



# Equality Information and Objectives 2024

## Consumer policy

ORR's work across Consumer Policy is relevant to the protected characteristics of disability, age, and pregnancy and maternity, which all have particular relevance to mobility, transport and rail. Our work also shows due regard to the three aims of the general equality duty. ORR's annual consumer report summarises our broader consumer policy work, much of which comes from our role in setting and enforcing operators' licence requirements.

## Accessible travel for all passengers

We require operators to develop, publish, maintain and comply with Accessible Travel Policies (ATPs). This work contributes to eliminating unlawful discrimination and advancing equality of opportunity.

We require train and station operators to establish and comply with an ATP, and we approve and monitor compliance with these. ATPs must meet the requirements of our ATP guidance. When operators submit ATPs for approval, we will assess against this guidance and publish decision letters which summarise any issues raised during the process.

We also oversee an annual review process to ensure operators' ATPs take any changes into account. Once an ATP is approved, we use monitoring, bespoke research and regular engagement to monitor operator compliance.

Since 2017 this has included an annual survey of satisfaction with passenger assistance, which, alongside other research, establishes an evidence base for interventions. We also carry out ad-hoc studies, reviews and audits, including of train operator website accessibility, the reliability of lifts at stations and operators' delivery of assistance.

# Passenger complaints to train companies

We require train and station operators to establish and comply with a complaints handling procedure. This work contributes to eliminating unlawful discrimination by ensuring passengers can complain about how they have been treated as someone with a protected characteristic. Furthermore, it contributes to ensuring that all passengers can claim delay compensation, including those with protected characteristics, by requiring the process to be accessible.

Operators' complaints handling procedures must comply with our Complaints Code of Practice. As part of its development we undertook a regulatory impact assessment to consider its potential impact on all passengers.

We collect and monitor data on passenger satisfaction with operators' complaints handling and this includes an option for the passenger to disclose whether they have a disability and whether this had an impact on their experience, which can help us understand if disabled passengers are experiencing different outcomes to non-disabled passengers. We require operators to make appropriate and proportionate provision for passengers who need assistance in engaging with a complaints process.

We require operators to publish information annually on improvements being made, including an assessment of passenger experience of the complaints process – noting their duty under the Equality Act 2010. We review these reports and issue actions or recommendations where appropriate. We have undertaken research into disabled passengers' experiences of complaints handling by operators.

## Delay compensation

We require train operators to comply with the Delay Compensation Code of Practice. This work contributes to ensuring that all passengers are able to claim delay compensation, including those with protected characteristics, by ensuring the process is accessible.

ORR published the Code of Practice, having worked closely with stakeholders in its development. The process also included production of an Equality Impact Assessment. The Code of Practice requires operators to have claim procedures in place that are accessible to passengers with protected characteristics. It also establishes a reporting procedure for annual updates about improvements, which may include steps taken to improve accessibility. A monitoring framework

now includes a self-assessment by operators with their compliance with key qualitative requirements, including the accessibility of the claim process.

## Consumer law

ORR enforce certain consumer protection legislation under Part 8 of the Enterprise Act 2002. Our consumer law enforcement gives due regard to Equality Act 2010, and contributes to eliminating unlawful discrimination, advancing equality of opportunity and fostering good relations.

Part 8 of the Enterprise Act 2002 can be used only where an infringement harms the collective interests of consumers. The breach can affect consumers generally or a group of consumers, and this can include a group sharing certain characteristics, including protected characteristics such as disability, age, or pregnancy and maternity. In exercising our consumer enforcement functions, we will give regard to those impacted by the offending act or behaviour. Any relevant evidence taken into consideration will be recorded within our corporate decision-making documents.

## Sponsorship of the Rail Ombudsman

We require train and station operators to become and remain a member of the relevant alternative dispute resolution scheme. ORR assumed sponsorship of the Rail Ombudsman in November 2023. The Rail Ombudsman can consider and make binding decisions on unresolved complaints between passengers and operators who are members of the Rail Ombudsman scheme.

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ORR has contractualised a range of requirements for the provider of the Rail Ombudsman service, including those relating to accessibility. The service must be fully accessible and seek to improve upon current standards for accessible communication, and the Rail Ombudsman must make best endeavours to ensure that its Board shall include at least one individual with lived experience of disability.

Evidence of these requirements being met is documented within our contract management plan. Through ongoing contract management of the Rail Ombudsman and associated ORR-

commissioned testing and research, we will seek to work with the Rail Ombudsman to enhance the accessibility and usability of its service through continuous improvement plans.