Suggested Format of

Quality Standards for Assistance

Article 13 Merchant Shipping (Passengers’ Rights) (Amendment etc.) (EU Exit) Regulations 2019

Background

It is a requirement of Article 13 Merchant Shipping (Passengers’ Rights) (Amendment etc.) (EU Exit) Regulations 2019 that terminal operators and carriers operating passenger services with total passenger movements in excess of 100,000 per year set quality standards for the assistance of disabled passengers and those with reduced mobility, as specified in Annexes II & III of the regulation. Operators and carriers are to determine resource requirements to meet those standards, in cooperation with representative disabled persons organisations. These standards are to be publicly available in formats that are accessible and available to all passengers.

There are no instructions or guidance provided by the Commission as to what should be included in these quality standards or how they should be presented.

Current Position

The current situation is that the UK National Enforcement Body (NEB) has not seen anything produced by carriers or operators that identifies specifically as ‘quality standards’ and how they will meet these. The general view of the industry is that the provision of access information and general comments that assistance can be provided by passengers giving advance notice meets this requirement.

However, it is a requirement of Article 9 that carriers and operators provide accessibility information concerning their ports and vessels. Therefore, the setting of quality standards is something more than accessibility information.

Closely aligned to the setting of quality standards is the provision of relevant staff training, as identified in Annex IV of the regulation, to facilitate the provision of assistance as laid down in Annexes II & III. It is a requirement of Article 14 that the necessary awareness and assistance training is provided by operators and carriers for their staff.
Recommendations

Included below are some recommendations as to what should be included in quality standards to make it relevant, meaningful and something by which the service standards can be measured.

The quality standards should include three elements to each service delivered:

1. What is going to be provided
2. How it is going to be provided
3. How delivery will be ensured and measured

The quality standards are to include a full explanation as to the provision of:

1. Training staff in

Training needs to meet Merchant Shipping (Passengers’ Rights) (Amendment etc.) (EU Exit) Regulations 2019 Designed in cooperation with disability organisations and IMO guidance in MSC/Circ.735 24 June 1996 requirements of:

- Articles 9 Publication of accessibility provisions in multi-formats
- Article 10 Assistance in port terminals
- Article 11 Conditions under which assistance is provided
- Article 12 Designated meeting points
- Article 13 Quality standards for assistance
- Article 14 Staff training requirements
- Annex II provides a detailed list of assistance that ports must supply.
- Annex III provides a detailed list of assistance to be provided on board a ship
- Annex IV provides details of what training staff are required to undertake.

2. Assistance available at

- Smooth transfer from other transport modes to access the port reception, movement through the port and exiting (Pre-amble 11, Article 10 & 11)
- Getting on and off the vessel and movement through the vessel (Article 10 & 11)
• in consequence of delay or cancelation of service (Article 16)

3. Information

• on passenger rights and its provision / display at ports and on vessels (Annex II)
• Passenger point to announce arrival to obtain assistance (Article 12)
• on non-discriminatory access conditions (Pre-amble 4)
• access to the port and movement through it – including details and descriptions as to obstacles (e.g steps) (Pre-amble 6, 8, Article 1)
• access to vessels and movement on them – including details and descriptions as to obstacles (e.g steps) (Annex II)
• timely information and updates, in accessible formats, of delays & cancelations [Article 13]
• provision of relevant interconnectivity modes of transport information in response to cancelation or delay [Chapter III]

The standard of provisions of the above must at a minimum meet the requirements of Articles 9, 10, 11, 12 and 14 together with Annexes II, III & IV.

By way of example of how this would be presented:

‘Wonder Ferries will train booking staff and terminal staff / ship staff who engage with passengers in disability awareness as detailed in Annex IV (what). Training will be provided by a training provider who has received positive recognition from national disability groups. Training will be provided within 3 months of starting work and will be maintained through regular updates not exceeding 12 months (how). Records will be kept of training provided to staff, who will be monitored in respect the delivery of their service to disabled passengers and those with reduced mobility. Such passengers are encouraged to provide feedback on their experience, which will be used to monitor and influence service delivery (ensuring delivery of standard).’

In respect assistance training; in addition to the above, I would expect to see included how the carrier would routinely monitor the trends of the numbers of disabled passengers and PRMs carried to ensure that sufficient trained staff would be available to meet the anticipated needs.

The preparatory work for such a document will initially take a little time. However, if carriers / operators are delivering the requirements of the regulation it should not be a
complicated or taxing task. Indeed, it should form part of good business management in terms of assessing regulatory compliance, good and effective service provision and value for money.

By revisiting this issue of quality standards with carriers and operators we can set out the NEB’s requirements and expectations of what the quality standards should look like. The legislation has been in place now for 5 years so is not new. Quality standards must include an element of how the carrier / operator will ensure they are delivering for it to be meaningful.

Assessing quality standards will be an important function of the port / vessel visits over the summer that we have agreed should take place. Therefore, it is necessary to have an agreed position on what should be included on the quality standards and how they should be presented / made available.

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