

## Consultation response 14 September 2012

### The abolition of the Disabled Persons Transport Advisory Committee (DPTAC); and The best option for successor arrangements should DPTAC be abolished Department for Transport

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#### **Key points**

- Disability Rights UK's guide 'Doing Transport Differently' (2011) shows that real progress has been made in terms of transport accessibility but this is put at risk if consultation with disabled people and in particular harnessing our expertise is no longer embedded in policy development and delivery.
- the statutory duties for DPTAC to provide independent advice and to consider matters referred to it by the Department for Transport must be retained. Losing them would be a considerable setback for co-production with disabled people; reduce the opportunities to progress equality of opportunity for disabled people; and undermine effective policy making, delivery, monitoring and evaluation.
- our preferred option would be for DPTAC to remain. We are disappointed that the options are to either keep DPTAC in current form or abolish it. We urge the Department for Transport to consult with disabled people and other stakeholders how to

reform DPTAC so that it can carry out its statutory duties effectively whilst being more accountable to disabled people.

- If DPTAC is abolished then it is imperative that any successor arrangements ensure that:
  - the Department for Transport continues to access disabled people's expertise – both on a strategic as well as technical level
  - the Department for Transport has regard to the voices of disabled people across the whole spectrum of impairments and long-term health conditions – and empowers particularly the groups who have hidden or fluctuating conditions
  - disabled people can influence the Department for Transport's priorities for the development and delivery of transport infrastructure
  - the arrangements support the formation of joined-up policy and implementation across the government departments, in particular education, skills and training, employment, health and in local communities
  - they support the effective monitoring and evaluation of the impact of transport policies and practice on disabled people's full inclusion in the society.

All of which we believe is best achieved by retaining DPTAC – if modernised.

### **About Disability Rights UK**

Disability Rights UK was formed through a merger of Disability Alliance, Radar and the National Centre for Independent Living on 1 January 2012. We aim to be the largest national pan-disability organisation led by disabled people. Our vision is of a society where everyone with lived experience of disability or health conditions can participate equally as full citizens.

Disability Rights UK's objectives are to:

- mobilise disabled people's leadership and control
- achieve independent living in practice
- break the link between disability and poverty
- put disability equality and human rights into practice across society.

## **Consultation questions**

### **Q1: Do you agree with the assumptions made in the Draft Impact Assessment?**

#### **No**

We are concerned that the Draft Impact Assessment primarily focuses on the involvement of disabled people in the early stages of policy development and delivery rather than the involvement of disabled people in the full cyclic process of policy making and delivery – including data collection, monitoring and evaluation.

We are also concerned that there is an assumption that disabled people can provide their time and expertise for free. This fails to acknowledge the value of disabled people's contributions to good policy making and delivery. Disabled people are more likely to live in poverty and disabled people's organisations are struggling in the current economic climate as income sources are becoming sparse. As a society we must value disabled people's contributions and government departments must take the leadership in recognising their expertise.

There is also little consideration of the impact of the loss of the statutory duties (the Railways Acts 1983 and 2005, Greater London Authority Act 1999, Equality Act 2010 and the Infrastructure Planning Regulations) and successor arrangements on the Government's compliance with the UN Convention on the Rights of Persons with Disabilities – in particular articles 4(3) [consultation and involvement], 9 [accessibility], 20 [personal mobility], 31 [statistics and data collection].

### **Specific Consultation Questions:**

#### **Q2: Which option in your opinion provides more flexibility over working arrangements and appointments and please could you state your reasoning?**

Retain DPTAC but reform it. We believe that DPTAC in its current form is not as effective as it could be and they lack accountability to disabled people. We would recommend that the Department explore different options, for example a two-tier structure with a streamlined DPTAC as statutory body and a reference group that would bring together disabled people, disabled people's organisations and other partners to feed into policy and share good practice.

**Q3: Which option in your opinion provides the most accountability to Ministers and please could you state your reasoning?**

Retain DPTAC. They have a statutory duty to consider matters referred to them by transport ministers. If they fail to do this then this is a performance issue and the Department for Transport can hold them to account.

We believe it is vital that DPTAC (or other option) retains the ability to choose their priorities, in order to respond to the real-life experiences of disabled people (which are not necessarily aligned with the political priorities of the Transport Ministers).

As suggested we would welcome a review of DPTAC and as part of the review we would like the Department to consider how DPTAC might become more accountable to Parliament.

**Q4: In your opinion, how important is it that the option chosen is able to provide advice that is representative of all disabilities and disabled groups? Please state your reasoning and provide examples of the implications on disability issues of advice not being representative.**

We believe it is essential that advice is informed by the experiences and expertise across the whole range of impairments and long-term health conditions. Whilst there are barriers specific to certain impairment groups, many will share similar barriers but some solutions may only work for certain impairment groups – and could work against other impairment groups (for example dropped kerbs).

This does not mean that every single impairment group needs to be represented in person on the group.

What is more important is that disabled people on DPTAC (and we believe it should be truly disabled-led not 'more than 50%' as required by statute) have real expertise on transport matters and that they are able to engage widely with disabled people. We do think that there needs to be representation of people with mental health issues and people with hidden impairments on DPTAC – and DPTAC needs to be able to consider matters related to young disabled people, disabled parents, and older disabled people, for example.

**Q5: In your opinion, how important is it that the option is able to provide advice on technical matters? Please state your**

**reasoning and provide examples of the implications on disability issues of not providing advice on technical matters.**

We believe that DPTAC has played a valuable role in providing advice on technical matters. We believe that the example of technical advice given on page 50 of the consultation (“which alarm buttons should be placed on public transport vehicles”) is slightly contemptible and does not acknowledge the important role that disabled people’s expertise have played in setting technical standards – including monitoring the implementation of the standards and providing advice about modernising these standards to reflect the rapid development of technology.

It is therefore important that (some) members have a detailed technical understanding. Technical advice on issues like placement of alarm buttons can be purchased elsewhere (from disabled experts preferably!) as the consultation suggests.

**Q6: In your opinion, how important is it that the option is able to provide cross government advice on transport disability issues, bringing together impacts on health, social care etc.? Please state your reasoning and provide examples of the implications on disability issues of not providing cross-government advice.**

Transport is a vital link in the economy and if this is broken or missing then this will affect the success of policies and services in health, social care, employment, education and skills, community participation etc. A key outcome of an accessible transport infrastructure must be social inclusion of disabled people.

Because, for instance,

- running accessible buses between 10am and 4pm won’t help disabled people to school, training or work
- pre-booking arrangements need to be flexible enough to allow disabled people to respond to the demands life throws at them
- if community transport only takes a person to the border of a county but not over it then it may not possible for that person to attend a college across that border

Transport policy must consider the way in which it interacts with other policy areas if barriers are to be tackled effectively. For example, Ministers have pledged to improve disabled people’s

opportunities to gain work related skills and so they must be able to use public transport to travel to college and work placements.

Currently the Access to Work budget is used to meet the (more expensive) costs of taxi journeys because public transport is not accessible in many parts of the country. Making public transport more accessible and available would mean that Access to Work budget is freed up to meet the cost of support for more disabled people.

Disability Rights UK therefore believes it imperative that DPTAC (or alternative group) puts her advice in the context of social inclusion and full participation. We would also recommend that a representative of DPTAC (or alternative group) is added to Equality 2025 so that transport becomes a feature of their advice on other government policies.

**Q7: Do you agree with the benefits and costs presented in the Impact Assessment for each of the options? Are there any other benefits, costs and risks that we need to consider? Please state your reasoning and provide supporting evidence**

We are extremely concerned that the general assumption appears to be that it is alright not to pay disabled people for their time and expertise. Disabled people's time and expertise is a commodity that needs to be paid for.

As we stated in our previous response (submitted by Radar), we think that a system that relies on unpaid advice is unlikely to ensure quality advice and may lead to an industry-dominated arrangements. It will also mean that voluntary groups with the greatest resources are more likely to be heard as smaller groups cannot afford to give their expertise or gather evidence from their membership if they are not paid. Therefore an arrangement that relies on voluntary contributions from disabled people will fail to reflect the needs of the whole disabled population and their families.

We believe that the impact assessment fails to adequately consider the impact on the Department's ability to obtain strategic advice (as opposed to views from individual groups) on an ongoing basis; as well as the accountability to disabled people.

We also feel that the monetary benefits of DPTAC are underplayed. It is beyond doubt that DPTAC has saved the

government – and the transport industry – a lot of money by helping them to get their policies, services and design right. For example, the Impact Assessment states that [DPTAC] is saving the rail industry [...] tens of millions of pounds (page 62). The Inclusive Mobility and Shared Space policy team expresses concerns that they would have greater difficulties gathering the views of disabled people and in particular ensure that they reach a balanced decision, not just one that is based on the input of groups with narrow interests (page 63). Achieving this will be time- and resource-intensive.

**Q8: Considering your responses to above, what in your opinion is the best option/combination of options?**

Disability Rights UK urges the Government to continue DPTAC as statutory body but reform it into an organisation fit for the present and the future. We appreciate that the Department for Transport carried out an in-house review of DPTAC in 2009, and that some changes have been put in place as a consequence. However we call for an open discussion about the role, remit and membership of DPTAC. See for more detail our response to Question 10.

**Q9: Are there other options that we need to consider? Please explain these in detail, including providing information on the benefits, costs and risk of the option. Please provide supporting evidence.**

Reform of DPTAC. See our responses to other questions.

**Q10: Do you think that DPTAC should be abolished? Please state your reasons.**

No, we do not think that DPTAC should be abolished. DPTAC provides a secure mechanism for disabled people's priorities and expertise to be fed into the development and delivery of the transport infrastructure. Policy makers and transport operators have benefited significantly from the expertise that DPTAC has provided.

However we would welcome a discussion about reforming DPTAC so that it is more effective and more accountable to disabled people. We are astonished that the Government appears to ignore the views of their own civil servants as the majority of the policy

teams report significant benefits of DPTAC and highlight real risks of losing DPTAC (pages 62-63). There are some teams who do not use DPTAC 'because they are consulting directly with organisations represented on DPTAC' (e.g. buses and taxis). However there is a big difference between the individual interests of member organisations and the strategic interests of DPTAC as a whole. We would be extremely concerned if that distinction was lost and transport policy becomes the privilege of those who have the means to make their voices heard.

We would urge the Department for Transport to review the remit, role, membership and structure of the Committee, and in particular how it can:

- be more responsive to disabled people's priorities across the whole spectrum of impairments and long-term health conditions
- be more accountable to disabled people in the way they work
- effectively deliver their work programme (including monitoring, evaluation and data collection)
- work in partnership with other bodies and organisations.