

# Rights for People with Reduced Mobility

CAA review of how EU legislation providing rights for disabled and reduced mobility passengers has been implemented in the UK

## Who are PRMs?

Persons with reduced mobility (PRMs) refers to any individual who might require special assistance or provision to make air travel accessible. This includes people with physical or learning disabilities which may be the result of a long-term disability, illness or age, or which may be temporary, for example resulting from an accident.

As a wide range of people may require assistance or special provisions as a PRM, the assistance required will vary significantly. For many passengers simple adjustments such as improved signage will allow independence when they might otherwise require more direct help. For others assistance might take the form of the provision of safety information in accessible formats, or more physical help such as the use of specialist equipment to board an aircraft.

## How was PRM assistance provided before the Regulation?

Before European Regulation (EC) 1107/2006 came into effect, assistance provision for passengers was arranged by the airline they were flying with, as a customer service. This service however could vary significantly in terms of availability and quality and in some instances passengers were required to pay extra for this service.

## What rights does the Regulation provide?

European Regulation (EC) 1107/2006 concerning the rights of Disabled Persons and Persons with Reduced Mobility when travelling by air came into full force in July 2008. The introduction of this Regulation represented a major change in assistance provision, identifying new responsibilities for the airport and making assistance provided by both the airport and airline a statutory requirement. It is now an offence to deny someone access to a flight on the grounds of a disability or impairment, except where there are specific safety restrictions. The Regulation also means that appropriate assistance must now be provided throughout the journey at no additional cost to the passenger.



The Regulation covers the entire air transport supply chain and applies to any commercial air service that departs from, transits through, or arrives at an airport in Europe. It also applies to passengers travelling outside Europe who travel on a European airline.

### The Regulation specifically requires:

**Non-Discrimination** - the Regulation imposes obligations on airlines, travel agents and tour operators not to refuse a reservation or boarding on the grounds of disability, except where carriage is unsafe or where carriage is physically impossible (i.e. the size of the aircraft or its doors, makes the embarkation or carriage of the PRM physically impossible).

**Arrival and Departure Points** - airports are obliged to provide points of arrival and departure both inside and outside the terminal at which PRMs can announce their arrival at the airport and request assistance.

**Sharing Passenger Information** - passengers should be asked about their assistance requirements when they book and this information must be shared to enable the assistance to be delivered, i.e. the airline or booking agent must tell the airport.

**Assistance Provided by Airports** - airports must provide assistance for PRMs, at no extra cost, to ensure they are able to take their flight. If required, the assistance must be available throughout their entire airport experience, from arrival at the airport, boarding the aircraft and stowing hand luggage, to disembarking from the aircraft and leaving the airport building at their destination.

**Service Quality Standards** - airports must set service quality standards in consultation with airport users and organisations representing PRMs. Airports used by more than 150,000 passengers a year must publish their service standards.

**Assistance Provided by Airlines** - airlines must provide assistance without any additional charge. This includes the carriage of assistance dogs, medical equipment and up to two pieces of mobility equipment, as well as reasonable adjustments for seating.

## Why is a review needed already?

Following the first year of implementation, the CAA has reviewed this in order to identify measures that have worked well and to reveal any issues or problems. It also provides an opportunity to raise awareness of the type of issues facing passengers with disabilities or mobility impairments and to make recommendations for addressing the problems identified to improve the service in the future.

The review will also help inform the CAA's response to a separate EU review, due to take place this year.

## The CAA's review

The CAA consulted the industry and consumer groups to gather information and views on how the Regulation was working and on PRMs' experiences of air travel. Responses to the consultation, combined with CAA monitoring, analysis of industry performance data, passenger surveys and the outcome of consumer focus groups, suggest improvements have been made but there are still some key areas where further work is needed:

### Consumer Awareness

Less than 1% of all air travellers in the UK requested assistance in 2008/09. However, estimates of the number of people in the UK with a disability suggest that more people than this might benefit from the Regulation. The figure may be low as some passengers, understandably, are concerned that requesting assistance will affect their independence. Others are simply unaware that they are entitled to help.

The review found that around 50% of those with a permanent disability are aware they have some rights and many passengers will seek more information about their rights if things go wrong. Greater awareness of the help available and of the benefits of requesting assistance could prevent the bad experience occurring in the first place.



### Booking Assistance

The Regulation states passengers who pre-book up to 48 hours before their flight have a right to appropriate assistance based on their request, whereas airports and airlines need to make all reasonable efforts if this request is not made. The review found, however, that in reality it can be difficult to ensure assistance is prioritised for those who requested it.

The review also found that the number of passengers who had booked assistance before they travelled varied significantly between airlines. Some airlines achieved an 80% pre-booking rate of those passengers needing assistance, while other airlines only achieved a 25% pre-booking rate. As these figures suggest, airports do not always have the full information about who will need assistance, which puts pressure on resources as staff and equipment may be diverted for passengers who have not pre-booked, delaying their ability to assist those who have.

The review suggests that many in the industry see pre-booking as the key to making the legislation work effectively. Airports and airlines have been working together to improve information sharing and encourage greater numbers to request help sooner. Changes to booking processes and information provided by travel companies should also lead to increased pre-booking.

Pre-booking figures are not used in isolation, however, and airlines have argued that greater use should be made by airports of historic data on

passenger trends and there is some evidence that improvements are already being seen in both pre-booking and resource planning.

### **Airlines' performance**

The assistance provided by airlines is essential in allowing many PRMs to travel. The ability of a passenger to carry certain items of equipment or medication (including medical oxygen) may determine whether their trip is possible, and considerations of seat allocation and travelling companions will significantly impact on the passenger's comfort and well-being in the air.

The review found that policies on assistance and carriage of equipment can vary considerably between airlines and this can make it very difficult for passengers to know what to expect. It also makes the booking process unnecessarily complex and can lead to additional expenses, in conflict with the spirit of the legislation.

Airlines' policies on access to flights also seem to vary across the industry. The Regulations state that PRMs cannot be refused access to a flight because of their disability or impairment unless it would be against safety



rules, which includes rules on the number of PRMs who should be carried on each aircraft (in place to ensure safe emergency evacuations). Non-UK airlines in particular have interpreted the safety rules to impose greater restrictions.

### **Airports' performance**

The review found the main obstacle to better service provision appears to be lack of awareness amongst some working in the industry, including those delivering the assistance. This includes significant variation in the level of understanding amongst airport staff on the range of impairments covered by the legislation, as well as the extent of the airport's responsibility and the need to ensure that assistance provided is appropriate to the passenger, rather than a generic response to all requests (i.e. providing wheelchair assistance to a passenger who is visually impaired).

Specific issues the review identified included the availability of facilities to allow assistance dogs to travel under the PETS Passport scheme and the importance of signage and terminal information to allow more PRMs to travel independently.

### **Who pays for the cost of PRM assistance?**

The airports recover the cost of providing the service from airlines through a charge proportionate to the total number of passengers carried by the airline. The charge must be reasonable, cost-related and transparent.

## What happens next?

The review found many of the issues raised could be addressed through improved co-operation, greater consistency and better awareness. The CAA proposes to encourage improvements in these areas through a series of activities and initiatives, which it intends to undertake in the next 12 months. These include:

- Discussing our recommendations with stakeholders to define best practice and encourage greater co-operation across industry.
- Reviewing the pre-booking systems at specific airports in more detail and facilitating improved co-ordination between all parties.
- Exploring the benefits of implementing common policies amongst airlines on issues such as seat allocation and the carriage of mobility equipment.
- Requesting information from airlines and airports on a range of issues including whether important information is available in accessible formats, what is being done to promote the carriage of assistance dogs through the PETS Passport scheme and how customer complaints are recorded and managed.
- Working with consumer bodies and disability groups to undertake activities to promote awareness amongst passengers.
- Working with Government departments to engage with Europe on questions of interpretation and consistent application across Member States.

**More information about the Regulation is available on the CAA website, [www.caa.co.uk](http://www.caa.co.uk).**

**The Department for Transport has produced a Code of Practice for industry which sets out legal requirements and best practice. It can be found on their website at: [www.dft.gov.uk/transportforyou](http://www.dft.gov.uk/transportforyou)**

**The EHRC and CCNI have produced leaflets to explain the PRMs Regulation. These can be found at: [www.equalityhumanrights.com](http://www.equalityhumanrights.com) and [www.consumercouncil.org.uk](http://www.consumercouncil.org.uk)**