

IWA was invited by the Dublin Airport Authority (DAA) Cork Airport and Shannon Airport, to make a submission as part of the consultation process in relation to the impending Regulation EC 1107/2006: concerning the Rights of the Disabled Persons and Persons with Reduced Mobility when Travelling by Air, which will enter into force on 26<sup>th</sup> July 2008.

The enforcement of this regulation is a land mark in air travel. For the first time this regulation gives a fundamental role in relation to Disabled Persons and Persons with Reduced Mobility to managing bodies of airports. To ensure high quality assistance, the managing body of the airport shall, from the 26<sup>th</sup> July 2008, be responsible for ensuring the provision of assistance to disabled persons as specified under Annex 1 of the regulation.

In order to inform the consultation process the IWA submission brought member's personal experiences, concerns, and issues on air travel to the fore.



## **Irish Wheelchair Association**

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Submission to the DAA  
On the implementation of  
Regulation EC 1107/2006:  
concerning the:

**Rights of the Disabled Persons and  
Persons with Reduced Mobility  
when Travelling by Air.**



The Irish Wheelchair Association (IWA) welcomes this opportunity to participate in the DAA consultations in regard to the implementation of Regulation EC 1107/2006: concerning the rights of Disabled Persons and Persons with reduced Mobility when Travelling by Air.

The current increase in people availing of air travel is setting new challenges for the airline industry. The challenge of meeting the requirements for air passengers with disabilities is now to be guided by EU legislation. The industry's response and implementation of the new EU legislation is of particular significance for the 20,000 people with limited mobility the IWA represent. The IWA supports EU legislation in progressing accessibility for all passengers.

IWA submission is aimed at ensuring the rights of people with disability are respected and also the promotion of quality standards which will see an overall improvement in air travel and airport accessibility. The IWA, in full consultation with its members has identified issues that are a priority for people with disabilities in Ireland today. The IWA submission will bring the relevant issues on air travel to the fore in order to inform the consultation process.

## **Background**

It is now fully acknowledged and well documented that people with disability face a range of barriers, including infrastructural and attitudinal barriers that hinder their access to mainstream services. It can confidently be said, that the existence of these barriers causes people with disabilities to experience many forms of discrimination within society. Equally, it is recognised that the participation of disabled people as citizens, customers, and employees benefits society as a whole.

People with disabilities have a right to experience safe, equitable and dignified access to services and facilities. The adoption of an inclusive approach will ensure that a disabled passenger will receive services in just the same way as other passengers who are not disabled. IWA commends the DAA proposal to implement EU regulations and also its work in advancing an equal standard of service for all passengers.

In order to achieve an equitable service the airline industry must be accessible across the broad spectrum of facilities and services that it provides, these included:-

- Active enforcement of legislation that promotes the rights of disabled passengers.
- Airport and airline standards and delivery of service.
- Airport environment; as airports could now be described as urban centres with restaurants, shops, banks, car parks etc.

The IWA submission will highlight critical areas of concern and promote best practice in creating accessibility. These areas will be outlined in detail under the following headings.

- **Physical Transfers of People with Disability;  
Boarding and Disembarkation**
- **Quotas for People with Disabilities Travelling by Air**
- **Access to Airport Services and Facilities**
- **Standards of Service**
- **Disability User Groups**
- **Complaints Mechanism**
- **Financial Transparency**
- **Enforcement Body and Penalties**

## **Physical Transfers of People with Disability Boarding and Disembarkation**

For wheelchair passengers the most pressing issue that needs to be urgently addressed is the transfer process during boarding and disembarkation. Feedback from IWA members and the general public has highlighted distressing experiences of being transferred where dignity and respect was jeopardized leaving people feeling very exposed. Additionally, people's safety has been put at risk while being carried up steps in a transfer chair from the airport apron to the aircraft door. These methods of transfer leave people vulnerable and unsafe as many people with a disability have little use of their upper body and no means of retaining their balance while being lifted. The seat harness on these transfer chairs offers little security or confidence. People with high levels of disabilities are particularly vulnerable during transfers up and down aircraft steps. People with disabilities are currently experiencing poor and unsafe transfers due to a lack of provision of ambilifts or air bridges in Dublin, Cork and Shannon airports.

IWA calls for implementation of Policy and Procedures at Dublin / Cork / Shannon Airport that promotes dignified, safe and un-stressful transfer arrangements for disabled passengers. This policy needs to be accompanied by a comprehensive programme of investment in equipment supports. The purchase of such equipment must be supported by required staffing levels and comprehensive training programmes. IWA calls for a clear commitment to ensure that all wheelchair users will have automatic access to an airbridge or ambilift in the very near future.

Investment in the provision of air bridges and or ambilifts gives passengers with disabilities and the airport industry: -

- Simple, safe, comfortable, dignified, and efficient boarding and disembarkation.
- An efficient and time saving method minimizing turnaround time in support of the airline business model.
- One piece of equipment that caters for all the varied levels of disability including high levels of physical disability.
- Assurances to disabled passenger that they will not have to sit on the airport apron exposed to the elements and in public view.
- Compliance with best practice in manual handling.

The number and type of Ambilifts required in Dublin, Cork and Shannon, will depend on the density of flights each airport caters for.

## **On Board Transfers**

On board transfer chairs are used by a wide range of people with disabilities, therefore the design employed by the airline industry must be of the highest comfort and safety standards. Some passengers may have no feeling below the waist and will not notice sharp edges or pressure points, which may cause them injury. Traditional ambulance chairs have proven to be totally unsuitable. The transfer chair should have the following features:-

- Comfortable and secure for the person with a disability.
- Designed to permit easy transfer for the occupant & easy manoeuvring of the chair with assistance in the aircraft.
- Footrests, a safety belt and brakes as recommended in Regulation Annex K-4 Equipment 1.3

Policy must be developed to ensure that all staff involved in the transfer process must receive manual handling training that promotes the safety & dignity of people with disabilities.

Each wheelchair user undergoes an assessment by an Occupational Therapist in order to be fitted with the appropriate wheelchair. Each wheelchair is a unique design to the owner's physical characteristics which gives them independence, comfort and mobility. Having to transfer to a non personal wheelchair at an early stage of a journey incapacitates a person. Further difficulty can be experienced when flights are delayed. Therefore in accordance with best practice, procedures must ensure that wheelchair users are able to remain in their own wheelchair up to the door of the aircraft.

## **Aircraft Seats**

The transfer from the chair to the aircraft seat is yet another daunting prospect for the passengers with disabilities. The aircraft seats currently in use are inappropriate as passengers frequently have to be physically lifted up over the arm of the seat resulting in a difficult, heavy, undignified and unsafe transfer. This process may need to be repeated three times if the carrier insists that the passenger occupies the window seat. This situation is readily resolved with the provision of armrests that fold up, so a person can transfer with comfort, ease and dignity. Airline carriers need to ensure appropriate seat allocation in line with Annex II of the regulation "the making of all reasonable effort to arrange seating to meet the needs of individuals with disabilities." We would suggest that the air carriers, airport authorities and service providers research aircraft seat design currently in use in other European Airports and take advice from representatives on the Disability Users group as to

the most appropriate aisle seat. Good clear guidance for aircraft seats is referenced in the American Air Carrier Access Act.

IWA would place additional emphasis on the need for mandatory training in manual handling and lifting techniques for all staff involved in the transfer of passengers with disabilities.

Many people have informed IWA of their personal experiences, suffering bruising and discomfort from poor manual handling/lifting during transfers.

### **Transportation of Wheelchairs**

Airlines should ensure that a person's personal wheelchair is protected and kept intact, for example, by placing them in protective wrapping or wheelchair 'sacks' before they are placed in the aircraft hold. It is essential that staff involved in this process have received training on handling wheelchairs which are personal items and invaluable to the person with a disability. Wheelchairs should be the last items to be loaded in the hold and the first to be unloaded. It is essential that passengers who use wheelchairs have their chairs available at the aircraft door upon arrival with minimum of delay. Wheelchairs should not be sent to luggage reclaim; this would be deemed unacceptable practice. All airport authorities should have 24 /7 arrangements made with wheelchair supply and repair companies to ensure the least possible inconvenience in the event of a wheelchair being damaged during a flight.

## **Quotas for People with Disabilities Travelling by Air**

There are a number of Irish registered air carriers currently licensed by the IAA who apply differing safety criteria in respect to the number of disabled passengers allowed to travel on each flight. The current practice of operating a quota system restricts people's right to travel, while classifying people without consideration as to the nature of a person's disability. On investigation the airlines have stated that they operate this quota system on the grounds of safety. Other Airlines are clearly not operating such quota restrictions. IWA view this as an act of discrimination against people with disabilities, restricting people's requirement to travel in groups. For example IWA Sports teams requirement to travel together to international venues is impeded where quotas are in operation.

All Irish carriers have their safety procedures approved by the IAA. IWA would urge clarification in relation to air carriers' health and safety policies. Standardisation and monitoring of the policy is clearly required and identifies further the need for an Enforcement Body. Clarification is required on European Regulations of the European Parliament and of the Council, 5 July 2006, paragraph 2 which states;-

"Disabled person and persons with reduced mobility should therefore be accepted for carriage and not refused transport on the grounds of their disability or lack of mobility, except for reasons which are justified on grounds of safety and prescribed by law."

## **Access to Airport Services and Facilities**

In highlighting issues of access IWA submission promotes best practice with regard to solutions and measures set to the maximum accessibility requirements for all environments. This must begin from the first phase of planning new public buildings or the refurbishment of existing ones. Airport operators should ensure that the needs of people with a disability are central to the design brief. Specifications in all tender processes for services and equipment, must also take into consideration accessibility requirements and features.

The airport terminal building offers essential facilities to all passengers throughout their journey. There is a statutory requirement to be met in relation to the accessibility of buildings and the services it provides. A wide range of International technical guidance on building design and facilities is available.

This technical guidance for accessibility must be implemented in all areas of the terminal building including ; toilets, restaurants and shops, business centres, executive lounges, leisure facilities, check-in desk, information desk, telephones, viewing galleries, car parks, terminal bus, coach and taxi ranks etc. All of these facilities, whether they are provided for the sole or main use by people with disabilities must meet the required maximum accessibility standard.

### **Access: Travelling to and from the Terminal.**

Wheelchair users need to be able to avail of accessible public and private bus, coach, and taxi services in order to get to the airport terminal. Arriving or departing by bus, coach, or taxi requires set down areas that have accessible 'stops' located near the airport entrance. All pedestrian routes between drop off points and the terminal should be well signed, unobstructed and have level access to/from the terminal buildings in accordance with accessibility guidelines.

**Taxis.** Where airport authorities have entered into a contract with a firm to provide taxi services they should include a condition that a proportion of the vehicles serving the airport should be wheelchair accessible. The information desk at all airports should also have contact numbers for wheelchair accessible taxi companies.

**Hire Car Facility.** Airport authorities should ensure that the Hire Car building and pedestrian links between the hire car premises and the airport are fully accessible. Adapted vehicles for drivers and passengers with disabilities should also be available for hire.

### **Short Term and Long Term Car Parks**

The provision of accessible Short Term and Long Term Car Parks are vitally important to people with disabilities. These car parks must have:-

- Proportionate number of designated disabled parking bays.
- Parking bays that meet a set standard and are clearly signed from the entrance. The spaces should be near accessible shuttle bus stops and payment facilities.
- The design of entry equipment should take account the requirements of disabled drivers e.g. positioning, height, and ticket issue, so wheelchair users are able to use the entry equipment that is fitted.
- Payment machines should be accessible to disabled people, or a convenient alternative arrangement should be in place to facilitate payment. Technical advice should be sought on the design of payment machines - location, height of controls, etc
- Car parks must be serviced by a fully accessible shuttle bus.
- A help point should be provided in close proximity to the reserved spaces enabling passengers to call for free assistance.

### **European Disabled Parking Permit**

A person may need to use their European Parking Permit at their destination. This growing situation has highlighted the need to establish a new system for continuing to display a permit. The new system must be clear and user friendly, for instance the issuing of a special parking disk on evidence of a disabled parking permit. IWA are aware that a pilot scheme is currently in place and looks forward to feedback on its success. Procedures for a new system must protect against fraud and the miss use of the disabled parking permit. Once a system has been established information should be available on such arrangements in advance of a person's journey.

# **Standards of Service**

## **Information**

The provision of information to all passengers is key to good practice. General information and specific information about services or arrangements for disabled customers should be available in accessible formats. It would be more beneficial to all parties if the information for people with disabilities was incorporated into the standard brochure. Disability user groups would be a valuable resource in feeding information into brochures.

Airport operators also need to pay particular attention to the design and positioning of the visual displays to ensure that flight information is accessible to disabled people.

## **Provision of Assistance**

The airport authorities are to be complimented on the provision of customer assistance that supports people with disabilities from the car park through to boarding. This complimentary service supports people with disabilities to avail of the mainstream service. IWA would urge that this vital component of air travel remains as an integral element of airport services. Due to the vital role of the service, backup systems need to be place in the event of customer assistance not arriving at the designated point. The introduction of contact points serviced by touch screen phones linked directly to the service provider is one example that could be introduced. Additionally, IWA would urge that the service would also be available on short notice as people often need to fly with little notice i.e. on a business trip, holiday deal, funeral etc.

## **Doctors Certificate**

Airlines should not require passengers with a disability to obtain medical clearance in order to travel as standard practice. There is a tendency to view people with reduced mobility as ill or sick, which is evidently not the case. Many able bodied passengers would have more serious medical conditions than a person who uses a wheelchair. This automatic classification is viewed as discriminatory and not good practice.

## **Seat Reservations**

Airline should have a policy in place for accommodating disabled passengers to pre-book seats and for airlines to allocate comparable seats. Pre-booked seating arrangements should be communicated to airport ground staff and cabin crew. A uniform approach to a seating policy needs to be adopted by all air carriers. In addition it is essential that the person with a disability sits adjacent to their travelling companions. No additional costs should be incurred by disabled passengers and their companion where pre- booking is essential.

## **Booking arrangements**

Currently disabled passengers booking online also have to phone the airline to request assistance for boarding and disembarking the aircraft. This current practice by many air carriers is discriminatory as able bodied passengers do not have to repeat the booking process. Standardization of the booking process for people with disabilities will ensure passenger information only has to be tendered once.

In support of an accessible booking system that generates information reaching all parties a major Irish airline licensed by the Irish Aviation Authority (IAA) will roll out new software in the second quarter of 2008. This new system will enable all relevant details to be entered online at time of booking without the need for subsequent telephone calls. The new Enforcement Body should ensure that all IAA licensed operators meet the same criteria for booking arrangements.

**Check-in Facilities** should be designed to be accessible to all passengers including wheelchair users. Where self-service check- in facilities are provided they should be supported by staff for those who are unable to access them unaided. The availability of this service should be clearly indicated at the self-service machine.

**Security** aisle widths and security archways should permit the passage of passengers using wheelchairs. Disabled people do not need, or indeed want to be exempt from security searches. However, they do require that the security searches be carried out sensitively and with care.

**Gate Facilities.** It would be more efficient for the airline and more acceptable to disabled passengers, to be facilitated to travel out to the aircraft in the same vehicle used by other passengers. Low floor wheelchair accessible buses that provide ramped access are particularly suitable since they also offer easy access for passengers with baggage, small children and the elderly.

## **Training**

EU legislation places particular emphasis on training with the recommendation that *all* staff should receive disability equality and awareness training. Awareness of disabled passengers encompasses all stages of a journey and therefore all levels of staff. The training provides staff with the skills and confidence to ensure that all stages of the journey, from booking to travel, is seamless and safe. The training should ideally involve people with disability who understand the requirements and issues and has the further advantage of giving staff contact with disabled people. Annex K-5 2 Staff Training.

In addition to general equality and awareness training, airport authorities and air carriers should provide specific training for personnel who may be required to provide direct services to people with disabilities, for example; dealing with equipment such as wheelchairs or assisting in transfers.

## **Disability User Groups**

In accordance with best practices as set out in the Department of Transport sectoral plans, formal disability User Groups should be established in each airport. Each Disability User Group should have representatives from a variety of organisations of and for persons with disabilities, in terms of perspective and background. The Disability User Groups play a significant consultation role in assisting airport authorities in addressing operational issues associated with meeting the requirements of persons with disabilities. As a working group they can navigate through the terminal facilities to determine what areas may be problematic when travelling. This proactive approach will help airport authorities remove potential problems in the building. Additionally, IWA would recommend that these user groups do not operate in isolation. They must be acknowledged and actively linked to management structures promoting open communication. IWA recommends that a member of the proposed Enforcement Body would join this platform where issues and concerns on accessibility are explored.

## **Complaints Mechanism**

All operators in the airline industry must have a process in place to deal with passenger concerns or complaints, including a designated person or group to deal with accessibility related concerns. IWA would recommend that the process is user friendly and accessible in different formats i.e. internet information and free phone number. The complaints mechanism needs to be standardised between all airports and include a structure that brings complaints dealing with accessibility matters directly before the Enforcement Body.

The Enforcement Body's designated person or group must be appointed to monitor trends and recurrent issues that emerge through the complaints procedure. The Enforcement Body would therefore be responsible for implementing systemic changes in response to these issues. It is a concern of the IWA that systemic issues may be overlooked if accessibility concerns or complaints are handled on a case by case basis by different bodies. The Enforcement Body must then publish a detailed report of complaints, responses and enforcement penalties.

## **Financial Transparency**

Dublin Airport Director Robert Hilliard has stated that a levy charge "possibly less than of 50c per passenger" will be introduced in the near future. He added that Dublin airport will carry over 20 million passengers next year which means the wheelchair charge could yield up to €10 million for the airport. (Irish Independent 24 October 2007). The airport authorities must ensure that all monies levied in relation to the funding of services and support for people with disabilities should be published, showing clearly the financial breakdown of monies available and expenditure of same. This information should be available to all interested parties.

## **Enforcement Body and Penalties**

The DAA clearly outlines that the two key elements of Penalties and the Enforcement Body are out side the scope of these consultations. However, IWA feels that this submission would be incomplete without addressing these two critical issues.

Without the establishment of the Enforcement Body and the proactive introduction of penalties, the implementation of EU regulations will simple not be achieved. If no watchdog body is in place to governing arrangements and secure the rights of people with disability and set standards of best practice, then the European legislation will be null and void. This 'watchdog' function is in practice already across other European countries.

IWA would urge the Department of Transport to fulfil its commitment in establishing the Enforcement Body. The Enforcement Body has a vital role in the:-

- Implementation of Regulation EC 1107/2006: concerning the rights of the Disabled Persons and Persons with reduced Mobility when Travelling by Air.
- Establishment and Monitoring of quality standards.
- Introduction of Measures that promote dignity, respect and equality for all disabled passengers.
- Introduction of a stringent policy that sets clear criteria for the selection of outsourced service providers.
- Enforcing compliance and penalties that are effective, proportionate and dissuasive to non compliant parties.
- Complaints procedure in securing active and timely responses with systematic changes reflected in all airports.
- Publish Annual Reports.
- Active role on Disability User Groups.

## **Conclusion**

It is hoped that this submission will inform the consultation process in regard to the implementation of Regulation EC 1107/2006 concerning the rights of the Disabled Persons and Persons with reduced Mobility when Travelling by Air.

IWA submission has highlighted the issues that are of immediate concern to people with limited mobility in relation to air travel. Additionally, IWA has made a series of recommendations that are driven by the principles of equality and accessibility in order to enhance air travel for people with disabilities.

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