

Statement to Parliament: Response to advice on the use of wheelchair spaces onboard buses

Government believes that where people live, shop, go out, or park their car should not be determined by their disability and recognises the importance of accessible transport networks in supporting disabled people to live independent lives and fulfil their potential.

In January 2017 the Supreme Court handed down its judgment in the case of Paulley vs FirstGroup PLC, concerning the “reasonable adjustments” which must be provided by bus operators to enable wheelchair users to access the on-board wheelchair space.

The Supreme Court judgment states that FirstGroup’s policy with regard to use of the wheelchair space was insufficient to meet the requirements of the Equality Act 2010, and that bus drivers should be required to do more than simply request that a person vacates the wheelchair space, including suspending the journey if needed. The judgment did not provide clarity on precisely what action a service provider should require its drivers to take or how the needs of both passengers in wheelchairs and other bus users, disabled or otherwise, should be taken into account.

In order to understand the implications of the judgment for disabled people, the bus industry and other passengers, and to identify actions for government and others to take to ensure that required adjustments can be provided on buses we established a stakeholder ‘Task and Finish Group on the Use of Wheelchair Spaces on Buses’ (the group).

The group’s report to ministers stated that:

Our view is that drivers need to play an active role in ensuring that the wheelchair space is made available for passengers in wheelchairs, which includes requiring other passengers to move where necessary, but that drivers also need more powers than they have currently to enable them to do this effectively.

The group agreed that that whilst wheelchair users should be granted access to the on-board wheelchair space they may not be the only passengers who rely on using it, but that where other passengers do not have such a need they should be expected to vacate the space in order that it can be occupied by a wheelchair user.

The group made 4 specific recommendations:

1. That the Public Service Vehicles (Conduct of Drivers, Inspectors,

Conductors and Passengers) Regulations 1990 (the Conduct Regulations) are amended to enable drivers to remove passengers from the bus who unreasonably refuse to move when requested from the wheelchair space

2. The associated guidance is amended to better reflect the behaviours expected from drivers and passengers with respect to use of the wheelchair space
3. Further work is conducted to consider how best to raise public awareness of the behaviours expected from passengers with respect to the wheelchair space, for example a public awareness campaign, or improved signage on buses
4. That conditions of carriage and disability awareness training best practice guidance are updated to reflect the fact that passengers will be required to move from the wheelchair space should it be required by a passenger in a wheelchair

I am grateful to the group for their careful consideration of this complex issue.

Government agrees with the group that the wheelchair space should be available to those who need it and that the balance of measures proposed, supporting bus drivers to facilitate access to the wheelchair space, and creating an environment where the needs of disabled passengers are recognised and respected should help to overcome the barriers still faced by some disabled people when using bus services.

In [accepting the group's recommendations in principle](#) we will begin a process of further engagement to understand the specific experiences of a range of stakeholders affected by the wheelchair space issue, including wheelchair users, parents travelling with young children, and bus drivers – with a view to bringing forward a package of measures in 2018, informed by the group's recommendations and our further consideration, to support access to the wheelchair space.

Disabled people make 10 times as many journeys by bus as by rail, and it is essential that the services they rely upon to access education, employment, social and leisure activities are accessible to them. We hope that in supporting access to the wheelchair space for those who need it we will help many more disabled people to travel with confidence.

Copies of the Task and Finish Group's report to ministers and accompanying letter have been placed in the House libraries.