



Disability Council NSW

**Response to Transport for NSW
Disability Action Plan 2012 - 2017**

September 2012

Introduction

The Disability Council NSW ('the Council') is the official advisory body to the NSW Government on disability matters. Established under the *Community Welfare Act 1987* its key responsibilities under the Act are:

- Advise the Government on policy, programs and services relating to disability.
- Raise community awareness about people with disability and their aspirations.
- Promote participation of people with disability in all aspects of the community.

The Council consists of a diverse group of 14 people with broad expertise in disability issues appointed by the NSW Government.

The Council welcomes the opportunity to provide input into the Transport for NSW Disability Action Plan (DAP). The Transport Master Plan and the Transport for NSW DAP provide a landmark opportunity to improve the citizenship of people with disability in New South Wales. This submission highlights the key recommendations identified by the Council as areas for improvement in the DAP for consideration by Transport for NSW.

Council's recommendations correlate with the Deputy Director-General's six critical issues outlined in the letter of 9 August 2012 to the Council:

- building a transport network that is accessible and increases compliance
- reducing transport disadvantage for people with disability
- improving journey experience
- developing effective engagement with people with disabilities
- forming partnerships with local government and other stakeholders to improve accessibility across the journey
- establishing a significant employment program for people with disability across transport providers

The Council would also recommend adding a seventh critical issue, reflecting the need for Transport for NSW to undergo an organisational shift to embrace an "access culture".

The importance of transport to the citizenship of people with disability in metropolitan and regional NSW cannot be underestimated. Without transport to link people from their home, their citizenship is severely curtailed whether it is for employment, volunteering, education, access to medical services, or to fulfil their lives through arts, sport and tourism. Currently, people with disability living in NSW are severely curtailed in their citizenship because of

the lack of truly accessible transport systems or because of the extra cost of paratransit systems (referred to in the DAP as direct assistance and equivalent access). The DAP has a strategic nexus in linking disability and access to the overall Transport for NSW Master Plan and seeking to create an access culture within Transport for NSW. Transport for NSW has the opportunity to move beyond "catching up" with best practice to leading world's best practice. We hope that the following observations provide an opportunity improve the impact of the DAP for people with disability in NSW.

Vision for an accessible public transport system

While the DAP is not necessarily a visioning document, there should be an underlying aspiration within the DAP that works towards a vision for accessible public transport and what it can achieve for people with disability living in NSW. Given also that the *UN Convention on the Rights of Persons with Disabilities* (the Convention) is moving into a monitoring phase that seeks to assess the relative improvement in citizenship¹, it is timely that Transport for NSW is bold in the formulation, implementation and monitoring of the DAP. What is the vision for an accessible transport system in 20 years time? The DAP identifies a number of guiding principles but these are limited by a lack of vision. While 'direct assistance and equivalent access' are important components of the current transport system, the Council would seek a more innovative and broad vision which looks beyond the current limitations of the transport system and which is ultimately underpinned by the Convention.

Looking forward, Council also expects that the *National Disability Strategy* (NDS), the proposed *National Disability Insurance Scheme* (NDIS), and the NSW Government's commitment to a person centred approach to disability services commencing from July 2014, will unleash significant latent demand that exists for the 19.4% of people in NSW living with disability² seeking to access the transport system.

In light of these transformational changes, currently being implemented, the Council would encourage that the DAP makes a strong statement expressing its aspiration to move beyond 'direct assistance' and 'equivalent access', towards universal design with its benefits of equitable, independent and dignified access.

Consider for example, the relative level of accessibility of any new light rail system proposed for Sydney. From both a mobility perspective and a vision perspective, there are several advantages with rolling stock and operational practices of this type of transport. Innovative approaches and integration of technology and infrastructure used in comparable countries provides levels of accessibility far higher than the Disability Standards for Accessible Public Transport used in NSW. In developing a vision for the DAP and particularly

¹ Compiled by Disability Representative, Advocacy, Legal and Human Rights Organisations (2012) *Disability Rights Now: Civil Society Report to the United Nations Committee on the Rights of Persons with Disabilities*. <http://www.disabilityrightsnow.org.au/node/15>

² ABS (2011) *Disability, Australia, 2009*, Canberra

when investing in long term infrastructure of this nature Council would encourage Transport for NSW to consider what is now 'possible' rather than simply meeting the minimum legislated benchmark.

Change culture vs. compliance culture

The historical perception within the disability community, regardless of whether this is in fact the case, is that the DAP is used primarily as a mechanism for "insurance" from Disability Discrimination Act complaints actions and Federal court proceedings rather than as dynamic documents to drive continual improvement in systems and processes.

Historically, DAPs have not been rigorously monitored and reported on by government agencies since the enactment of the *Disability Services Act* (NSW) in 1993. Whilst the whole of government focused reporting mechanisms currently being developed by the NSW Government, as part of the monitoring framework being established for the implementation of the NDS will go some way to addressing this, Council would encourage Transport for NSW to establish a change-management focused process, rather than a compliance focused process to support the DAP implementation. This should include regular monitoring, performance goals and reporting. Council believes that a review of the DAP every 5 years is not insufficient and that reviews should be conducted at least annually with regular reporting against goals throughout the year.

The Council applauds the proposed role for the Accessible Transport Advisory Committee (ATAC) in monitoring the DAP implementation. However, the governance parameters of this role need to be clearly set out. A public and independent monitoring role such as this would also address some of the community scepticism of the DAP process highlighted previously.

Establishing linkages within the DAP

The goals and the positioning of the DAP belies the scale of the target population that it seeks to benefit. The DAP needs to overtly make the connection between people with disability and the other beneficiaries of accessible environments (e.g. seniors, families with young children, those with temporary disability etc). This has been estimated to be 38% of the population³.

Similarly, It is noted in the draft DAP that each transport delivery agencies (e.g. RailCorp) will be required to develop their own plans for implementation. Council notes that it is unclear how these plans would be integrated or how the individual entities will work together to improve the overall accessibility of the system and whole of the journey considerations e.g. overall knowledge

³ Darcy & Dickson (2009) A Whole-of-Life Approach to Tourism: The Case for Accessible Tourism Experiences. *Journal of Hospitality and Tourism Management*. 16(1), 32-44.

management and trip planning beyond each route. In addition, linkages to the initiatives which Transport for NSW has committed to in the NSW Implementation Plan for the National Disability Strategy need to be more clearly articulated in the draft DAP.

Measuring success

Customer satisfaction alone as a performance measure is insufficient. A complimentary measure is to monitor the usage of public transport by people with disability. As stated earlier, 57% of people with disability do not use public transport which indicates a low engagement rate. The Council would like to see clear targets set over the next 5 years and 10 years to eventually reach comparable usage levels by people with disability, when compared to the broader population.

In addition to setting usage targets the Council would like to see the draft DAP adopting more specific measures as milestones. This will not only make measuring success easier, it will also provide early indication of any gaps in the implementation process.

Inclusive employment

Accessible transport is an enabler of employment. Directly linked to employability of people with disability is the availability and affordability of accessible public transport. Where public transport is not available, paratransit systems (as direct assistance and equivalent access) have higher costs for individuals with disability and can be the difference between employment being financially viable or not.

Council would argue that the benefit of shifting the employment level of people with disability is a clear business case, for investment in an accessible transport system. A recent report by Deloitte Access Economics found that GDP would increase by roughly \$48 billion over the next decade just by increasing the employment rate for people with disability from 54% to 64%⁴.

Transport is also an employer of people with disability. Increasing the employment profile of people with disability at Transport for NSW and its delivery agencies is an excellent objective that will lead to real benefits for people with disability, Transport for NSW and the agencies.

A person centred rather than an infrastructure view of Accessibility

Council would encourage that Transport for NSW takes a person centred approach to the DAP and view accessibility from the perspective of the user rather than infrastructure.

⁴ Deloitte Access Economics (2011) *The Economic benefits of increase employment for People with Disability* http://www.and.org.au/data/Conference/DAE_Report_8May.pdf

For example, the compliance requirements based on the Disability Standards for Accessible Public Transport underplays the importance of the "continuous pathway" between local government areas, common domain areas in transport interchanges, facilitating infrastructure (stops) and the rolling stock. If one part of the travel chain fails then trips cannot be undertaken independently⁵.

Similarly, focusing measurements on the number of accessible stops or stations is of limited use in understanding whether or not the transport system is accessible for people with disability.

Taxi Subsidy Scheme

Council notes that the Taxi Subsidy Scheme needs more significant consideration, particularly in relation to the 27% of the taxi transport subsidy scheme users who are dependent on Wheelchair Accessible Taxi (WAT). The significant discount in the cost of a WAT licence when compared to a standard taxi licence has not delivered the necessary number of WATs in many metropolitan areas. Additional strategies will need to be developed to improve the availability of taxi transport for people with disability.

Council is also concerned that the level of subsidy has not kept pace with increases in the cost of travel and for most the cost is still prohibitive⁶. As stated earlier, if people cannot afford to get to and from work then this severely curtails their citizenship in all areas. To make economic and social participation affordable for people who rely on WATs a review of the subsidy is needed and it should be included as a priority within the draft DAP.

Customer Service

Council notes the recent national media and legal proceedings regarding audio announcement of upcoming train stops and the impact which this has on accessibility. Council would like to suggest that customer service training be identified as a key priority within the draft DAP. Good customer service underpins a user friendly transport experience. This is of particular importance for people with disability as they need to feel confident that when things do go wrong, friendly and understanding staff will be there to assist. Investing in good customer service can significantly reduce stress on individual users as well as the overall level of inaccessibility of the transport system. Improving disability awareness in staff could result in a significant improvement in the "accessibility" of the transport system at very low levels of opportunity cost.

⁵ World Health Organisation & World Bank (2011) *World Report on Disability*, http://www.who.int/disabilities/world_report/2011/report/en/index.html

⁶ NSW Government (2010) *Final Report on Inquiry into the NSW Taxi Industry*. Sydney

Consultation

Council notes that Transport for NSW has undertaken consultation with focus groups (69 participants and 9 organisations). However, it would be useful to reference summaries of their feedback or key concerns as well as how the data has been used to inform the development of the draft DAP.

Conclusion

The draft DAP has been developed at a time when there are increasing focus on the implementation of the UN Convention and major policy reforms such as the National Disability Insurance Scheme and person centred approaches are underway. The legislative and policy landscape in relation to disability has shifted from compliance to visionary change. This change will place pressure on the transport system as people with disabilities, their families and carers are better able to access the community and control their own lives. It is important that the DAP is part of this strategy if all of these innovations are to be effective. Council is encouraged by Transport for NSW's commitment to improve the accessibility of the transport system. However, the opportunity to make a real difference in the next five years can be better capitalised by instilling within the DAP a long term vision for an inclusive transport system. The Council looks forward to continuing our work with Transport for NSW and assisting, where possible, with the implementation of the DAP.