

Consultation on the abolition of the Disabled Persons Transport Advisory Committee (DPTAC); and the best option for successor arrangements should DPTAC be abolished (Ref 2012-21)

Results summary - Overview

1. The Department for Transport (DfT) undertook a public consultation on whether the Disabled Persons Transport Advisory Committee (DPTAC) should be abolished and, if so, what successor arrangements should be put in its place. This was required under the terms of the Public Bodies Act 2011 - to review publically appointed bodies in order to improve efficiency, effectiveness, economy and accountability.
2. The consultation ran from 11 June to 14 September 2012. 47 responses were received from individuals, organisations and interest groups representing disabled people, voluntary organisations, central and local government, transport operators, public transport organisations, trade unions and members of the public. A list of those who responded is attached at the end of this document.
3. The document summarises the responses to the consultation. It tabulates the replies, and highlights some of the comments given in response to the questions asked. It does not give the Department's views on the consultation.

Detailed Summary - Introduction

Responses received

4. The forty seven responses received were from a variety of organisations and individuals:

Members of the Public	4
Representative Organizations and Interest Groups	21
Large Companies	2
Local Government	7
Central Government	5
Trade Bodies	1
Voluntary/Community Organisations	3
Trade Unions	3
DPTAC	1

5. The consultation sought views on 6 policy options:

- **Option 1:** Rely on policy divisions within the Department to go out directly to stakeholder groups, the transport industry and experts.
- **Option 2:** A wide ranging panel of experts from which members could be drawn, on an ad hoc basis, when specific advice is needed.
- **Option 3:** Establish a stakeholder forum, which could be convened and provide advice as and when issues arose
- **Option 4:** Rely on a cross-government body such as the Department for Work and Pensions' existing (non statutory) Equality 2025.
- **Option 5:** Implement a combination of a cross-government body (Equality 2025) and a panel of experts.
- **Option 6:** DPTAC continues as a statutory body.

6. The consultation asked ten questions, of which four required respondents to say whether they agreed or disagreed. The responses to these four questions are summarised in the following table.

CONSULTATION QUESTIONS	YES	NO
Q1: Do you agree with the assumptions made in the Draft Impact Assessment?	8	18
Q7: Do you agree with the benefits and costs presented in the Impact Assessment for each of the options?	8	16
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).	16	14
Q10: Do you think that DPTAC should be abolished?	5	27

7. A summary of the views accompanying each of the answers is provided below.

Q1: Do you agree with the assumptions made in the Draft Impact Assessment? (Y/N Please comment, giving supporting evidence).

8. This question sought views on whether or not respondents agreed with the assumptions made in the Draft Impact Assessment, at Annex D to the consultation document. As noted in the table above, 8 respondents agreed with the assumptions made in the Assessment, while 18 disagreed.

9. Those who agreed with the assumptions thought them fair and reasonable and covered all the key points that were needed for a review. However, the responses were qualified:

- all the options, except that to retain DPTAC, removed DfT's statutory duty to consult with disabled people. This was a crucial omission and likely to have a negative impact.
- while the costs seemed reasonable (including the level of remuneration for panel members and Secretariat support) more data on actual spend should have been included.
- a full Equality Impact Assessment should also have been published with the consultation document, to establish the impact on disabled people or the consequential outcomes if DPTAC was abolished.

10. Eighteen respondents disagreed with the assumptions and made the following comments:

- the assessment used budgeted costs rather than DPTAC's actual running costs.
- the consultation overstated running costs by a factor of almost 3 - budgeted costs for 2014-15 were £363,000 compared to current actual costs of £125,000.
- the incomplete costs in the Options did not enable a proper value for money assessment to be carried out.
- the incomplete financial evidence made it impossible to tell if any savings were possible.
- it was incorrect to claim that there were no costs involved in providing DPTAC meetings in DfT premises.
- the consultation took a narrow view of overall costs. Some direct Departmental costs may have been transferred onto other bodies, individuals and groups. A budget of £35,000 was low for running an effective Secretariat.
- the Draft Impact Assessment did not acknowledge the needs of disabled children and their carers, who had specific transport needs.
- it was wrong to assume that the only costs for **Policy Options 1-5** would be secretariat costs, and it was questioned why these costs were stated to be lower than the costs of the current DPTAC Secretariat.

- the Draft Impact Assessment failed to identify costs involved in providing a transport system that allowed disabled people the same travel opportunities as non-disabled people, and the economic and social benefits.
- the "Key assumptions/sensitivities and risks" sections were also incomplete because the risks to forward project planning were not considered.
- the Draft Impact Assessment had not considered the possibility of advice being available from existing consumer panels, such as that set up by the Civil Aviation Authority to look at accessibility, and Passenger Focus.
- the Assessment assumed disabled people were only involved in the early stages of policy development, not in the full process.
- it also undervalued disabled people by assuming that they would provide their time without remuneration.
- little consideration had been given to the impact of losing the statutory duties under the various pieces of domestic legislation, and to whether successor arrangements would be in compliance with the UN Convention on the Rights of Persons with Disabilities.

11. A number of comments were made on the specific options:

Option 1

- the costs and benefits had not been fully explained.

Option 2

- it did not cost the recruitment and maintenance of a panel that may have unconstrained membership, which could mean difficulties in getting the right advice.
- there was a risk that the costs of managing the panel of experts and sub groups would escalate.

Option 3

- there was the risk that transport advice would not be properly considered, resulting in more costs being incurred.
- the option did not attempt to quantify consultancy costs.

- disability needs had not been properly recognised, so it appeared to be a cheaper alternative to DPTAC.

Option 4

- the option did not state how the cost and benefits would arise.
- it did not justify the expected costs of consultants. It risked becoming too expensive and could cost more than DPTAC. There was also the risk that paid consultants might lack objectivity.

Option 5

- this was an expensive option that would not provide any pan-disability knowledge.
- it failed to consider operational and general expenses.
- the costs for establishing and consulting with stakeholder groups were likely to be high and risked some sections of the disabled population not being represented.

Option 6

- the Draft Impact Assessment wrongly assumed that there would be no implications if DPTAC was abolished. DPTAC had proved to be good value for money and it was difficult to see how the alternatives would be better.
- DPTAC's running costs in the Assessment were not reflected in the figures shown in the report on DPTAC's website.
- the stated running costs of other options would be higher than those of DPTAC.
- the consultation did not consider the wider transport needs of disabled people, or the strategic impact on Scottish stakeholders including the needs of disabled travellers between Scotland and the rest of the UK.

12. A number of comments covered more than one option:

- **Options 1, 2, 4 and 5** did not include any inflationary increases and no costings were provided beyond 2014/15.

- **Options 1-5** relied on voluntary contributions and it was questioned whether people would be willing to participate without being reimbursed. There was also a risk of biased advice from lobby groups.
- the proposed bigger membership in **Options 1 and 2** might lead to a lack of commitment if people were not reimbursed.
- there were no assumptions made for **Options 3 and 6**.
- the costs and benefits in **Options 4 and 5** were unclear as the Draft Impact Assessment was based on budgeted costs rather than actual spend.
- the consultation's assumption that there would be no implications for disabled people if DPTAC was abolished and not replaced by another disability - led body was wrong.

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

13. This question related to which of the 6 Policy Options, as set out in paragraph 5 above, provided the most flexibility. The following table shows how many respondents favoured a specific option or combination of options.

Summary of respondents' choices	
Option	Number of responses in favour
1	3
2	3
3	1
4	2
5	4
6	6
<i>Combination of 2 or more Options</i>	1

14. Options 5 and 6 received most support when it came to flexible working but this was not overwhelming. Comments on each of the options are summarised below:

Option 1

- the option ensured continuity while using different means to formulate advice and guidance; it provided the greatest level of flexibility but it was important that stakeholder groups were kept up to date with latest transport issues and that they met at least once a year.

- at the level of individual modes, Option 1 presented the best opportunity for the transport industry and advocacy groups to work together.
- however, the ad hoc engagement offered by Option 1 would lose consistency of interest and thus affect policy development.

Option 2

- this option offered a wide range of experts and expertise on transport and disability.
- combined with Option 1, it provided the best way for the Government to work with stakeholders on specific disability issues and, as a non-permanent body, it would save money.

Option 4

- this option offered a flexible pan-disability approach, while retaining a common core.
- the cross-government body approach could help policy areas to be more joined up, for example transport and health.
- relying on Equality 2025 would not provide consistency or the depth of expertise needed to represent various disabilities.

Option 5

- this option offered the greatest flexibility and ensured that legal obligations were met. However, specific sub groups should be used along with a small overarching advisory body reporting to Ministers and to Equality 2025.
- it provided the greatest level of flexibility for working arrangements and appointments.
- it addressed the concerns about Equality 2025's capacity to take on an increased workload without increased resources, and it ensured representative organisations would be involved according to their expertise.
- the strength of the option was that, as with Option 2, it allowed a broad pool of expertise to be available.

- however, there could be friction and a disparity in levels of commitment if Equality 2025 was a paid body and the transport panel was unpaid - it was not clear how the interaction between the two groups would be managed.

Option 6

This option offered the most flexibility but respondents made a number of suggestions about how DPTAC could be reformed:

- it should be more effective and accountable to disabled people and should be reconstituted to include a performance management element.
- DPTAC should be given the ability to co-opt temporary members for their specific expertise.
- DfT should explore a two-tier structure with a streamlined DPTAC acting as the statutory body alongside a reference group bringing together disabled people, disabled people's organisations and other partners. This would help to develop policy and to share good practice.
- DPTAC should be able to hold additional meetings and to form working groups as required; and it should be permitted to liaise formally with Equality 2025.
- DPTAC's proven record as a credible advisory body justified its retention but it needed a mixture of disabled people, policy makers and industry representatives to be effective.
- DPTAC, as a statutory body, should be focused, prioritising its work on specific deliverables and providing advice on strategic priorities. DPTAC was well placed at a strategic level, where transport interfaced with health, education, communities and local government.
- DPTAC should provide advice not only on the transport needs of the disabled, but also on those with reduced mobility, encompassing physical and intellectual disability.
- its remit should also be widened to include the specific transport needs of disabled children and their carers.

15. A number of more general observations on flexibility were made:

- flexibility should not be the main criteria for judging transport and disability issues. It was not always the right approach, given that some disability issues needed time to be investigated and fully understood. Any decision to replace DPTAC should not be based solely on flexibility. It was more important that the right people were chosen to advise Ministers and that the advice provided was of a high quality, was truly pan-disability and was timely.
- flexibility could be achieved by recognising that no formal structures could meet all needs and that working methods had to be adjusted to meet specific tasks.
- flexibility could only be guaranteed by retaining a statutory advisory body and, with it, the obligation on DfT to consult in a timely way
- all options had the potential to be flexible, but more important was how to achieve outcomes. The Scottish arrangement of a Convenor, 12 members, appointed by Scottish Ministers, and with priorities agreed in a 2-way process of discussions could be a possible model for a successor to DPTAC.
- while flexibility was important, some high level principles should be observed (i) Ministers and officials should receive high quality advice; (ii) the advisory body must have credibility with disabled people and the transport sector; (iii) the Government must comply with duties under the Equality Act 2010 and the UN Convention on Rights of Persons with Disabilities.

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

16. This question related to which of the 6 Policy Options, as set out in paragraph 5 above, provided the most accountability to Ministers. The following table shows how many respondents favoured a specific option or combination of options.

Summary of respondents' choices	
Option	Number of responses in favour
1	1
2	1
3	2
4	2
5	2
6	8
<i>Combination of 2 or more Options</i>	2

17. Eighteen respondents gave views on which option or combination of options they thought provided more accountability to Ministers. The largest number thought that the retention of DPTAC would meet this criterion. Comments in support of the answers are as follows:

Option 1

- this option retained a national approach which linked with DfT's policy remit.

Option 3

- only a statutory body could be truly accountable to Ministers; non-statutory bodies risked information gathered from experts being isolated from policy making and not being considered properly.

Option 4

- this cross-government approach would be accountable to Ministers.
- Equality 2025 could be enhanced by a panel of transport accessibility experts thus adding expertise to cross-cutting issues. The chair of Equality 2025 could have regular meetings with Transport Ministers to ensure accountability.

Option 5

- this option offered a wide range of expertise on transport and disabilities.
- it might lack some accountability to Ministers, when compared to Options 1 or 3, but it could be strengthened as it was imperative that disabled people and their representatives had a voice. Further, DfT officials should become more involved in meetings and they should keep Ministers informed to allow them to take a more direct role if required.

Option 6

- DPTAC's statutory status made it accountable; its current arrangement with Ministers and the fact that it reported directly to the Secretary of State, gave most accountability as was its statutory duty to consider matters referred to the Committee by Ministers.
- it gave Ministers the ability to hold DPTAC to account. Sufficient attention needed to be given to DPTAC's role, remit and governance

so that it would be both more accountable to Ministers, and it improved its communication with disability organizations and with cross-government bodies.

- all the other options were non-statutory and therefore could not be accountable to Ministers.

18. Some respondents commented on more than one option:

- a combination of **Options 1** and **2** were the best way to ensure all key stakeholders could express their views, rather than a selected few as was the case with DETACH
- Options 1 and 3 did not provide pan-disability advice and lacked flexibility.

19. Others made more general comments:

- it was important that any body should have clear responsibilities and worked to agreed terms of reference.
- accountability was a two way process - while Ministers needed good and timely advice, there was an onus on them to understand the needs of disabled travellers.
- accountability depended on how an organisation operated in practice - there was no value in appointing a body that was not accountable to Ministers.
- DfT's budgetary controls should provide financial accountability.
- an advisory body need not be accountable; more important was that, in giving advice to Ministers, it should be independent.

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).

20. Sixteen respondents offered a range of views on why they thought pan-disability advice was important:

- decision makers should have the correct level of information to make strategic and informed decisions, and the impact of decisions taken should be properly understood, especially those affecting the 10%+ of the population that was disabled.
- there were many different types of disability and the potential for conflict of interests should be recognised, making it important that the right strategic choices were made.
- a variety of views was essential to achieving outcomes that met the requirements of the majority.
- representative advice was important because of the large range of disabilities and impairments, and it was important to understand how transport affected these groups.
- advice given should be properly thought out and any successor body should provide pan-disability advice, to prevent poor policies being implemented.
- there was a risk that, with a wider stakeholder membership, the bigger organisations would have the loudest voice, and that paid consultants may not be unbiased.
- there were concerns about how DfT could manage a pan-disability approach – the Department needed to recognise that disabilities were very varied and it was impossible to gather views that were totally representative of all; it was important to have a generalist approach on transport accessibility and a wide engagement process.
- a reliance on DfT policy divisions was insufficient to ensure a pan-disability approach; and if different areas of DfT already had a culture of consulting with specific disability groups, achieving a pan-disability approach would be difficult, even if the successor organisation represented all disabilities.
- vertical integration from the transport user to Ministers should be transparent and open to scrutiny.
- while it was important that a wide range of disabilities was represented, there was a danger of over focusing on specific issues, such as wheelchair accessibility and the promotion of mobility scooters.

21 There were some conflicting views on representation:

- it was important that the views of people with a wide variety of disabilities were represented because there was currently a disconnect between DPTAC and the wider disabled community. An updated website should be created showing which issues were under consideration and inviting views. DPTAC appeared unaccountable and not transparent, and a better two-way channel of communication was needed. It was important to ensure that the advice was representative of disabled people who regularly used public transport in its widest sense. This approach would help to achieve better decision making.
- it was not necessary that a Panel included an individual from each disability group, with the exception of mental health issues, younger disabled people and those with cognitive impairment. These groups had been under-represented and this should be addressed. It was important that the full range of barriers to transport faced by disabled people was understood.
- it was important to ensure that the advice given represented all disabilities. A risk assessment should be drawn up for those disabilities not provided for in transport.
- any Government advisory body should include those who used all modes of transport in both rural and urban localities, including those who did not have the financial resources to remain mobile and independent.
- such a body should also engage with the leading charities that represented specific groups, and also engage on specific disabilities.
- it was essential that advice should be based on experience and expertise across a whole range of disabilities. DPTAC membership should be truly disabled, not "more than 50%", and should include people with hidden impairments, young disabled people, disabled parents and older disabled people.

22. Some of the respondents provided comments on the specific options:

Option 1

- this option failed to ensure advice would be representative of all disability groups and it was a risk to assume DfT policy leads had sufficient expertise.

Option 4

- relying on Equality 2025 did not ensure DfT would receive cross-disability advice, and relying on a single organisation to provide all disability advice was unlikely to address regional concerns.
- it was vital that advice was inclusive, was pan-disability in nature and was concerned about accessible information as well as physical access. Whatever option was chosen, it was important that members had wide knowledge and experience, were able to forge effective links, and that they understood the practical and economic constraints on the transport industry. There was disagreement with the claim in the consultation that it was difficult to achieve consensus across all disabilities and groups. Conflict was more likely if officials consulted different groups separately.

Option 5

- all disabled groups and disabilities were represented by this option. Representation should include equality and cross-disability organisations from the devolved regions to ensure advice was inclusive.

Option 6

- DPTAC's ability to offer advice to the Secretary of State was an important factor. DPTAC should focus on offering advice on mobility for disabled people and, as a body, should be comprised of knowledgeable and creditable disabled people who represented the broader disability community.

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).

23. Twenty one respondents considered that the ability to provide technical advice was important, citing a variety of reasons, including:

- it was essential that transport operators and disability groups worked in harmony for positive outcomes because technical advice was too complex an area for one body to deal with alone.

- there were advantages in having a group that could bring together technical expertise and knowledge of disabilities, and in obtaining and understanding technical advice in order to develop a coherent, fully informed response, for example, automated ramping for wheelchair accessible trains, the technical aspects of rail franchise specifications, and government accountability. An informed understanding of how to resolve issues could help to develop costing options for policy and decision makers.
- it was important to understand technical matters because technical issues could be barriers to accessibility.
- an option to include the provision of technical advice was important as long as the technical basis of the subject was understood; implementation on the ground was best left to local authorities and to contractors.
- the provision of technical advice was important because of the many constraints on vehicle dimensions, and technical issues needed to be considered in the context of any underpinning legislative requirements for the transport industry.
- disabled people's ideas of what would assist them were not always practical, so technical advice was important to ensure that options could be properly assessed. Technical advisors could be drawn from officials and from external stakeholders, who should have an input into any advisory group.
- the widest range of advice was needed on transport technology matters and, while there was some overlap, each mode had distinctive characteristics. It was vital that these were understood and could be commented upon - the need for technical advice would increase as technology advanced.
- DfT was best placed to explain technical matters to stakeholders since some stakeholders might not have the necessary experience.
- the ability to provide technical advice depended on the type of advice being sought. It was important to understand that many elements of accessible transport involved technical aspects and, if these were not properly taken into account, they could impact on policy decisions. Care should be taken to ensure that "wish list" items were technically feasible and cost effective.
- the technical requirements of disabled children were not sufficiently acknowledged.

- DPTAC's strength was the ability of its members to work to achieve outcomes. Advice on technical matters was very important because safety on accessible vehicles and equipment was essential to meet the needs of disabled people and to reduce risks. Positive examples of DPTAC's advice included bus design, the review of the Blue Badge scheme, and advice on the design of mobility scooters suitable for carriage on public transport and the related design of public transport vehicles.
- disabled people with technical expertise should be encouraged to join DPTAC or a successor body – to help to progress transport policy which needed long term thinking. A lack of expert technical advice meant that any serious recommendations might lack credibility.
- DPTAC's ability to source the right technical advice and research on particular issues should continue to be a feature of any future arrangements; DPTAC's technical advice, such as its input into rail research on safety and accessibility at level crossings, access to trains and its input at the design stage had proved invaluable.
- it was important that DPTAC's advice was put into a social inclusion context, as this could help to direct resources more effectively.
- while DfT had a lot of technical expertise, a body with a specific remit would be helpful. Technical advice was important as accessible transport could have high capital costs and long lead - in times.

24. Not all respondents looked favourably on the advice provided by DPTAC. The rail industry, for example, thought that DPTAC's advice was that of a "layman". Technical advice across the transport sector was already available, for example, through the Rail Safety Standards Board, and through the Office of the Rail Regulator. Industry experts were willing to meet with an advisory group to discuss technical issues and their outcomes.

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).

25. Twenty four respondents considered cross-government advice was helpful. Reasons included the following:

- it was important to help to counteract the gaps and grey areas of responsibility between Departments, and it was essential that good communications were in place to deliver feedback, learning and to avoid costly duplication.
- the focus on disability and transport should not be diluted, so a cross-government approach could be helpful.
- transport demand was derived from the need to access a range of services. When formulating changes to transport design requirements, an understanding of the impact of those changes across departments could help to identify any unexpected costs or potential savings. An understanding of national policy was also important; for example, a reduction in support for public transport could lead to increased private car use and congestion, increased road traffic emissions and reduced air quality. All of these were detrimental to public health, reduced independent living and increased social care dependency costs.
- from a social and economic point of view, more readily accessible transport was likely to impact on health and social welfare, and disabled peoples' income levels and ability to purchase travel would affect their employment opportunities.
- Government departments did not appreciate how improved mobility could impact on their objectives.
- the link between transport and the economy was vital as it affected policies and services on health, social care, employment, education and skills. Social inclusion was the key outcome in running accessible transport.
- proper advice was necessary to allow government policies and the providers of transport services to meet their accessibility obligations. There was ample evidence to show that inaccessible transport was a major factor in excluding disabled people from accessing work, healthcare, culture, sport. Government departments should take more account of how improving transport could help to meet the overall objectives of the Equality Strategy.
- cross-government advice was a very important area in which the Government in general and the DfT in particular needed to improve. It was important to understand the implications that transport had on health and recovery, and on social care. DfT needed closer links with other departments including the Department for Health.

- it was important to recognise that access to transport was not an end in itself.
- a cross-government approach would enhance the aims of the Equality Act 2010 and the Public Sector Equality Duty.
- cross-government advice was essential if the Government's aspirations for the disabled, in line with its Disability Strategy were to be achieved. It was important to understand the purpose of travel and how a lack of transport affected the employment, training, and education prospects of disabled people, and their access to healthcare. It also increased the risks of poorer health and a loss of independence.

26. Support for cross-government advice was not unanimous. A number of transport operators claimed that:

- the provision of cross-government advice was of little importance or unnecessary for transport issues.
- it was not particularly important from a rail industry perspective; the remit of cross-government advice was too broad and specific actions should be targeted for each sector.
- it was not essential for health and social issues to be considered . The principle transport issue was how disabilities could be catered for on mainstream or specialist transport (i.e. vehicle design), not how it was paid for. Cross-government advice might be unnecessary on transport issues but it was important to retain a specialist group to support the aim of fully accessible transport.
- the relationship between transport, health and social care for disabled people was well known, and was reflected in household surveys and Government statistics. It was important that, whichever option was chosen, such links should be recognised in strategic and business planning.
- if advice was delivered through a large Committee, it could become unwieldy and confusing, and technical expertise could be lost in such a broad remit. There was also the risk of it not being of the quality and value required by DfT Ministers.

27. A number of comments were made regarding the specific options:

Option 1

- appropriate stakeholders could be used to discuss specific issues. This could also help with wider stakeholder engagement and with discussions beyond the transport sector.

Option 4

- on its own, this option was inadequate as it lacked transport expertise.
- if Equality 2025 was to give strategic and practical advice, it would need technical support so there might be consultancy costs.
- at the moment, Equality 2025 was too generic and lacked specialist knowledge and expertise.
- transport and disability issues were very specific and a cross - government approach as in option 4 could lack focus and create a situation where no particular Minister was accountable.
- nevertheless, there was scope for more effective links to bodies such as Equality 2025, and a concordant could be agreed between whatever option was chosen and Equality 2025, to ensure that transport disability issues were to the fore.

Option 6

- DPTAC already had a proven ability to consider cross-government advice, and only a pan-disability group could provide advice to a range of Departments.
- DPTAC's transport industry members had been successful in providing solutions for bus access for disabled people and on other transport industry matters and it would be a significant loss of technical expertise and advice if DPTAC was abolished.
- it was important that a recognised body advised DfT and other Government departments; the retention of DPTAC was therefore the best option. Transport and related policy areas were complex and were not all devolved; both formal and informal advisory mechanisms were therefore important.
- Equality 2025 and the Government Equality Office already provided cross- government advice, but specific advice on transport was needed in view of the 20% of disabled people who faced disadvantages when

using transport. A formal link between DPTAC and Equality 2025 was the best approach.

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).

28. This question sought views on the benefits and costs set out in the draft Impact Assessment at Annex D to the consultation document. As noted in the table at paragraph 6, eight respondents agreed and sixteen disagreed. For the most part, the comments duplicated those provided in Q1.

29. Respondents who agreed with the identified costs and benefits made the following observations:

- the assessment of the benefits seemed reasonable but, at the same time, there was a risk of not obtaining full, accurate and timely advice.
- involving disabled people in issues that affected them was not articulated as a key benefit.
- wider stakeholder involvement would bring benefits.
- convening advisory groups only when required could mean that they were unfamiliar with DfT's wider strategy.
- the cost of recruiting experts was not quantified and there was a risk in assuming that experts would give their time "pro-bono".
- there were discrepancies within the Assessment concerning the options, and some of the costs were not accurate; cuts to some costs and some risks had not been taken account of.
- a small group of people could cover pan-disability issues provided they had the necessary knowledge and expertise.
- the inclusion of transport operators as members of an advisory group might involve a conflict of interest as accessibility provision was a cost to them.

30. Those respondents who disagreed with the costs and benefits made the following comments:

- the quoted DPTAC running costs were inaccurate. Budgeted costs rather than the actual running costs had been quoted, and the savings of £500,000 if DPTAC was to be abolished were four times the actual running costs. These were based on costs for financial year 2011/12 and forecasts for 2012/13. As well as overstating DPTAC's running costs, the consultation failed to recognise that it had saved money for the transport industry over the years via its advice on technical issues, which ensured that the wrong designs were not brought into service.
- the stated savings of £500,000 if DPTAC was abolished were clearly incorrect. There was also a discrepancy with the Secretariat costs.
- the costs quoted were unrealistic if technical expertise had to be bought in and if members' time and time taken to obtain information was not properly considered. Further, it was important that DfT made the best use of internal expertise and made the most cost efficient use of the Secretariat resources. DfT's failure to make best use of DPTAC should also be addressed
- the cost implications of each option needed further work. None of the options would provide affordable independent pan-disability advice. The Consultation document suggested that DPTAC was not accountable to Ministers but did not substantiate this claim.
- there were no detailed costs for the options and the Draft Impact Assessment should be rewritten with more accurate costs for the options and for DPTAC's running costs.

31. A number of comments were made on the specific options:

Option 1

- stakeholder/official consultation already went on but it was not an adequate replacement for DPTAC. It was not correct to state that this option would incur no costs given that more DfT time and resources would have to be used. Further, it was wrong to assume stakeholders, the transport industry and other experts would provide advice without remuneration. There was also a risk that official's lack of knowledge might also affect their ability to know on what to consult.

Option 2

- this option did not specify who would manage stakeholder participation which risked some groups being excluded.

- the option was not realistically costed; the wrong secretariat costs were quoted and no cost were given for the provision of expert advice. The option also depended on officials knowing when advice was needed and which panel members with the right qualifications and skills would be needed. There was no suggestion that the panel of experts or sub groups would meet face to face to work together.

Option 3

- this option risked being too generalist with some issues not being properly considered. There was also a risk of issues not being properly considered if members left or failed to attend meetings.
- only secretariat costs had been identified but there were no costs given for forum meetings. Forum members should be drawn from a wide geographical spread so it was not too London focused. The Forum was likely to be reactive and not independent.
- this option would not necessarily mean less pan-disability advice but DfT should require representatives to spend a set number of hours per month on the role and any reduction in the number of meetings would have a negative effect. It was suggested that 80% + of group members should be disabled.

Option 4

- pooling information was likely to be beneficial but no chain of responsibility had been identified, which risked some disability issues being overlooked.
- specialist advice would not be offered by this option. However, an effective working relationship and concordat could exist with Equality 2025.

Option 5

- relying on individual policy divisions within the DfT to liaise with stakeholder groups directly could result in many different methods and stakeholder groups being established while risking some groups being overlooked.
- there were concerns about the costs, remuneration and expenses involved with this option. The quoted costs of the Secretariat were disputed and,
- under this option, the panel was likely to be reactive and there was no suggestion that members would meet face to face.

Option 6

- there were concerns about the consultation document's assumption that disabled people would not be paid for their time and expertise. Relying on unpaid advice was likely to result in poor quality advice and would not reflect the needs of disabled people as a whole. The Impact Assessment also failed to consider the impact of DfT's ability to obtain strategic advice on a regular basis. The monetary benefits of DPTAC had been underplayed and there was no recognition that DPTAC had saved the transport industry a lot of money through its advice.
- there were many other potential costs and benefits that could have been considered. The evidence was insufficient to quantify the costings presented in the Impact Assessment.
- the Impact Assessment did not address the most important benefit, the legal and moral obligation to involve disabled people in transport decision making.

32. Some of the respondents made comments covering a number of the options:

- the risks relating to **Options 2, 3 and 5** should include the fact that disability groups have been affected by the economic downturn and may not have adequate resources to research and advise on issues.
- there were discrepancies in the summary sheets for Options 1, 2 and 3, for the Secretariat costs, and it was not clear whether incurred travelling expenses had been included in the DPTAC costs.

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

33. The following table shows how many respondents favoured a specific option or combination of options

Summary of respondents' choices	
Option	Number of responses in favour
1	0
2	1
3	0
4	2
5	7
6	7
<i>Combination of 2 or more Options</i>	8

Options 2 and 3 were disregarded and only one respondent was in favour of option 2. Of the options presented, the majority of respondents favoured option 5 (a cross- government body and a panel of experts) or option 6 retention of DPTAC. The largest number of respondents favoured a different combination of options but there was no consensus.

34. Comments on the specific options or combination of options are set out below.

Option 1

- this option could result in increased costs if DfT needed national charities to work on specific issues.
- it would be unreliable for pan-disability advice.
- it would not be viable as a standalone option
- it would not allow the panel to be proactive. DPTAC's strength was the ability to set its own agenda.
- it would depend on DfT building a team with disability expertise, with sufficient independence while not relying on outside experts. There was no guarantee that DfT could maintain such a team.
- in both this option (and option 2) DfT would have too much influence and the use of experts could be too selective.

Option 2

- this option failed to show how pan-disability advice would be properly considered, and represented a risk that the largest groups would have the loudest voice to the disadvantage of smaller groups.
- the proposed group of interested parties would be too big and unwieldy.
- the reliance on policy leads was a weakness as they were not "experts by experience" and the gap between DfT and stakeholders would be too wide.
- it would create a standby advisory group. It was essential to have an independent statutory body, whose members had a wide range of knowledge, experience and skills (including personal experience of mobility problems) operating as a standing committee, with direct

access to Ministers and senior officials. Such a body should have the ability to both advise and to campaign on mobility and transport for disabled people.

- the option was inadequate to address the transport needs of disabled people. Who would decide when ad hoc advice would be needed?

Option 3

- this option would prevent a stakeholder group from being proactive. DPTAC was already a stakeholder body and had the advantage over this option. DPTAC could regulate its own affairs, and had a proven record of originating its own ideas and proposals and it was designed to consult on specific issues only.
- the proposals' weakness was that the DfT had few staff with the necessary specialist knowledge of disability issues and it no longer had a point where disability policy was co-ordinated.
- the claim that the link to cross-government policy areas was beneficial did not justify how pan-disability advice could be improved.
- it was important to understand the barriers faced by disabled people rather than focus on ensuring all disabilities were represented on a panel; any replacement body should keep the ability to represent disabled people and that this must be reproduced in legislation.

Option 4

- this option gave a pan-disability view, was accountable to Ministers, was a significant cost reduction and it would make best use of existing expertise, with Equality 2025 being able to provide long term coverage.
- The proposal for a statutory body, answerable to Ministers, would have no powers to lobby or comment on specific issues.
- Equality 2025 did not have the necessary transport expertise.
- it had the potential to create conflicts of interest, whereas transport and disability needs should be represented by a discrete, statutory body.
- it did not guarantee that transport and disabilities would receive due prominence.

Option 5

- it would promote a collaborative approach between users and providers.
- it was the most comprehensive option because its use of a consistent direct link with stakeholders was the best method of ensuring ideas and impacts were discussed. The use of multiple working groups ran the risk of some minorities not being fully represented, or being able to respond appropriately..
- it was the most comprehensive as long as its specification was not changed. It was Important that disabled people and the transport industry was fully informed of the intentions and of work to be undertaken.
- in addition, the provision of additional information through a consistent direct link with stakeholders would enable ideas and impacts to be discussed which would help to prevent poorly thought out and wasteful projects or decisions. This would risk undermining the robustness of the decision making process.
- it provided no information on how a panel of experts would be used. Further, it did not recognise the ongoing difficulties that the disabled faced when using transport.
- it was better to be on a panel of experts rather than being involved on an ad hoc basis.

Option 6

Those respondents in favour of **Option 6**, i.e. retaining DPTAC, qualified their answers:

- DPTAC should be more flexible and have amended terms of reference. It would be crucial to have the ability to resolve conflicts. The size of the Committee, working groups and the use of technical advisors needed to be considered.
- DPTAC should be more accountable to a wider disabled community.
- it was vital that DPTAC's status as a statutory body should be retained. Anything else would dilute the representation of disabled people. Other wider stakeholder events for specific discussions would be well received but should not be at the expense of a statutory advisory body.

- DPTAC should be reformed so it could carry out its statutory duties more effectively and be more accountable.
- how DPTAC could be made more effective within new financial constraints should be the question under consideration.
- its membership could be kept to a minimum of 12 and reviewed every 3 years because DPTAC had offered good advice, value for money and had provided a range of experience. It was even handed, independent and was respected by the industry and by disability groups, and was run on relatively low fixed costs. DPTAC brought together all expertise and provided a comprehensive package to improve and promote change.
- permitting DPTAC to be more flexible with the ability to co-opt more members would mean increased costs. It should also be acknowledged that people gave their time and expertise voluntarily.
- the best option would be to have a body with a minimum of 12 people, the majority being disabled, and with transport sector expertise under an independent Chairman.
- DfT could consider "privatising" DPTAC so that its advice was paid for on a task by task basis. This would help to reduce current costs and allow it to do other paid work and be more autonomous.
- apart from the retention of DPTAC, none of the other options proposed a statutory body. This risked slower progress being made on accessibility. Disability organisations might press for statutory status for any successor body.
- all of the alternative options would be less effective than retaining DPTAC; this option was the best and only realistic option, given DPTAC's role in achieving many transport and related attitudinal improvements.
- any successor body should be required to offer pan-disability advice. None of the successor options offered the same opportunity to advise on policy at an early stage as was the case with DPTAC. Any non-statutory body would be unlikely to be as accountable to Ministers as DPTAC.
- DPTAC's current weakness was that it did not provide a cross-government understanding of the travel and transport difficulties faced by all disabled groups.

- DPTAC should work more closely with Equality 2015 and DfT policy leads.
- it would be better for DfT to consult on reforming DPTAC rather than on abolishing it
- **Options 1 to 5** on their own did not offer an effective successor to DPTAC. DPTAC's statutory remit should be revised to make it less restrictive. A non-statutory specialist body that combined elements of some of these options and which preserved the best elements of the existing Committee might also provide an alternative to current arrangements. Safeguards built around the implementation of both of these options could ensure both cost effectiveness and that Government received the best possible advice. The terms of reference for any future body should include mechanisms that ensured engagement with similar bodies in devolved administrations, including IMTAC, and important bodies such as Equality 2025.
- **Options 1 to 5** also reduced the quality of consultation and were not capable of providing quality support on disability and transport.

35. A number of alternative combinations of options were also put forward. These are reported on under Q9.

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).

36 Sixteen respondents provided views or comments in answer to this question:

- the bus and coach industry had always been willing to work with disability groups for positive outcomes, whereas DPTAC sometimes only concentrated on physical accessibility issues.
- DPTAC could only function with DfT support and this contrasted with the example of the Rail Industry Cycling Group, which demonstrated that the industry could bring together relevant parties to provide Ministerial advice on modal issues. The Association of Train Operating Companies could take responsibility for rail and disability issues, if centrally funded, and this would help rail operators to fulfil the requirements of European passenger rights legislation.

- the chosen option must be disability led and representative of a wide range of disabilities. In Scotland, the MACS arrangement of a Convenor and 12 members, appointed by Ministers, could be considered as a model.
- a range of methods could be used, for example, expert panels, stakeholder forums and local focus groups. This should not be a "one size fits all" exercise.
- an advisory body should be of sufficient size, and incorporate a range of disability and elderly stakeholder opinions but should have the flexibility to co-opt other expertise, including on transport issues. The Northern Ireland Memorandum of Understanding with the Inclusive Mobility Transport Advisory Committee was a possible model for a successor arrangement.

37. A number of alternative combinations of options were also put forward:

- **Options 1 and 4**, with a panel of experts, meeting at least 3 times per year and with a Minister once a year to de-brief. The remit could include looking at related health and social care issues which would help to promote discussion at the strategic level.
- **Options 1 and 6** would be a practical and cost effective way forward.
- a combination of **Options 2 and 3** could be implemented with stakeholders carefully chosen from a broad range of disabled people (but transport operators excluded), and the statutory duty to consult retained. Small working groups would ensure it was more accountable to a wider disability community communications improved.
- a combination of **Options 3 and 5** and a stakeholder forum working with Equality 2025 might also work with some adjustments. It was important that an advisory body was pro-active, and also represented transport and disability issue in the devolved administrations. The remit should be wider than just public transport and it should also be transparent.

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

38. As noted in the table at paragraph 6 above, only five respondents were in favour of the abolition of DPTAC and twenty seven against. Of those in favour of abolition, the arguments were that

- DPTAC's role was too narrowly focused on Parliament and it did not have a high enough profile.
- it was better to work with the various disability groups directly rather than through a representative body.
- DPTAC's advice on rail was based on opinion not expertise.
- the opportunity should be taken to strengthen the disabled voice on transport policy and legislation. Costs should not be the overriding factor in reaching decisions - transport design and practice must be inclusive of all disabled people, older people and people with reduced mobility.
- abolition would lead to a loss of focus, expertise and direct interface with DfT. DPTAC could be reformed to act for disabled people across all age groups.

39. Of the twenty seven respondents who did not agree that DPTAC should be abolished, the following supporting comments were made, and should be read in conjunction with those made in response to Q8:

- none of options presented were as effective as DPTAC.
- DPTAC had achieved a lot for the disabled, including advice on the creation of shared space, its contribution to the development of the Public Service Vehicle Accessibility Regulations, advice on improved access at rail stations and advice on the implications and benefits of Aviation Regulation 1107.
- DPTAC's contribution had helped to revolutionise the transport industry's approach to disability. It should be retained because a powerful, independent voice was needed on disability issues.
- it would be more appropriate to review its future as a statutory body after 2020 when buses, coaches and rail had to fully meet accessibility regulations.
- DPTAC should be retained and financed across Government and by the transport industry.
- the suggested replacements for DPTAC would not have the necessary skills, expertise and impartiality. Further, feedback from other organisations showed that there was no appetite to take on DPTAC's role.

40. However, a number of the respondents in favour of retaining DPTAC considered it should also be reformed, restructured or streamlined so that it was more accountable, and more flexible, and able to provide more technical expertise:

- if DPTAC was abolished it should be replaced by another statutory body.
- DPTAC should be reformed with a minimum of 12 people and an independent chair.
- DPTACs remit should encompass issues related to the elderly and those with reduced mobility.
- its focus and direction needed to be prioritised at a cross-Government, strategic level.
- representation on DPTAC should be extended to include the Unions
- it should be more responsive to disabled people's priorities across the whole spectrum of disabilities and long-term health conditions, and should work in partnership with other bodies and organisations
- there was a big difference between the individual interests of member organisations and the strategic interests of DPTAC as a whole – there was concern that this distinction could be lost and transport policy became the privilege of those who had the means to make their voices heard.
- DPTAC had provided excellent guidance over the years but in the current economic situation a new approach should be considered.

41. Some more general comments were also provided:

- the statutory duty to consult with disabled people should be retained. Policy options that favoured using members on an ad hoc basis when advice was required gave rise to concern. An advisory group should be able to provide on-going advice otherwise there would be a risk that transport provision for disabled people fell behind. DPTAC needed to be reformed to become more expert and focused more on non- rail transport modes. If abolished, the replacement body should have a status within Government that gave confidence to disabled people.

LIST OF THOSE WHO RESPONDED TO THE CONSULTATION

Chamber of British Shipping (Ferry & Cruise Panel)
Sir Bert Massie CBE
Rogan Keown
Graham Sutton
Disability Wales
Disabled Motoring UK
Hackney Community Transport
C2c
Heather James
Nexus Tyne and Wear Passenger Transport Executive
John Howard Norfolk
Christine Court
Mobility and Access Committee for Scotland (MACS)
Passengers' View, Scotland
Passenger Focus
ATOC Ltd
Nottingham Disabled Persons Movement
Hampshire County Council
Trades Union Congress
National Federation of Shopmobility
Railfuture
Newlife Foundation for Disabled Children for Disabled Children UNITE -the union
Local Government Association
Transport for All
Mental Health Action Group
Inclusive Mobility Transport Advisory -Committee (Northern Ireland) (IMTAC)
British Air Transport Association
Essex County Council
Diverse Cymru
Angel Trains Ltd
Guide Dogs
Transport for Greater Manchester
Department for Regional Development, Northern Ireland
London Travelwatch
Disabled Persons Transport Advisory Committee
Assist UK
Chartered Institute of Logistics and Transport (UK)
Real Time Information Group
Options for Independent Living (Transport)
Office of the Rail Regulator
Disability Rights UK
Leonard Cheshire Disability
Midlands TUC
Transport for London
National Union of Maritime and Transport Workers

