the card holder to indicate discreetly to the driver that they need additional assistance, such as for the bus to remain stationary until they are seated. It is not a form of payment and does not prioritise the carrier's access to buses. **LB should (continue to) publicise the availability of the card and the fact that it can be used on LB services.**

##### *2. Communications: Public awareness*

Not all passengers who need additional assistance will carry a thistle card. **LB should use its own publications and signs to encourage passengers to ask drivers for assistance.**

##### *3. Driver training: awareness*

Many LB drivers have taken disability equality training from Capability Scotland, but the need to wait for passengers to sit down before moving off might not always be considered even by these drivers. While Unions have suggested that further signage or written communications for drivers would have little effect, **this issue could be highlighted at all CPC training and/or on occasional posters provided in driver training areas. Any drivers who have not taken disability equality training could be provided with the opportunity to access it.**

##### *4. Best Practise: Bus Design*

When considering bus designs, the need for priority seating to be as far forward in the bus as possible could be considered. The current service 10 hybrids have two seats at the very front of the bus that are accessible by a step but are used by many passengers, including those who are visually impaired as they have the added benefit of

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<sup>88</sup> SEStran press release [www.sestran.gov.uk/news/125/sestran-launches-the-sestran-thistle-assistance-card-/](http://www.sestran.gov.uk/news/125/sestran-launches-the-sestran-thistle-assistance-card-/); Lothian Buses' news story: [www.lothianbuses.com/news/2-general-news/910-we-help-sestran-launch-their-thistle-assistance-card.html](http://www.lothianbuses.com/news/2-general-news/910-we-help-sestran-launch-their-thistle-assistance-card.html)

being near the driver, who can indicate when it is their stop. If priority seating is moved forward, it is important that wheelchair and buggy spaces remain accessible for those who need them.

#### 11.1.2 Multiple wheelchair / buggy spaces

Wheelchair users are unable to board a bus which already has a wheelchair user on it. Wheelchair users also complain that they cannot travel on the same bus as another wheelchair user. While it is recognised that an additional wheelchair space is not legally required, at the least the situation could be acknowledged by the company.

**One option is to replace the dedicated buggy space with a second space suitable for use by a wheelchair user, in which buggies can also be placed.**

#### 11.1.3 Talking Buses

Audio visual stop announcements are helpful for all kinds of passengers. While reactions to their use on service 10 buses have been mixed, the benefits for visually impaired and hearing impaired passengers should be seen to outweigh the mild irritation caused to other passengers. The provision of visual stop announcements without an audio equivalent is considered direct discrimination against visually impaired passengers by the RNIB.

There is currently no legal obligation to provide these facilities but **a best practise solution would be to introduce the facilities onto all routes.**

In addition, LB could **instruct drivers to assist hearing impaired and visually impaired passengers to know when it is their stop.**

LB's Bustracker app includes a stop proximity alert, meaning a person's mobile device can alert them when a particular stop is coming up. Not everyone can access this facility but improved publication of the option would encourage those who can to use it,

#### 11.1.4 Inconsistent Bus Layout

As there is not necessarily consistency between vehicles used on any particular route, visually impaired passengers, and passengers with learning difficulties can have trouble finding priority seating.

Standardisation of bus layout would prevent this problem. While bus layout differs, **the identification of priority seating through clear colour contrast and signs** helps them to be found. Drivers can also assist passengers to find priority seating if they identify that there might be a problem.

#### 11.1.5 Payment

Payment of exact change can make bus travel harder for passengers with learning difficulties who do not have a Ridacard or other pass. The position of the change hopper and the card scanner means that some wheelchair users can have trouble reaching them while controlling their wheelchair. **The introduction of an oyster card style payment system** would make payment easier and faster for many passengers. More help from drivers, and allowing some passengers to show their card rather than scan it, could make the situation easier for other passengers.

### **11.2 Buggies on buses:**

#### 11.2.1 Wheelchair space priority

It is apparent that while any kind of buggy can be placed unfolded in a wheelchair space it is possible that wheelchair users will be prevented from boarding because the space is occupied.

This can be due to passengers with buggies who have a 'first come, first served' attitude. UK accessibility reports, media articles and feedback from parents and carers also suggest that sometimes, drivers will refuse a wheelchair user access to the bus automatically if there is a buggy onboard, without asking the passenger with the buggy to move or fold, or giving them time to do so. Parents and carers say that they sometimes have to call out to the driver to say they will move.

It is therefore important to

- **Make the primary purpose of the wheelchair space as clear to all passengers as possible through careful communication.**
- **Instruct drivers that they must *always* ask a passenger who is not in a wheelchair but is in the wheelchair space to move if a wheelchair user wants to board.**
- **Encourage passengers travelling with small children to use smaller foldable buggies, and to always use the buggy space when it is available.**
- **Provide clear information in relevant places for wheelchair users to indicate how to make a complaint if they have been prevented from boarding because a driver has not asked another passenger to move.**

#### 11.2.2 Onward ticketing

Feedback from parents and carers suggests that some would prefer to get off the bus when a wheelchair user wants to board, rather than to fold their buggy. At present, those who have bought a single ticket will have to pay for another in order to continue their journey. If passengers could be guaranteed onward travel if they got off the bus for a wheelchair user, they would be more likely and happy to do so.

If a passenger with a buggy volunteered to leave the bus for a wheelchair user, they could be provided with an overpayment slip which can then be used as another single ticket to complete the journey. This resembles the system currently used when passengers' journeys are disrupted by vehicle breakdown. The possibility of being issued with a 'disrupted journey ticket' would need to be well publicised so that a passenger unfamiliar with the procedure could be easily made aware of the option if they are asked to move.

#### 11.2.3 Increased buggy access

The buggy market review and comments from drivers, parents and carers shows that while 'collapsible as a single unit' is the clearest objective identifier of buggies that can be easily folded, the identification of collapsible buggies is not easy. Restricting access to buggies that collapse as a single unit excludes a number of buggies that are preferred by parents and carers, and that can be easily folded. The blanket policy also means that parents and carers with non-collapsible buggies are unable to travel in the dedicated buggy space, even though by doing so they will not restrict wheelchair users' access to buses in any way.

The three decisions that must be made in this area are:

- *1. Continue or change buggy policy:* Whether it is appropriate to change the policy regarding buggies to allow a wider range of buggies onboard LB services.
- *2. Timing of change:* If a change is appropriate, whether the change will be made immediately, or when the fleet reaches a specified threshold level of buses with dedicated buggy spaces.
- *3. Extent of change:* If more buggies are allowed onto LB services, which buses they will be allowed onto, and which spaces they can use.

#### *1. Continuing with or changing the buggy policy*

To continue to implement the current blanket policy means that there is a greater likelihood that wheelchair users will be able to travel when they need to, than if any other option is pursued. The current policy has been identified by some wheelchair users who use the bus as having made bus travel in Edinburgh much more accessible. Increased driver awareness of the situation caused by this policy may be responsible for this improvement as well as the fact that buggies in the wheelchair space should be easier to remove. However, allowing a wider range of buggies onto buses is likely to increase the number of passengers travelling on LB services with buggies. This alone increases the likelihood that any bus that a wheelchair user attempts to board will have a buggy in the wheelchair space.

The proportion of buses in LB's fleet with dedicated buggy spaces is between forty and fifty percent. The company intends to only buy new buses with buggy spaces, and may also continue to retrofit its existing buses over the next few years. It is increasingly possible for an unfolded buggy to be carried on an LB vehicle without being placed in the wheelchair space. Many parents, carers and members of the public do not consider it reasonable to continue to prevent passengers from bringing non-collapsible buggies onboard under these circumstances.

## *2. Timing of change*

It is difficult to predict the impact of any change in policy. However careful the communication, different policies for different kinds of bus are likely to cause confusion among the public. Passengers who have successfully boarded one kind of bus with a buggy which is not collapsible as a single unit may expect to be carried on all buses without a problem.

The policy change could be implemented when a high proportion of buses are available with a dedicated buggy space. This could reduce scope for confusion, but it is impossible to predict when any particular threshold would be reached. Delaying a change could lead to a long period during which a large number of buses were available with dedicated buggy spaces, but which were inaccessible to people with non-collapsible buggies.

The current public/media interest in this issue could provide an opportunity to communicate a change to a wider audience than would otherwise be informed.

If a change is made, another wheelchair and buggy count could be implemented on the route 10 and the route 22 to see whether the change has had a negative impact on the number of wheelchair users using LB services.

## *3. Extent of policy change.*

LB could:

- a) Allow all buggies onto all buses;
- b) Allow buggies which are not collapsible as a single unit into both spaces on buggy space buses only, or
- c) Allow buggies which are not collapsible as a single unit into buggy spaces on buggy space buses only.

Each option has its advantages and disadvantages.

Option a): Allow all buggies onto buses. All buggies (which can be folded in some way) can be brought onto any bus unfolded and placed in either the wheelchair space or the buggy space if available. Passengers will be required to move from the wheelchair space if a wheelchair user wants to board, and either fold their buggy or get off the bus, depending on their preference. This option could potentially decrease access for wheelchair users and should be implemented alongside careful communication, driver training and onward ticketing to ensure all drivers and passengers are aware that wheelchair users have priority access to the wheelchair space. The main benefit of this option is its simplicity as parents and carers will be able to board any bus which has a vacant space with their

unfolded buggy, subject to the understanding that they move for a wheelchair user. There will be little scope for inconsistency.

Option b): Allow buggies which are not collapsible as a single unit into both space on buggy space buses only:

While LB operate some buses with a single space (wheelchair space only), and other buses with two spaces (wheelchair space and buggy space), a separate rule could be applied on each bus. Buggies which are collapsible as a single unit could be allowed onto all buses, but foldable buggies which are not collapsible as a single unit would only be allowed onto double space buses. Once on these buses they could be placed in either space, on the understanding that they will be removed from the wheelchair space if a wheelchair user wanted to board. Most buses with two spaces (both new and retrofitted) are identifiable as they have large icons of a passenger with a buggy and a wheelchair user on the window, so this would help passengers with buggies which do not collapse as a single unit identify which buses they can use. This option will broaden access for those passengers, but could lead to a number of problematic situations, where drivers apply the rule inconsistently allowing any buggy onto single space buses; where passengers with buggies expect to be allowed onto all buses and so are inconvenienced when they cannot; or where a passenger takes a double space bus in one direction but is only able to catch a single space bus on their return, leaving them stranded. Careful communication could help solve these problems, and onward ticketing and driver awareness would be needed to ensure that wheelchair users still got priority access to the wheelchair space.

Option c): Allow buggies which are not collapsible as a single unit into buggy spaces on buggy space buses only:

The current policy could continue to apply in all circumstances except for the designated buggy space. Drivers could allow buggies which are not collapsible as a single unit onto buses on the understanding that they will be placed only in the buggy space. This option would require a great deal of intervention from drivers if applied correctly, particularly in situations where a passenger with a collapsible buggy and a non-collapsible buggy were trying to board the same bus. There is also significant scope for inconsistent application and misunderstanding of the policy by both drivers and parents. This option in theory provides the greatest protection of the wheelchair space for wheelchair users, but when applied in practice could still disadvantage wheelchair users, while not providing a greatly enhanced access for passengers with buggies.

It would be necessary to implement a number of other safeguards if options b) or c) are chosen:

- Increased training for and monitoring of drivers to ensure that the situation is enforced.
- Clear communication to parents and carers would have to ensure that they are aware of which buses will accommodate buggies which are not collapsible as a single unit, and where the buggy can be placed.
- Ensure that clear feedback and complaints information is available for all passengers

## **12. Accessibility of Facilities**

Buildings that might need to be accessible for passengers:

- Head office meeting rooms
- Customer services
- Travel shops: Waverley, Hanover St, Shandwick Place and Dalkeith.

### 12.1 Head office

From a previous Customer Services report:

*"Some customers who visit LB Head Office are wheelchair users. This can be very problematic as there is no direct wheelchair access into the reception area. The two access points for wheelchair users are situated outside the Boardroom and beside the main exit at the traffic office, neither of which are particularly well signposted. The Boardroom is normally used as a meeting place for such instances, owing to its proximity to the wheelchair access door. However the Boardroom is often already occupied, leaving no option but to take the complaint at the foot of the steps to Reception or in the corridor beside the Boardroom. If the wheelchair user accesses the building via the traffic office, the complaint has to be taken in the corridor while various staff members are passing, the majority being drivers. Due to the lack of signage and the layout of the garage floor, visitors are often left confused as to where they are meant to access the building either on foot or by car. Clearer signage is required, which can direct visitors to the correct part of the building they require, whether it be reception...or the traffic office."*

Recommendations:

- Encourage customers to visit more accessible travel shops instead of head office if it is possible to do so.
- Provide lowered access to the pavement leading to the head office entrance so that wheelchair users can get inside and contact staff instead of waiting outside and signalling for attention
- Ensure that there is a clear enough path from the wheelchair accessible door to the meeting room in case the Boardroom is occupied.

### 12.2 Travel shops

**DDA Audits were carried out in 2007 by Graham and Sibbald Chartered Surveyors. They highlighted a number of areas where changes were needed to meet the DDA (now EA) requirements that service providers act "reasonably". Some but not all of these have been carried out.**

#### **Waverly Bridge**

There is no step to the entrance of this travel shop. There is a threshold and the entrance is through double doors, which are individually narrow, with both needing to be opened for a wheelchair user to enter.

#### **Hanover Street and Shandwick Place**

As the only travel shop that provides lost property services, it is important that disabled people can access the Hanover Street shop, or that lost property can be collected from elsewhere.

There is a step up to the doorways of both Hanover Street and Shandwick Place shops. Staff at the Hanover Street shop said that if a wheelchair user comes to the shop, they have to come to the door and serve them while the wheelchair user sits outside. Staff also commented that the door was heavy and older customers sometimes find it hard to open.

There is an assisted opening door at Shandwick Place but it has not been working recently.



A planning application was submitted for a redesign of the Shandwick place entrance to install a permanent ramp to replace the step. The application was refused by the local planning authority.

### **All travel shops**

Desks in all three city centre travel shops have a lowered section that would be accessible for a person sitting down or in a wheelchair, but at present these are occupied by a computer screen or leaflets, creating a barrier. There is no seating available for people waiting at travel shops at the moment, but there can be queues for customers so seating would help people who cannot stand comfortably for longer periods. Travel shops do not have a printed stock of large-print timetables and have no access to digital copies so are unable to print them on request.

### **Recommendations:**

- Install permanent ramps at doors where possible, or provide manual ramps and a support bell for staff to provide assistance when needed\*
- If steps remain, edge steps with brighter colour\*
- Repair assisted opening door at Shandwick Place and install similar facilities at all travel shops\*
- Improve information for hearing and visually impaired people\*
- Ensure lowered desk spaces are easily cleared if a wheelchair user wishes to use one
- Ensure that lost property is available for collection from an accessible travel shop if needed
- Ensure that the threshold at Waverley Bridge travel shop is easy to cross for wheelchair users
- Provide chairs in all travel shops for people waiting to be served
- Ensure all travel shop staff receive disability equality training\*
- Provide travel shops with digital copies of all timetables and leaflets and ensure that these can be easily printed on demand.
- Install induction loops in shops for people with hearing impairments.\*

\*recommendations also found in 2007 DDA audits

### 12.3 Customer Services

Customer services are available by post, phone and email, through social media channels and in person. It is necessary for a formal complaint to be written.

### **Recommendations:**

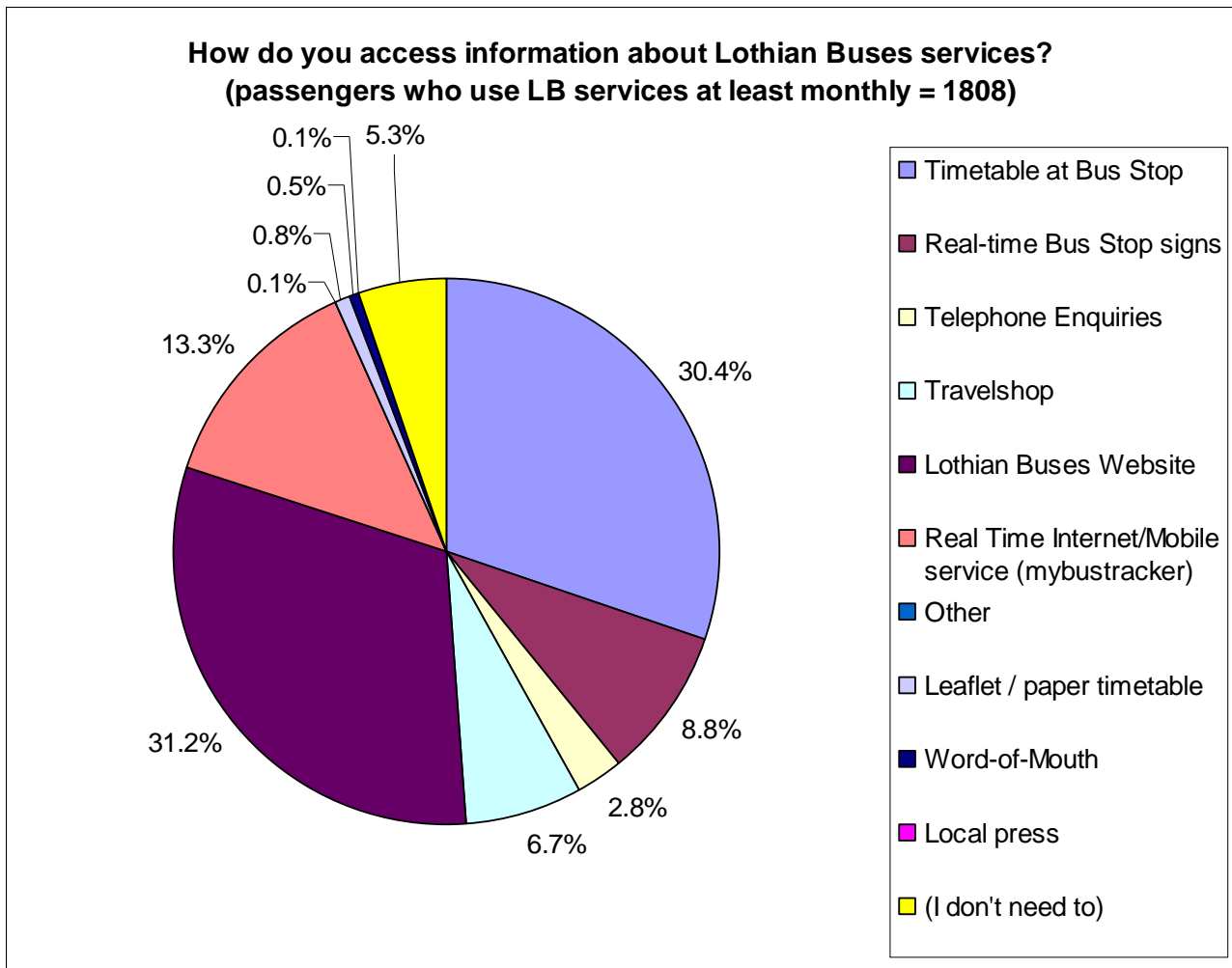
- Publicise the range of customer services options widely, particularly to disabled people.
- Emphasise the importance of getting feedback from disabled people, and provide reassurance that complaints are taken seriously
- Promote the use of text relay services for people who want to use them<sup>89</sup>

### 12.4 Other information

The 2011 LB Passenger Satisfaction Survey shows the use of different forms of information provided by LB:

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<sup>89</sup> [www.textrelay.org/index.php](http://www.textrelay.org/index.php)



The LB website is the most popular source of information for current passengers. At present the website does not conform to any accessibility standards and no information is provided on how to resize text, change the format or navigate the website without a mouse, although some of these functions are available.

Timetables at bus stops are the next most popular source of information but can be difficult to access for a lot of people. Paper timetables, real time information signs and real time mobile/internet services can help individuals access the same information. Talking bus stops and talking buses would also improve the situation.

Real time internet and mobile services are increasingly popular and include services such as a stop proximity alert which tells the passenger when their stop is near. This can be helpful for visually and hearing impaired passengers but is reliant on those passengers owning a suitable mobile device. LB real time information staff are involved with the RTIG accessibility recommendations.<sup>90</sup>

Paper timetables and leaflets can be provided in large print if requested and online timetables are available in two formats, allowing them to be increased in size on the screen. Large print leaflets cannot currently be provided at travel shops.

<sup>90</sup> Available from: [www.rtig.org.uk/web/Portals/0/RTIG-PR003-D002-1.5%20RTI%20and%20disabled%20travellers.pdf](http://www.rtig.org.uk/web/Portals/0/RTIG-PR003-D002-1.5%20RTI%20and%20disabled%20travellers.pdf)

Braille information is not available to visually impaired customers, but alternative methods of getting information such as telephone services and travel shops can help provide this information.

**Recommendations:**

- Update website to comply with WC3 Accessibility standards<sup>91</sup>
- Ensure large print leaflets can be printed at travel shops on request
- Promote the use of telephone information services for people with visual impairments
- Promote the use of mobile and web technology for people with visual impairments to be able to identify their stop on buses.
- Provide specific, large print and easy-read information on how to use LB services
- Provide information in as many formats as possible to ensure it is as broadly accessible as possible.

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<sup>91</sup> Available [www.w3.org/TR/WCAG10](http://www.w3.org/TR/WCAG10)

## COMMUNICATIONS

### **13. Internal communications**

Departments involved with accessibility issues are:

- Training
- Customer Services
- Marketing
- Commercial
- Information systems
- Engineering / Procurement
- Operations

#### 13.1 Driver training

New drivers are provided with a half day Disability Equality training session from Capability Scotland. They also receive training on disability issues including a booklet on the DDA obligations. LB has been working with Capability Scotland since 2005, so there may be some longer-term drivers who have not received this training. Drivers receive Certificate of Professional Competence training annually in which accessibility issues are also covered.

Drivers also receive half a day of training from Union officials. Union officials interviewed said that they advise drivers to avoid confrontation with passengers. This can include allowing buggies that are not collapsible onboard when drivers believe there will not be a problem. This has highlighted conflicting advice given to drivers and indicates one of the sources for inconsistent application of the current policy.

A number of problems related to drivers' actions and attitude have been raised during consultation. Drivers' Union officials say that there are currently too many signs at depots and on buses for drivers to pay attention to them. The problems would be more effectively solved in initial and CPC training. It might be possible to ask Capability Scotland to build these specific issues into the training they provide. These topics are:

- If physically possible, drivers should park near enough the kerb to lower the bus or ramp.
- Drivers should wait for wheelchair users, passengers with limited mobility, or passengers with buggies to be safely positioned or seated before they drive off.
- Drivers should be helpful to passengers with visual impairments, being aware that they may not know when to signal for the bus to stop before and after boarding, and helping them find an alternative route if they get off at the wrong stop.
- Drivers should have a positive attitude towards people travelling with buggies and try to be helpful if possible.
- If there is a passenger in the wheelchair space who does not need to be in it, drivers should make it clear to them when a wheelchair user wants to board, and give them time to move.

#### 13.2 Other internal communications

Most other internal communications relating to accessibility are involved with issues of complaints received, signage and procurement. The nature of the head office means that there is easy communication among staff on these issues and no particular need for formal processes ensuring disability issues are considered. If all staff are given the opportunity to take disability equality training they will be more likely to integrate accessibility improvements into their every day work.

## 14. External communications

### Recommendations

Communications are very important in improving accessibility of LB's services to all passengers and clarifying limits of the accessibility of particular vehicles. It has been noted that the perception of accessibility and the provision of information about how to use a bus is very important to get people to try to use the bus in the first place. It is important that information provided is accessible itself and is provided in as many formats as possible so that different people can access the information in a form they find most helpful.

A full list of accessibility information needed is provided in Appendix B.

The main areas where accessibility information is needed by the public are:

- The extent and limits of accessibility: Highlight accessible features and point out limits on access. Although all buses comply with the PSVAR, their accessibility to wheelchair users and additional accessible features are not widely publicised
- Clarification of buggy policy and onward ticketing: Whether or not changes are made to the buggy policy, it should be clear to the public which buggies are allowed on which buses. If onward ticketing is provided, passengers with buggies need to be immediately aware of the system so that they are encouraged to get off for a wheelchair user.
- Complaints procedure: Make it clear that any disadvantage or discrimination suffered by a disabled person using or trying to use a LB service should be reported, and explain the different ways that this can be done. Emphasise that these complaints are taken seriously.
- Help from drivers: Highlight the option that passengers can ask for a bus ramp to be lowered, a bus to be kneeled or for the driver to wait for them to sit down if they feel they need it.

The main places where passengers get information, according to the Passenger Satisfaction Survey, are bus stops and the LB website and these should be the first place that accessibility information should be provided, however it is important that as many formats of information are available as possible so that as many people as possible can access the same information in the easiest format.

## **Acknowledgements**

The following companies, groups, organisations and individuals have been helpful in the researching of this report:

Aspire - [www.aspire.org.uk](http://www.aspire.org.uk)

Babies on Buses – [www.babies-on-buses.co.uk](http://www.babies-on-buses.co.uk)

Back up Trust - [www.backuptrust.org.uk](http://www.backuptrust.org.uk)

Capability Scotland and individuals contacted by Capability Scotland – [www.capability-scotland.org.uk](http://www.capability-scotland.org.uk)

Confederation of Passenger Transport UK - [www.cpt-uk.org](http://www.cpt-uk.org)

Department for Transport – [www.dft.gov.uk](http://www.dft.gov.uk)

Disabled Persons Transport Advisory Committee – [www.dptac.independent.gov.uk](http://www.dptac.independent.gov.uk)

ECAS Edinburgh – [www.ECAS-edinburgh.org](http://www.ECAS-edinburgh.org)

Equality and Human Rights Commission – [www.ehrc.org](http://www.ehrc.org)

Guide Dogs for the Blind - [www.guidedogs.org.uk](http://www.guidedogs.org.uk)

Leonard Cheshire Disability – [www.lcdisability.org](http://www.lcdisability.org)

Lothian Buses – [www.lothianbuses.co.uk](http://www.lothianbuses.co.uk)

MD Trailblazers - [www.mdctrailblazers.org](http://www.mdctrailblazers.org)

Mumsnet – [www.mumsnet.com](http://www.mumsnet.com)

Netmums – [www.netmums.com](http://www.netmums.com)

NHS Lothian – [www.nhslothian.scot.nhs.uk](http://www.nhslothian.scot.nhs.uk)

Passenger Focus – [www.passengerfocus.org.uk](http://www.passengerfocus.org.uk)

Pregnancy and Parenting Centre - [pregnancyandparents.org.uk](http://pregnancyandparents.org.uk)

RADAR – [www.radar.org.uk](http://www.radar.org.uk)

Real Time Information Group – [www.rtig.org.uk](http://www.rtig.org.uk)

Robert Gale of Flip – [www.flip.org.uk](http://www.flip.org.uk)

Royal National Institute for the Blind Edinburgh – [www.rnib.org.uk](http://www.rnib.org.uk)

Sense – [www.sense.org.uk](http://www.sense.org.uk)

TravelWatch Northwest – [www.travelwatch-northwest.org.uk](http://www.travelwatch-northwest.org.uk)

## Other Resources

### LB Documents

- Lothian Buses Accessibility Review: PowerPoint file.
- Buggy Type Count: Excel file.
- Collection of web page images and information on collapsible as a single unit and suitable from birth buggies: Word file.
- Communications plan: Excel file.
- Review of on-bus signage: Word file.
- Lothian Buses Customer Satisfaction Survey *SKM Colin Buchannan* 2011.
- *Lothian Buses Space Allocation – Initial Summary Report* Jo Fawcett and David Primrose of George Street Research, June 2009.
- Disability Discrimination Act 1995 Disabled Access Audits of Hanover Street, Shandwick Place and Waverley Bridge travel shops - *Graham and Sibbald January 2007*

### External reports and consultations

- Meeting the needs of disabled travellers - A guide to good practice for bus passenger technology providers *Real Time Information Group 2006*.
- DfT Assessment of Accessibility Standards for Disabled People in Land Based Public Transport Vehicles HEL/DFT/061496/RT02 by *Human Engineering Limited and Guide Dogs for the Blind Association*. January 2008.
- Trailblazers Transport Report: End of the Line *Trailblazers Muscular Dystrophy Campaign* May 2009.
- Making the case: why children should be protected from age discrimination and how it can be done Proposals for the Equality Bill *Young Equals Campaign (CRAE)* 2009.
- Improving Bus Passenger Service through the Regulatory Framework: Consultation Paper *Department for Transport* March 2010 ('DfT Consultation 2010').
- Consultation on Improving Bus Passenger Service through the Regulatory Framework: Response *Aspire and the Back Up Trust* June 2010.
- Passenger Focus Response to the Department for Transport consultation on Improving Bus Passenger Services through the Regulatory Framework *Passenger Focus* June 2010.
- Improving Bus passenger Service through the Regulatory Framework, response letter *TravelWatch North West* May 2010.
- Consultation Response Form *Disabled Persons Advisory Committee* May 2010.
- Consultation Response: Improving Bus Passenger Service through the Regulatory Framework *RNID, Sense and RADAR* June 2010.
- Equality and Human Rights Commission Research Report 78 *Wendy Sykes, Carola Groom, Philly Desai* 2011.
- Hidden in Plain Sight: Inquiry into Disability-Related Harassment, *Equality and Human Rights Commission*, 2011.

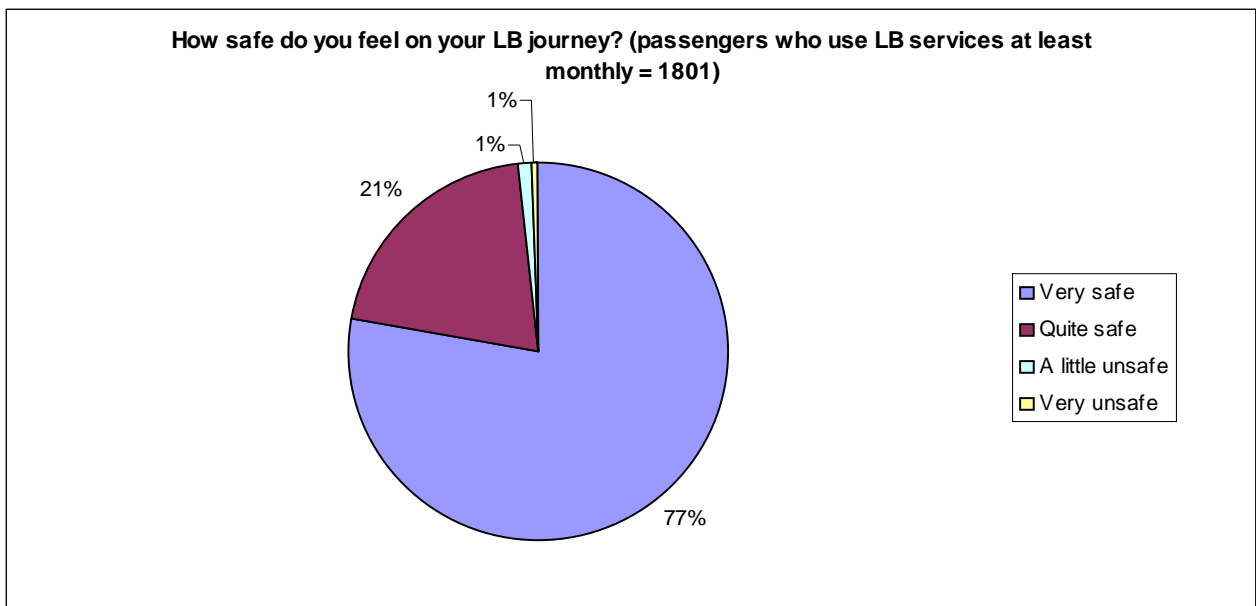
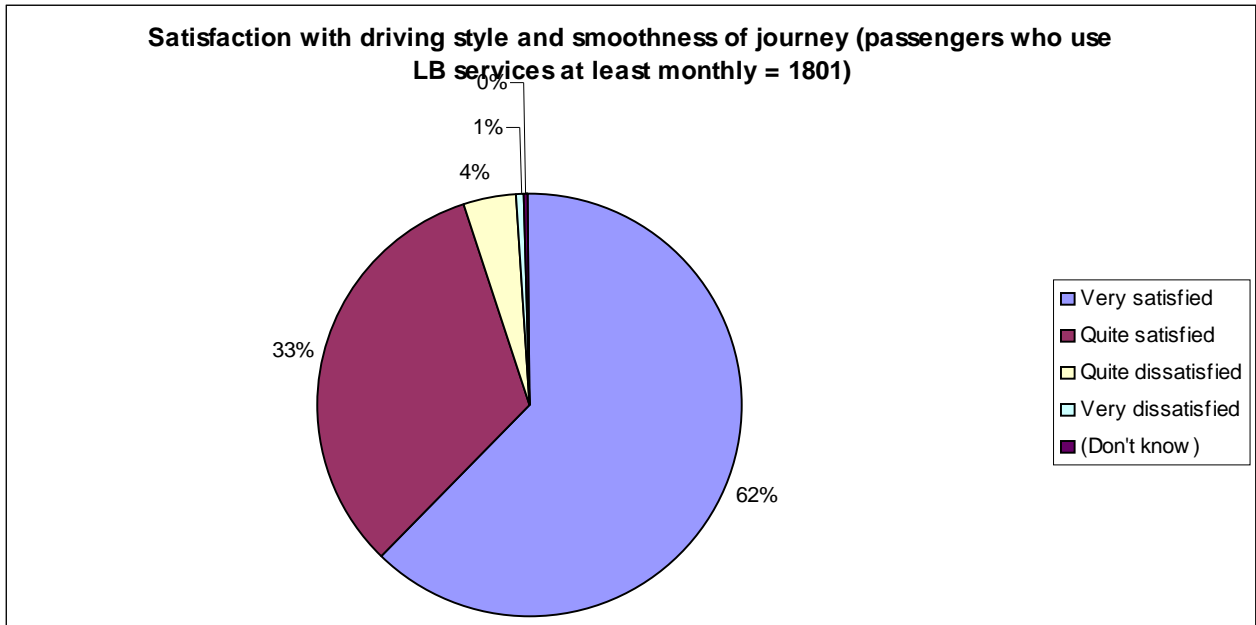
### Legislation and Guidance

- Public Passenger Vehicles Act 1981.

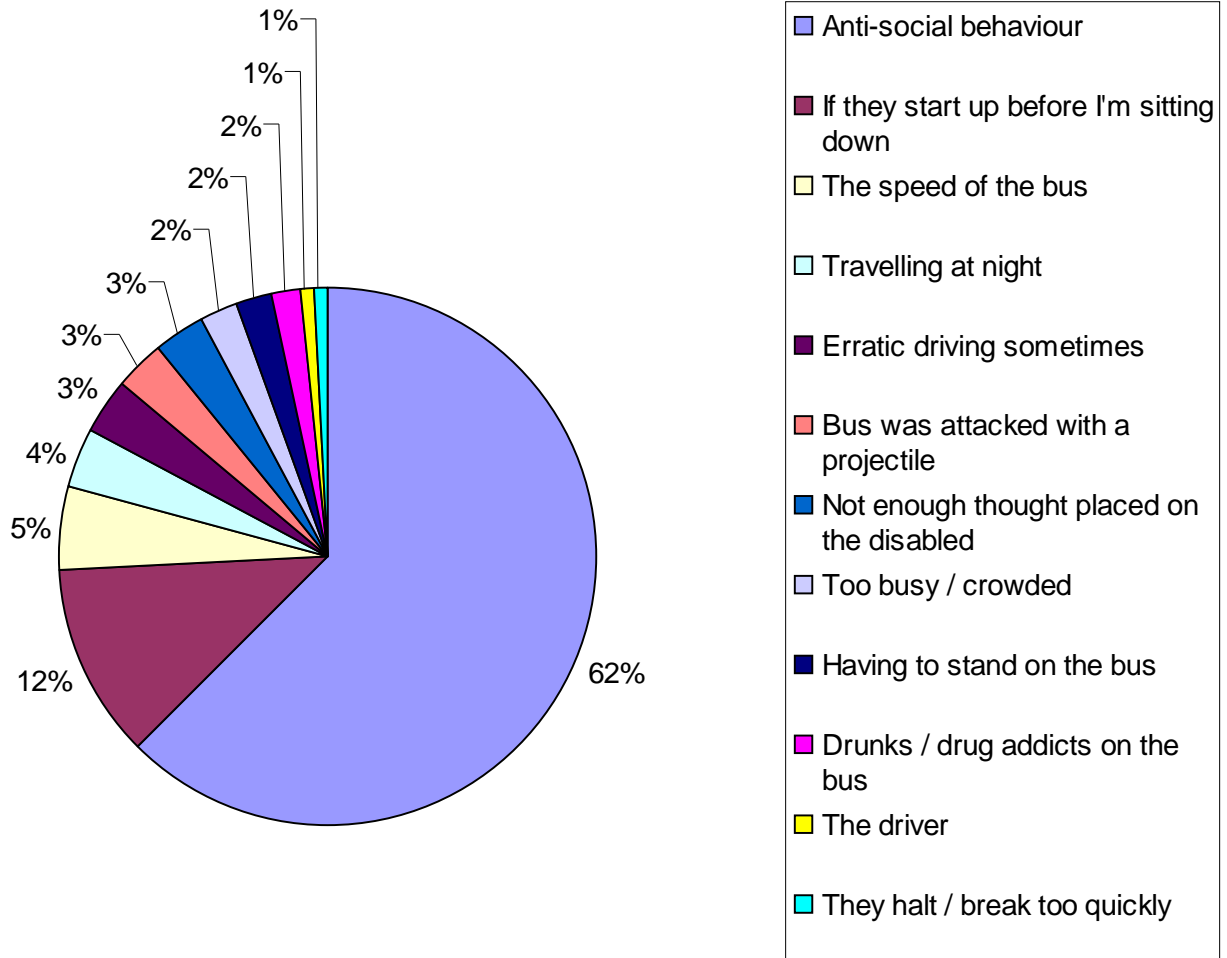
- The Public Service Vehicles (Carrying Capacity) Regulations 1984 (SI 1984 No. 1406).
- Transport Act 1985.
- The Public Service Vehicles (Conditions of Fitness, Equipment, Use and Certification) Regulations 1981 (SI 1981 NO. 257).
- The Public Service Vehicles (Conduct of Drivers, Inspectors, Conductors and Passengers) Regulations 1990 (SI 1990 No. 1020).
- Disability Discrimination Act 1995.
- Scotland Act 1998.
- The Public Service Vehicles Accessibility Regulations 2000 (SI 2000 No. 1970).
- The Road Vehicles (Construction and Use) (Amendment) (No. 2) Regulations 2000 (SI 2000 No. 1971).
- The Public Service Vehicles (Conduct of Drivers, Inspectors, Conductors and Passengers) (Amendment) Regulations 2002.
- Disability Discrimination Act 2005.
- Equality Act 2010.
- DFT guidance on Public Service Vehicles (conduct) regulations 2002.
- Provision and use of transport vehicles: Statutory Code of Practice 2006 (Supplement to part 3 code of practice).
- The Equality Act 2010 Codes of Practice (Services, Public Functions and Associations, Employment, and Equal Pay) Order 2011 and Equality and Human Rights Commission's Equality Act 2010 Statutory Code of Practice.



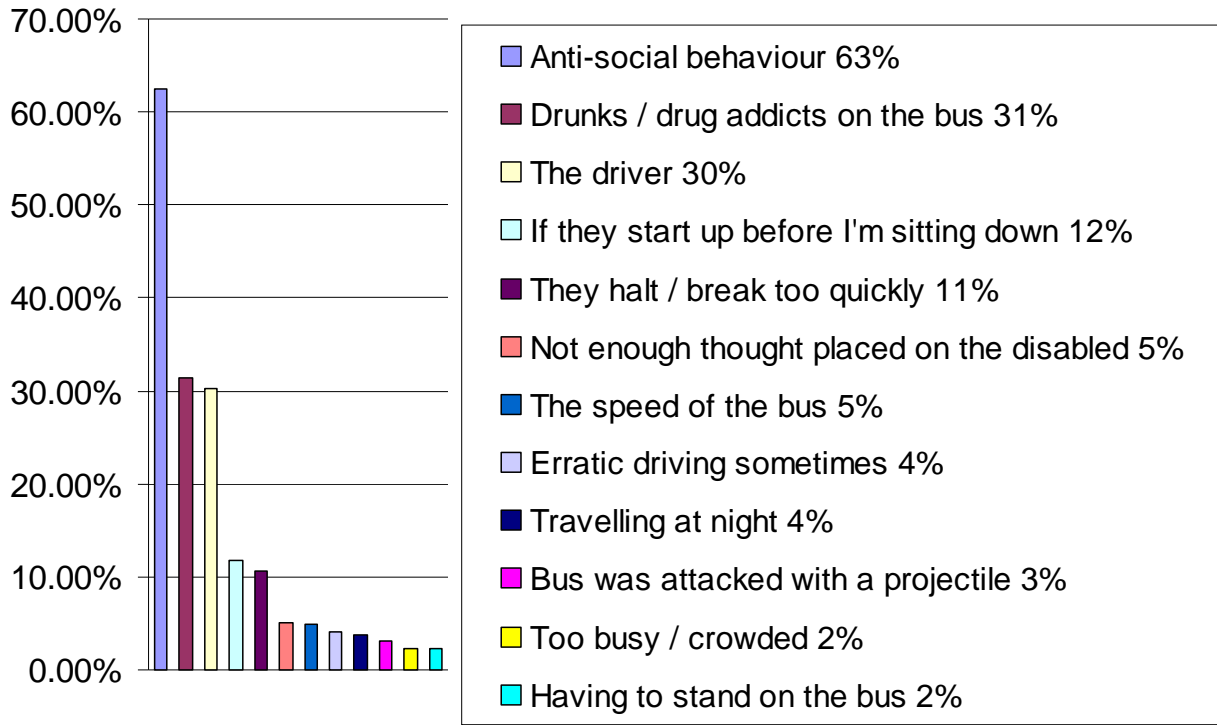
**Appendix A: Passenger Satisfaction Survey results**



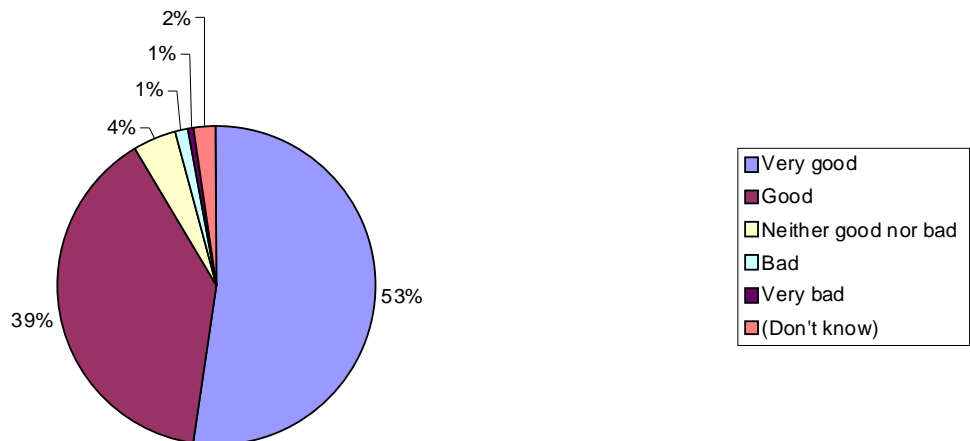
**What in particular makes/made you feel unsafe? First mention (of those who said they felt/feel unsafe on bus journeys = 29 )**



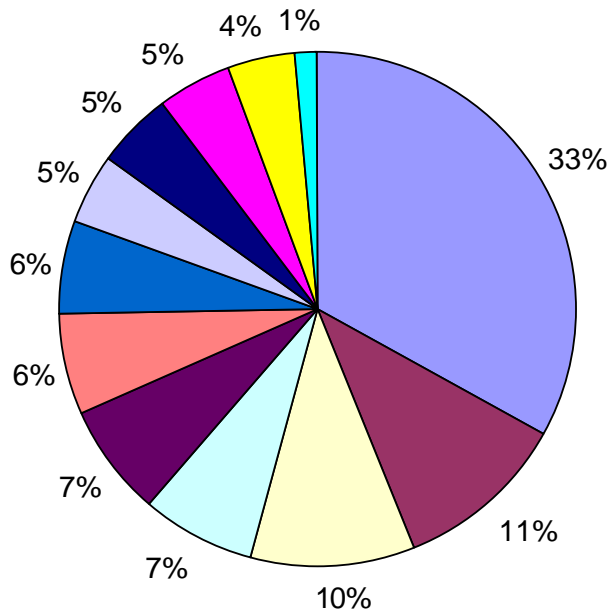
**What in particular makes/made you feel unsafe? Any mention (Of those who said they felt unsafe = 29)**



**Lothian Buses aims for their services to be accessible to everyone. How would you rate their efforts to achieve that? (Passengers who use LB services at least monthly = 1801 responses)**

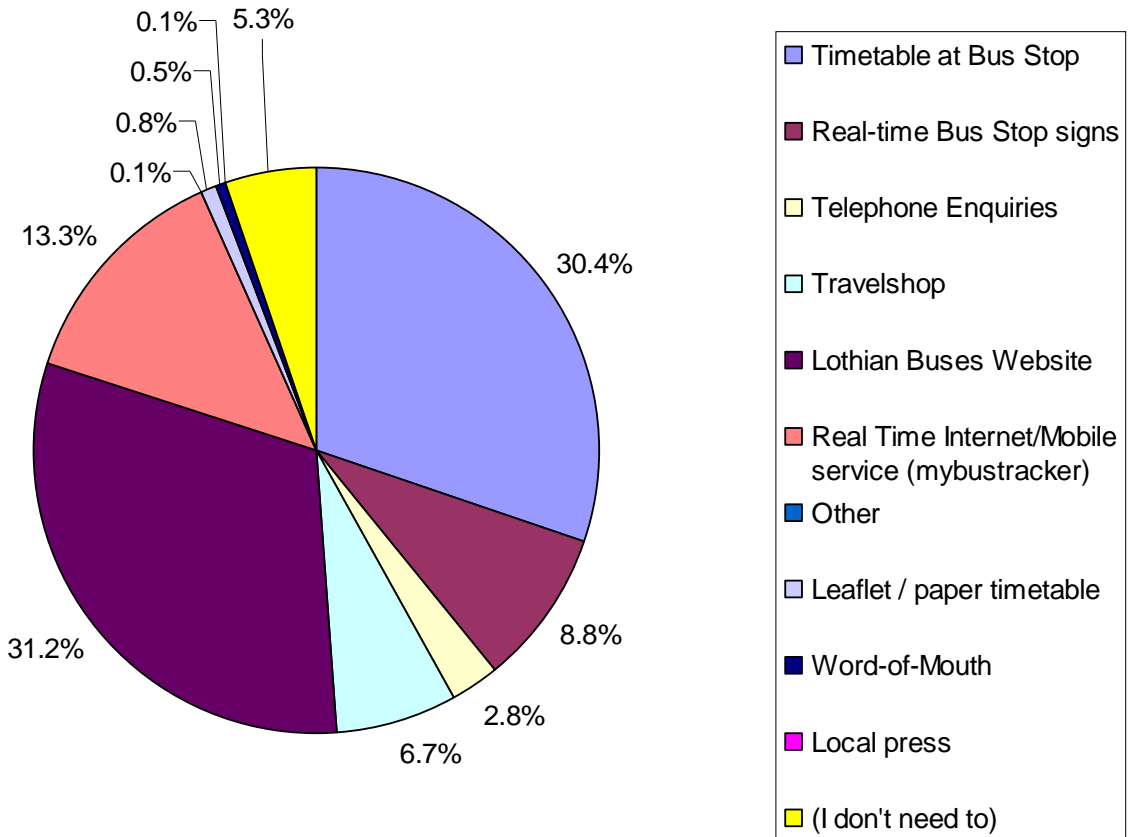


**What could be done to improve [accessibility]?  
(passengers who use the bus at least monthly  
= 1801 responses)**

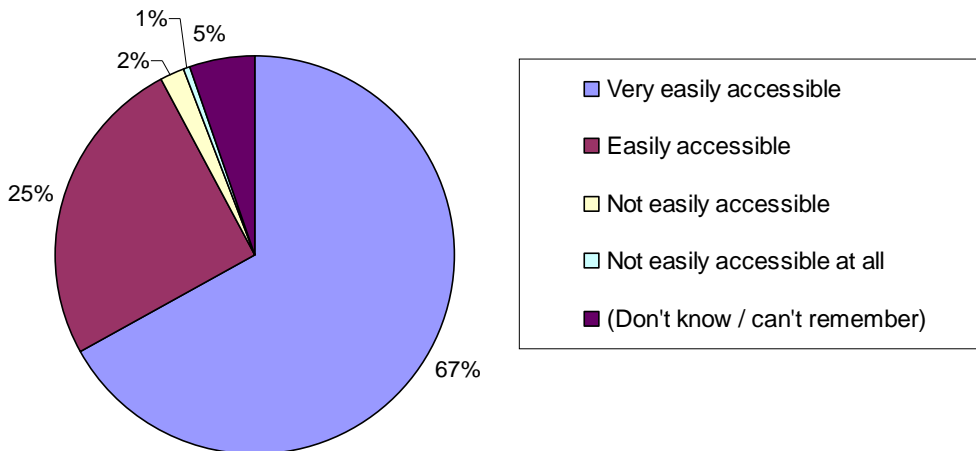


- More routes, to increase accessibility
- Have space for multiple pushchairs / wheelchairs
- More real-time information available
- More accessible for those with children
- Limit the number of pushchairs / wheelchairs on at any one time
- Help for the elderly to access bus timetables
- Ensure all buses have suitable / same standard of access
- Enforce pushchair / wheelchair policy more
- Don't give wheelchairs priority over pushchairs
- More bus stops
- More coverage
- A better attitude from the drivers

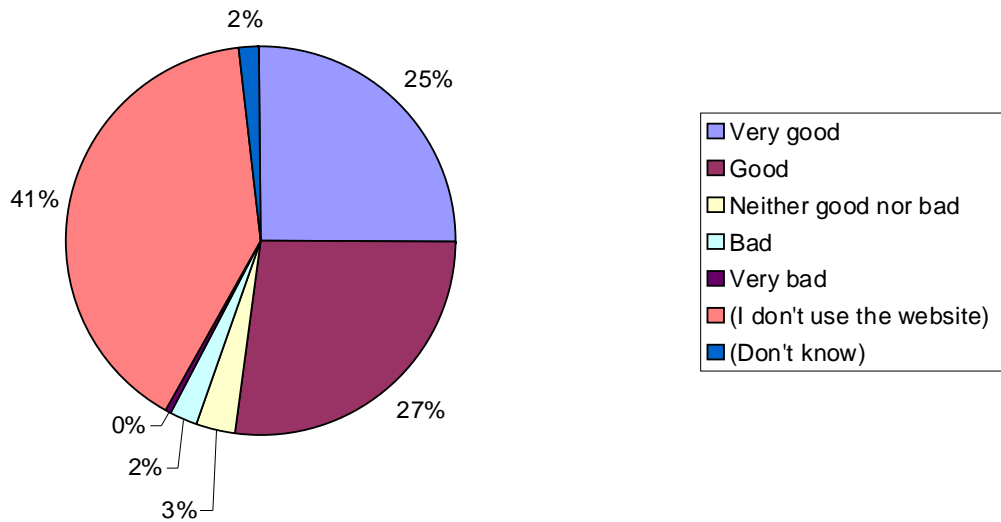
**How do you access information about Lothian Buses services?  
(passengers who use LB services at least monthly = 1808)**



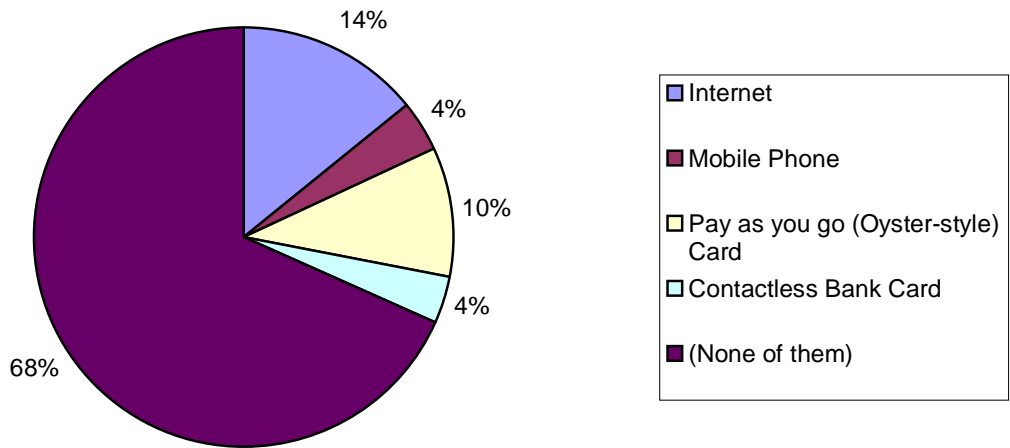
**How easy was it to access that information? (passengers who use LB services at least monthly = 1808)**



**How would you rate the Lothian Buses website  
(www.lothianbuses.com) in terms of ease of use (passengers who  
use LB services at least monthly = 1801)**



**Methods of paying for travel are constantly evolving. Which of  
these would you use if it was available? [All respondents = 2007]**



## Appendix B: Communications Table

Information needed	Who needs to know				When needed		Ideal situation of information: not on bus						
	General Public	Wheelchair users	Buggy users	Other disabled people	Before boarding	when boarded	Website	Leaflet	Bus stop	Travel shop/customer services	Edinburgh media	Specialist media	Social media
General accessibility of buses	y	y	y	y	y		y	y	y	y	y	y	y
Guidance on using buses for disabled people	?	y		y	y		y	y		y		y	y
Options for disabled people to improve bus experience		y		y	y		y	y				y	y
Availability of accessible information	y	y		y	y		y	y		y			y
Current access for buggy users	y	?	y		y		y	?	y		?		y
Changes to accessibility	y	y	y	y			y	?	?	?	y	y	y
Specific accessibility of each bus	y	y	y	y		y							
Situation of wheelchair space	y	y	y			y							
Instructions for non-wheelchair users in wheelchair space	y		y	y	y	y	y		y			?	
Instructions for wheelchair users in wheelchair space		y			y	y	y	y				?	
Situation of buggy space	y		y			y							
Instructions for non-buggy users in buggy space	y		y			y							
Instructions for buggy users in buggy space			y			y							
Situation of priority seating	y	y	y	y	y								
Instructions for priority seating	y		y	y	y								
Time table information	y	y	y	y	y		y	y	y	y			
Route information	y	y	y	y	y		y	y	y	y			
Awareness/understanding campaign for non-disabled to be more understanding	y		y		y	y	y	y	y		y	y	y
Smoking / eating / drinking information	y	y	y	y	y	y	y	y	y				
Do not talk to the driver etc.	y	y	y	y	y								
Where to send feedback	y	y	y	y	y	y	y	y	y				y
How to send feedback	y	y	y	y	y								y
CCTV	y	y	y	y		y							
Music	y	y	y	y		y							
Assults on staff	y	y	y	y		y							
Conditions of carriage	y	y	y	y			y	y		y			