

DISABILITY: PERSONS WITH REDUCED MOBILITY (PRMS)

Regulation (EC) 1107/2006 governs the rights of people who have a disability or who have reduced mobility (PRMs) when travelling by air. PRM is used as a catch-all term – see *The Regulation* below. Responsibility for handling PRMs lies with airports which have a right to recharge airlines by levying a charge on the total number of passengers that airlines put through the airport and not simply the number of passengers who require assistance. The Regulation, which is applicable in all EU Member States, provides for a consistent approach to be adopted at all airports with no right of opt out by individual airlines.

The Regulation puts a number of obligations on travel agents, tour operators and airlines, as well as airports. It also makes PRMs responsible for advising in the first place that they need assistance at least 48 hours before departure. This means that any business taking bookings must have a system in place to receive this information and must then pass it on so that the services the passenger needs can be provided. The point of sale is responsible for collecting the information and passing it on to the airlines.

Just because a customer doesn't tell you, it doesn't mean they don't need assistance. Many customers may not know if they need assistance until they get to the airport. The Regulation is aimed at making sure customers and those businesses taking their bookings think about their needs in advance. For details, please see *The Regulation* below. See also the EC video at http://ec.europa.eu/dgs/energy_transport/videos/transport/2008_06_prm_en.htm

Some practical information on what Members can do to help themselves can be found below at *What you need to do*.

Failure to comply with the Regulation can result in penalties – see *Enforcement* below.

Key points for agents and operators:

- You can't refuse to accept a booking from a PRM; make sure you have systems in place to receive notification at all points of sale.
- Ask questions tactfully. You may need to tease the information out of passengers regarding assistance.
- Include a prominent prompt in your website front page directing PRMs to the specific page.
- Use the correct IATA SSR code to transmit the PRM notification to the principal you booked with (operator/airline).
- Seek confirmation from the principal of receipt of the notification as proof you've done it.

DISABILITY: PERSONS WITH REDUCED MOBILITY (PRMS)

THE REGULATION

- A PRM is any person whose mobility is reduced due to any disability or impairment and who needs assistance to use the services normally provided to passengers. PRM includes not only passengers with disabilities but also people with temporary reduced mobility and people who have difficulty because of their age or the physical environment in which they find themselves.
- The Regulation gives PRMs the right to assistance from airports in the EU, whether the passenger is travelling from, arriving at, or simply in transit through that EU airport. This right applies irrespective of whether the airline they're flying with is EU registered or not. For details see Provision of Assistance (i) below. These rights are set out in more detail in Annex I of the Regulation
http://ec.europa.eu/transport/air_portal/passenger_rights/doc/2006_1107_reg/2006_07_26_l_1107_en.pdf
- In addition the Regulation gives PRMs the right to assistance from every EU airline whilst on board even if that airline is travelling into the EU from an airport in a non-EU country. For details see Provision of Assistance (ii) below. These rights are set out in more detail in Annex II of the Regulation
http://ec.europa.eu/transport/air_portal/passenger_rights/doc/2006_1107_reg/2006_07_26_l_1107_en.pdf

Don't refuse booking or boarding

An airline, a tour operator or a travel agent can't refuse to accept a booking for a flight on the grounds of disability or reduced mobility.

A client with a valid ticket and reservation can't be refused boarding on the grounds of disability or reduced mobility.

There are exceptions, however, where

- it's necessary to meet applicable safety requirements, or
- the size of the aircraft or its doors makes embarkation physically impossible.

In these cases, the airline, tour operator or agent must explain the reasons for the refusal and make reasonable efforts to propose an acceptable alternative. Reimbursement or re-routing should be offered in accordance with the Denied Boarding Regulations. For more information, see our guidance note *Denied Boarding Compensation*.

Provision and collection of information

(i) Safety rules

Airlines and their agents must make publicly available the safety rules that apply to the carriage of PRMs and the restrictions on carrying them or their mobility equipment due to the size of the aircraft.

Tour operators must make the above information available in respect of their package holidays.

Further information on airline safety rules is available on the CAA website at
www.caa.co.uk/docs/33/CAA_CPG_PRM_Update.pdf

(ii) Need for assistance

Airlines, their agents and tour operators must be able to receive PRM notifications of the need for assistance. This should be at all points of sale in the EU including sales by telephone and internet.

DISABILITY: PERSONS WITH REDUCED MOBILITY (PRMS)

If they receive such a notification at least 48 hours before departure, they must transmit the information at least 36 hours before departure to the airports of arrival, departure and transit and to the operating airline (if another airline) unless the identity of the airline isn't known, in which case as soon as possible. In practice agents and operators must at the very least notify the airline. The airline must then refer this on to the airport(s).

(iii) Destination airport

As soon as possible after the departure of the flight, the operating carrier must inform the destination airport of the number of PRMs requiring assistance on the flight and the nature of that assistance.

Provision of assistance

(i) Airports must

- Designate, and clearly signpost, points of arrival and departure in the airport where PRMs can announce their arrival and need for assistance.
- Assist the PRM to proceed through check-in and through the airport, and with embarkation and disembarkation, including providing wheelchairs and assistance/guide dog handling facilities free of charge. This is dependent upon the PRM notifying his or her needs at least 48 hours before departure and checking in and arriving at the assistance point at the stipulated time.

(ii) Airlines must

- Carry recognised assistance dogs in the cabin, subject to national regulations. See the PETS (Pets Travel Scheme) at <http://www.defra.gov.uk/animalh/quarantine/index.htm>
- In addition to medical equipment, transport up to two pieces of mobility equipment per PRM free of charge, subject to safety and size provisions.
- Make all reasonable efforts to arrange seating to meet the needs of the PRM.
- Provide assistance to the PRM in moving to the toilet if required. PRMs should be self-reliant in personal care and neither other passengers nor cabin crew should lift them. PRMs requiring lifting while on board the aircraft must travel with an accompanying person capable of providing this assistance.
- Make all reasonable efforts to seat an accompanying person next to the PRM.

WHAT YOU NEED TO DO

Systems and brochures

It needs to be made easy for a PRM to provide information. You should ensure that your websites and brochures are available in accessible formats (when requested) and that call centres provide customers with the opportunity to notify their requirements as a disabled customer or PRM. You should be prepared to make publicly available the safety rules of the airlines that provide the flight elements of your package holidays. So make sure that you know the airlines' rules that apply to the carriage of PRMs, such as the rule that passengers who can't exit the aircraft unaided need to be accompanied. There may also be a restriction on the number of PRMs who can travel, or the mobility equipment that can be carried, due to the size of the aircraft.

DISABILITY: PERSONS WITH REDUCED MOBILITY (PRMS)

Systems should be put in place to receive notification from PRMs at all of your points of sale: face to face, telephone and internet. Include a section or area on your website so that clients can fill in their information themselves. Draw clients' attention to these pages from the front page and from the passenger services/facilities pages. PRMs have advised us that they like gateway questions that lead to specific questions or drop down menus - for example, as available on http://www.britishairways.com/travel/disabilityassistanceinfo/public/en_gb. Make sure you collect the PRM's contact details so that the airline can seek further clarification if they're unsure of any point.

Booking process

Make it part of your booking process to ask the client if they or anyone else travelling in the party finds it difficult to get around and may need help in the airport or on the aircraft. Although the onus is on the PRM to advise of special needs in the first place, some are reluctant to do so, while others, particularly the elderly, may not understand the distances they might face at a specific airport. The booking agent may need to tease the information out, but it's important that they do so, as otherwise there could be a lack of information or incorrect information passed on. Impress upon your staff the need to do this tactfully. Add this question to your booking forms and feature it prominently on your website. State in your brochure that any assistance required due to reduced mobility must be brought to your attention at the time of booking or, if it arises later, no later than 48 hours prior to departure.

With the kind permission of the European Civil Aviation Conference group we've developed their *Guidelines on Awareness and Disability Equality* into a practical guidance note on how to provide good services to customers with disabilities. The note's called *Disability: A Practical Awareness Guide to Equal Treatment*, and you'll find a copy on www.abta.com. We also provide a checklist that you can use, to assist in gathering all the information. The *Checklist for Disabled and Less Mobile Customers* can be found in the Resources area of www.abta.com. Click on Publications in the left hand menu and choose *Model Documents & Checklists* from the dropdown menu.

It's very important to differentiate between the different types of wheelchair passenger. One PRM might need a wheelchair some of the time, e.g. to take them to a distant airport gate, but can board the aircraft unassisted. Another PRM might be a carry on where an ambulift is required and may need an easily accessible seat with a lifting armrest. This is important information for both the airline and the airport and it's essential that it's correctly advised.

Transmitting the information

Make sure you transmit the PRM notification to the airline, or whoever the booking is being made with, within 12 hours of receiving it. Their responsibility is to pass it to the airport a minimum of 36 hours in advance of the flight. If a PRM turns up at the airport without pre-notification, the airport must use its best endeavours to assist but should give priority to pre-notified PRMs; the assistance they are thus able to offer may be reduced.

Airlines need to have notification of all PRMs, 48 hours in advance, regardless of whether they require assistance or not, as this could affect the choice of seat on the aircraft. For example, assistance might be provided by a travelling companion or carer. The same is true of assistance animals.

You must use the IATA Special Service Request (SSR) codes to transmit the information; without them, the PRM's needs might not be picked up. These codes – listed at the end of this guidance note - differentiate between the different types and levels of disability and are used globally in a standard format by many airlines (scheduled, charter and no-frills) and airports. Supplementary information can be entered in the free format field for other service information - for example, two pieces of mobility equipment (list what they are); adjacent seat for carer. Airlines booked other than through GDS and tour operators should have the appropriate space for the SSR code to be inserted in their booking form or on their website.

Keep a record that you've passed the information on, so that you can prove that you complied with the Regulation in the event of the notification not reaching the airport. It's also helpful to be able to reassure your client by giving

DISABILITY: PERSONS WITH REDUCED MOBILITY (PRMS)

them a written copy of the notification request. This is especially important when the PRM notification has been relayed by phone and where there are a number of parties involved in the booking, which can increase the likelihood of the notification not being passed on, e.g. passenger → agent → specialist tour operator → larger operator from whom the former has contracted seats → airline → airport. Make a written note and ask for written confirmation from the recipient. Failure to pass on notification is a breach of the Regulation and could result in a substantial financial penalty.

The DfT has developed its *Access to Air Travel for Disabled Persons and Persons with Reduced Mobility - Code of Practice* in conjunction with the travel trade. This provides some very useful background information. It can be found at www.dft.gov.uk/transportforyou/access/aviationshipping/accesstoairtravelfordisabled.pdf.

ENFORCEMENT

Be in no doubt that you must, by law, transmit PRM notification. Failure to comply with the requirements under the Regulation is a criminal offence punishable with a fine. £5,000 would be the normal level of fine; in a serious case of refusing to carry a PRM the fine could, however, be unlimited. It's a defence to show that you took all reasonable steps to avoid committing the offence.

The national enforcement body in charge of enforcing this Regulation in the UK is the Civil Aviation Authority. More information is available on its website www.caa.co.uk. Complaints are dealt with by the Equality and Human Rights Commission (EHRC) and its website also contains guidance for customers www.equalityhumanrights.com/airtravel. In Northern Ireland, complaints are dealt with by the Consumer Council for Northern Ireland (CCNI) www.consumercouncil.org.uk.

SPECIAL SERVICE REQUEST (SSR) CODES

The following are the IATA codes applying to disabled persons and persons with reduced mobility requiring assistance:

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| MEDA | Passenger whose mobility is impaired due to clinical cases with medical pathology in progress, being authorised to travel by medical authorities. Such passenger usually has social coverage in relation to the illness or accident. |
| STCR | Passenger who can only be transported on a stretcher. Such passenger may or may not have social protection or specific insurance. |
| WCHR | Passenger who can walk up and down stairs and move about in an aircraft cabin, who requires a wheelchair or other means for movements between the aircraft and the terminal, in the terminal and between arrival and departure points on the city side of the terminal. |
| WCHS | Passenger who cannot walk up or down stairs, but who can move about in an aircraft cabin and requires a wheelchair to move between the aircraft and the terminal, in the terminal and between arrival and departure points on the city side of the terminal. |
| WCHC | Passenger who is completely immobile who can move about only with the help of a wheelchair or any other means and who requires assistance at all times from arrival at the airport to seating in the aircraft or, if necessary, in a special seat fitted to his/her specific needs, the process being inverted at arrival. |
| BLND | Blind. |
| DEAF | Passenger who is deaf or a passenger who is deaf without speech. |
| DEAF/BLND | Passenger who is both deaf and blind, who can only move around with the help of an accompanying person. |
| DPNA | Disabled passenger with intellectual or developmental disability needing assistance. |

This document is intended as a guide only and can't be a substitute for specific advice.