

# Rights and Duties



**REAL**  
REAL Passenger REAL Person

  
Department  
for Transport

# Legal and Regulatory Framework

Regulation (EC) 1107/2006 concerning the rights of disabled persons and persons with reduced mobility (PRMs) when travelling by air (applies to both airlines and airports)

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ECAC Doc 30, Part 1, Section 5

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Human Rights Act 1998

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Equality Act 2010

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Consumer Rights Act 2015

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Air Carriers Access Act

**Continued**

CAA Guidance on Quality Standards under Regulation  
1107/2006 (CAP 1228)

CAA Guidance for airports on providing assistance to people  
with hidden disabilities (CAP 1411)

CAA Guidance for airlines on assisting people with hidden  
disabilities (CAP 1603)

Civil Aviation (Access to Air Travel for Disabled Persons  
& Persons with Reduced Mobility) Regulations 2014

ICAO Annex 9, Chapter 8 H

# Legal Rights in Brief

The Equality Act 2010, which applies to **airports only** not airlines, creates specific legal rights for people who meet its definition of being disabled. This includes people with mobility impairments, mental health and other long-term health conditions, autism and dementia.

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Regulations make clear that for airports and airlines there are duties to provide assistance to people who are disabled or who have difficulty moving around (‘persons with reduced mobility’) when they fly to, from and within Europe.

# Definition of Persons with Reduced Mobility (PRMs)

**‘Any person whose mobility when using transport is reduced** due to any physical disability (sensory or locomotor, permanent or temporary), intellectual disability or impairment, or any other cause of disability, or age, and whose situation needs appropriate attention and the adaptation to his or her particular needs of the service made available to all passengers.’

Who is a PRM?  
**Anyone who says they  
need assistance**



# PRM Legal Rights in Brief

People requesting assistance do not need to be permanently or physically disabled to benefit from this service. In fact, anyone who has difficulty moving around, for example because of their disability, age, pregnancy, or temporary injury, can receive help when they fly.

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Assistance may include help when travelling through an airport, boarding or disembarking an aircraft and during a flight.



# The Airport – Duties

The managing body of the airport has duties under regulation (EC) 1107/2006 and is responsible for:

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Agreeing and equipping designated points of arrival and departure in consultation with PRMs.

Continued

Providing assistance to PRMs, direct or under contract.

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Agreeing a PRM charge with the Airport Users Committee that is ‘reasonable, cost-related and transparent’.

.....

Setting and publishing quality standards for assistance.

## Continued

Ensuring that all personnel, including those employed by subcontractors, receive initial and refresher disability-related training in accordance with European Civil Aviation Conference guidance.

# Special Assistance

The right to assistance includes:

Assistance from the point of arrival (e.g. long-term car park or rail or bus station)

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The passenger's journey through their departure airport

Continued

Boarding the aircraft and during the flight

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Disembarking the aircraft

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Transferring between flights

.....

Travelling through their destination airport

# The Airline - Duties

The airline cannot refuse to carry a disabled person (PRM) with a valid ticket, unless they are:

Unable to meet the safety requirements.

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Unable to fit into the aircraft cabin (relevant to small aircraft only).

Continued

The airline must:

Carry recognised assistance dogs in the cabin, subject to national regulations.

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In addition to medical equipment, carry up to two pieces of mobility equipment per disabled person on board the aircraft, including electric wheelchairs (subject to advance warning of 48 hours and to possible limitations of space, and the application of relevant legislation concerning dangerous goods).

**Continued**

Communicate essential information about a flight in accessible formats.

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Make all reasonable efforts to arrange seating to meet the needs of individuals with reduced mobility.

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Assist a disabled person in moving to toilet facilities if required.

# General Duties - Complaints

PRMs can bring a complaint to the **airport or airline**, to an **alternative dispute resolution body** if the airport or airline has a contract with one, or to the **national enforcement body (the CAA)**.

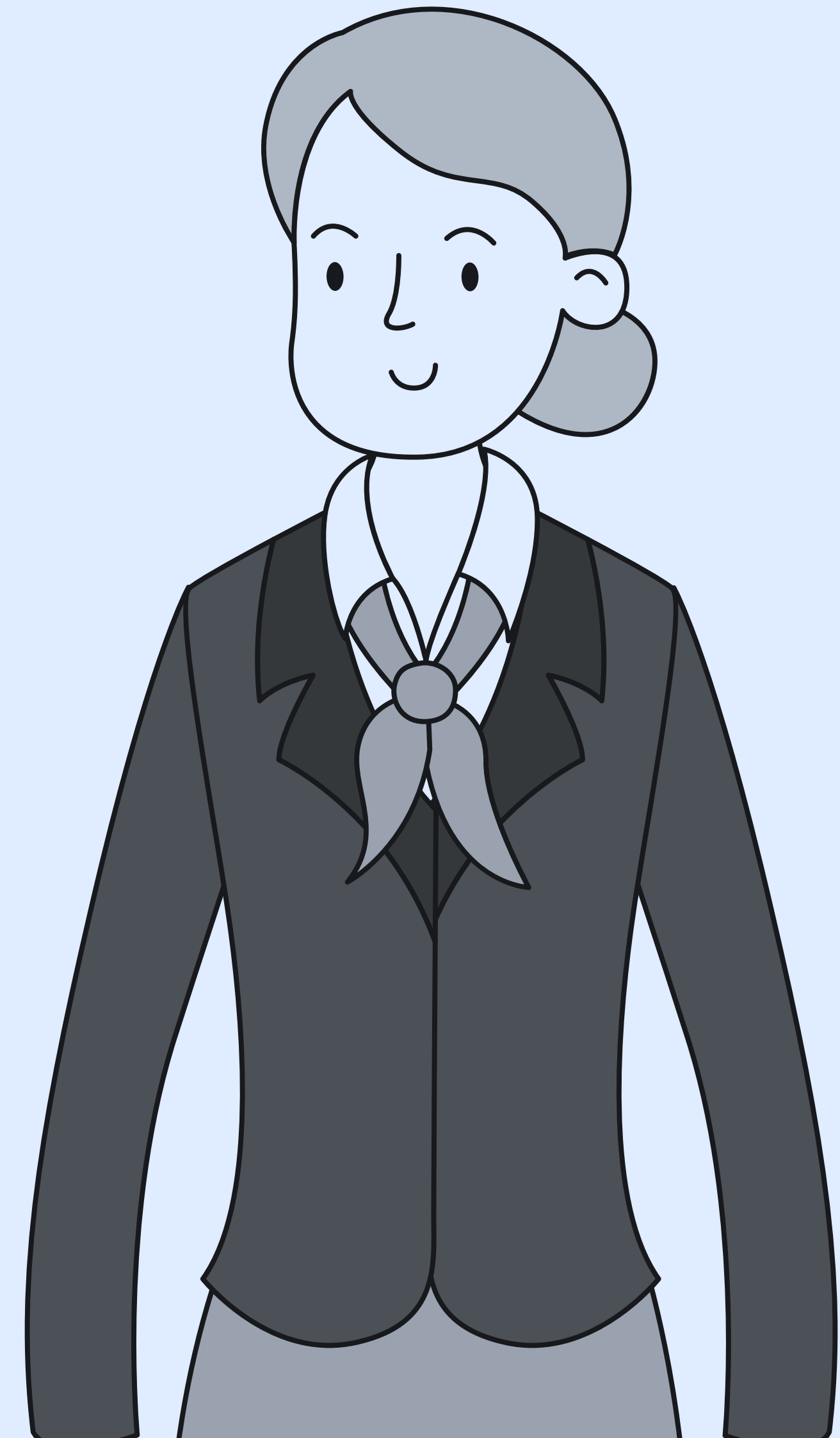
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The CAA has enforcement powers and can impose penalties for non-compliance against airports or air carriers.

# General Duties - Staff Training

Airports and airlines must:

Ensure that all their personnel providing direct assistance to PRMs, including those employed by any subcontractor, have knowledge of how to meet the needs of people with various disabilities or mobility impairments.



**Continued**

Provide disability-equality and disability-awareness training to all their personnel working at the airport who deal directly with the travelling public.

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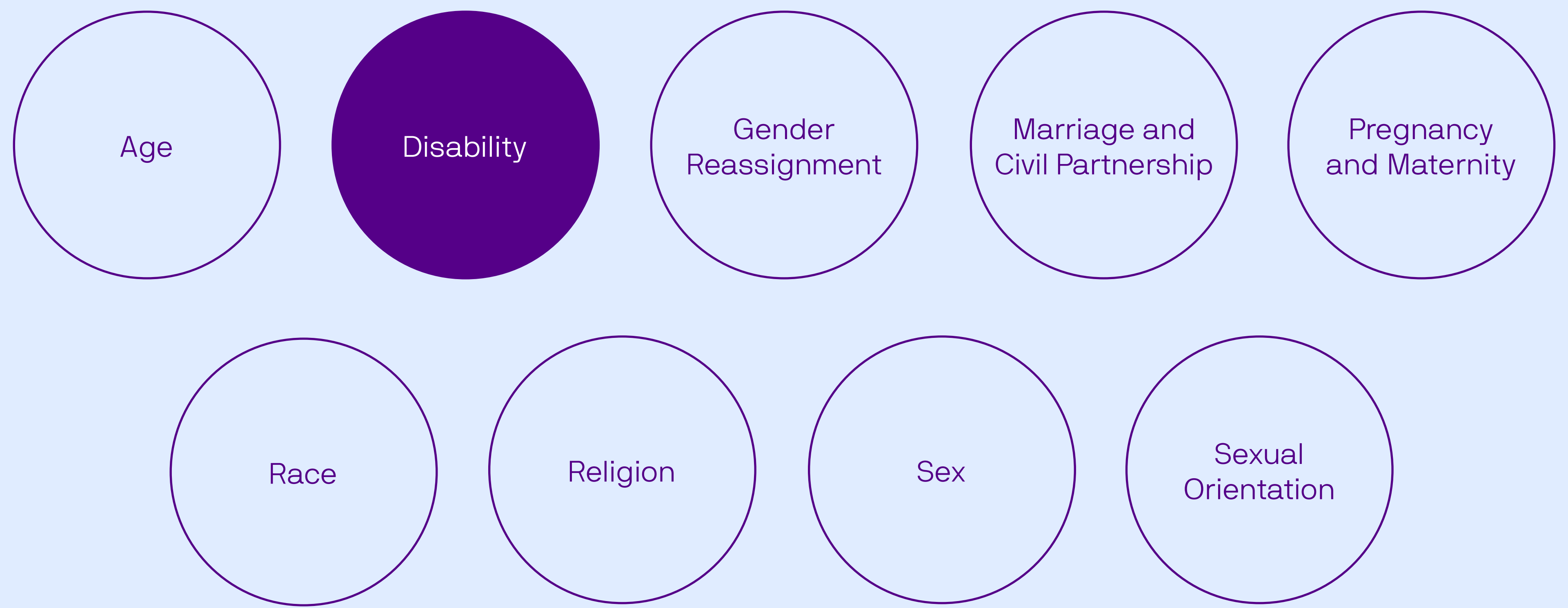
Ensure that, on recruitment, all new employees attend disability-related training and that personnel receive refresher training courses when appropriate.

# Human Rights Act 1998

# Consumer Rights Act 2015

# Equality Act 2010

# Equality Act 2010



# Equality Act 2010 - Definition of Disability

Anyone with ‘a physical or mental impairment that has a substantial and long-term negative effect on their ability to do normal daily activities’.

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‘Substantial’ means more than minor or trivial.

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‘Long-term’ means it has lasted or is likely to last more than 12 months. Terminal conditions are automatically covered, as are many fluctuating conditions, where symptoms may vary but are likely to recur.

# Equality Act 2010 - Hidden Disabilities

The CAA has taken a strong interest in recent years in the experiences of people with hidden disabilities, including but not limited to those with autism-spectrum conditions, dementia, mental health conditions and long-term health conditions.

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The CAA expects to see passengers with hidden disabilities treated with an appropriate level of care by all airlines and airports.

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The CAA guidance makes clear that airports and airlines need the right procedures in place to assist such passengers.

Continued

Airports should:

**Provide training** to all staff (including security staff) on hidden disabilities, as well as training to cover communication techniques.

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**Provide clear and detailed information for people with hidden disabilities before they travel;** this will help with overall familiarisation of the airport environment and help ease anxiety and stress.

Continued

**Communicate** using a combination of **accessible** videos, photos and pictures of airport processes.

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**Offer the option of wearing a lanyard, bracelet or other suitably designed aid** provided by the airport to ensure they are easily identified by staff and can get the assistance they need.

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**Provide a quiet area** to wait for flights and quiet routes through the airport, for example bypassing the retail area.

Continued

**Use clear images and audio messages** throughout the airport to help passengers find essential points such as toilets, quiet areas and assistance points.

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**Never separate a person with a hidden disability from a parent/friend/accompanying person during a security search.** Security staff must explain prior to the search what screening will take place and make any necessary adjustments.

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**Consider facilitating ‘familiarisation visits’ or open days** for passengers prior to travel to help them experience the airport and aircraft environment.

# Continued

Airlines should:

Have a **clear and accessible pre-notification system** in place, allowing passengers to request special assistance at the point of booking.

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**Share information** about a passenger’s assistance needs within their own organisation and with the airport and ground-handling agents.

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Ensure a passenger with a hidden disability is seated with a travelling companion **at no extra cost.**

Continued

Invest in **good-quality training for staff** so hidden disabilities can be identified and passengers assisted accordingly.

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Ensure passengers with hidden disabilities are looked after **in the event of flight delays and cancellations.**

# Discussion

In pairs (if possible with one person from an airline and the other from the airport) discuss:

Are the measures that have been put in place helpful to people with hidden disabilities?  
.....

How well do you think you are doing?  
.....

Is there more that can be done by the airport/airline?  
.....

Are there ways in which there could or should be closer liaison between airline and airport on this issue?

# Finally

Airports must not discriminate. They must:

Not refuse or terminate a service on the grounds of a protected characteristic.

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Ensure provisions, criteria and practices do not disadvantage anyone on the grounds of a protected characteristic, unless justifiable.

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Provide ‘reasonable adjustments’ to enable access to services for disabled people facing a substantial barrier.

# What changes are ‘reasonable’?

How practical is it to make the change?

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What is the cost?

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What is the impact on other service users?

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What are the organisation’s resources?

Continued

Is financial support available to help make the change?

.....  
Reasonable adjustments to the provision of services are both anticipatory and individual.

# Civil Aviation Authority

## (Access to Air Travel for Disabled Persons and Persons with Reduced Mobility) Regulations 2014

Gives CAA powers (and duty) to enforce breaches of Regulation 1107/2006.

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CAA can:

- Issue an enforcement order against an airport or airline.
- Bring a case to court in the event of continued non-compliance.

Fines are unlimited.

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A PRM can claim infringement of rights, and damages awarded can include compensation for ‘injury to feelings’.

# US Law

Air Carriers Access Act, Part 382 applies to all US carriers and all carriers on US code share.

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**Unlike in European law, responsibility for assistance is with the airline, not airport.**

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There is no direct authority over non-US airports, but airlines must ensure that service levels at airports meet US standards, for example level boarding, availability of animal relief areas (landside and airside).

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Also note that under US law, PRMs cannot be asked to pre-notify  
But must be offered pre-boarding ahead of all other passengers.

REAL

Respect

REAL

Empathise

REAL

Ask

REAL

Listen

REAL Passenger REAL Person



Department  
for Transport