

# On the buses

How to make a difference  
for students on public  
transport



**WONKHE**  
SUs



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# #BUStice



# Sound familiar?

- Overcrowded buses
- Late notice cancellations
- Incidents involving treatment of students (esp racism/international students)
- Students leaving v early to get to campus (and getting back v late)
- Endless meetings, promises to monitor things and make improvements from First or Stagecoach
- What if the incentives aren't there to improve?
- Campaigns?





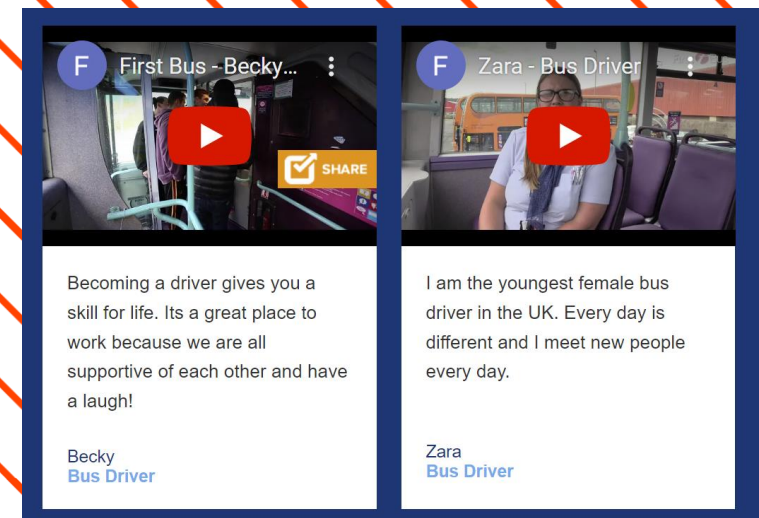
# Swirling

- Bus users forums
- Campaigns
- Petitions
- Travel plans
- “Partnerships” with companies to deliver commitments on road journeys and capital
- Tit for tat on conduct allegations



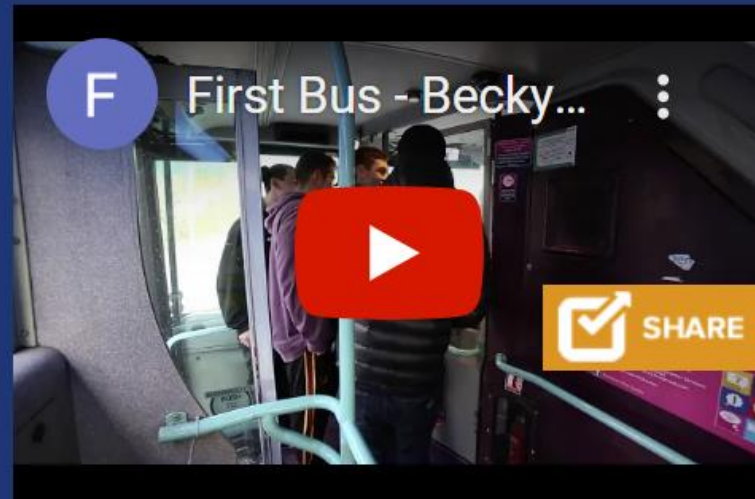
# Two major issues

- The pandemic has caused more WFH, passenger numbers have not bounced back, and many routes are less sustainable than they were, putting huge pressure on operator margins
- Brexit has caused a significant labour market crunch and operators are finding it much more difficult than in the past to recruit, train and pay drivers.





# Two major issues



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Becky  
Bus Driver



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Zara  
Bus Driver

# A little history...

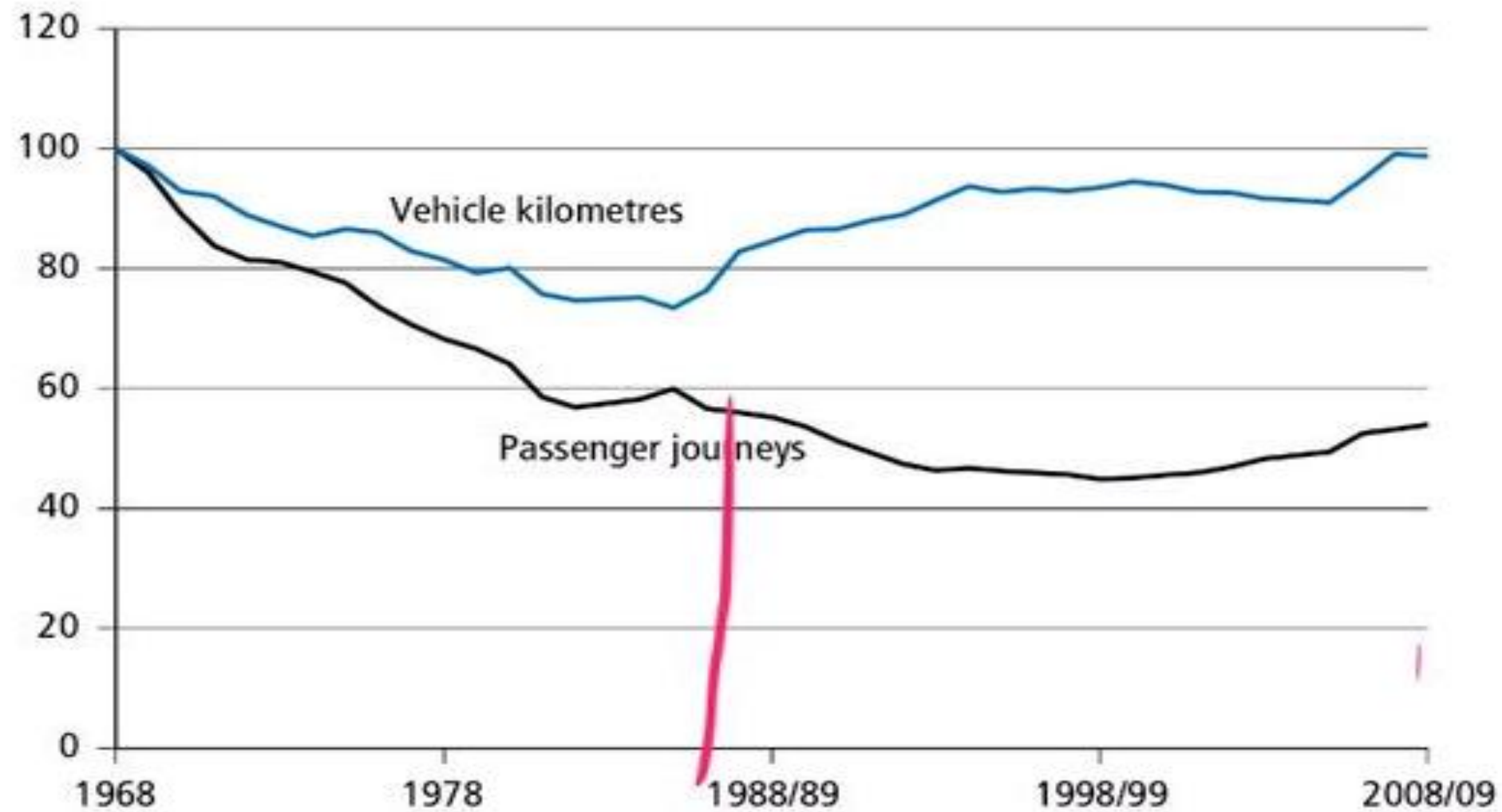
- Public ownership until 1986 deregulation.
- Any operator can provides 56 days' notice to the Traffic Commissioner of intention to commence, cease or alter operation on a route.
- Cherry picking - competition on profitable routes.
- Tactics included cutting fares and operating extra services to drive others OOB
- The big five operators, Arriva, First, Go-Ahead, National Express and Stagecoach, control 80% of the market.
- London different - became a set of private operations specified and tendered by Transport for London (TfL).

# A little history...

## Local bus travel<sup>1</sup>

Great Britain

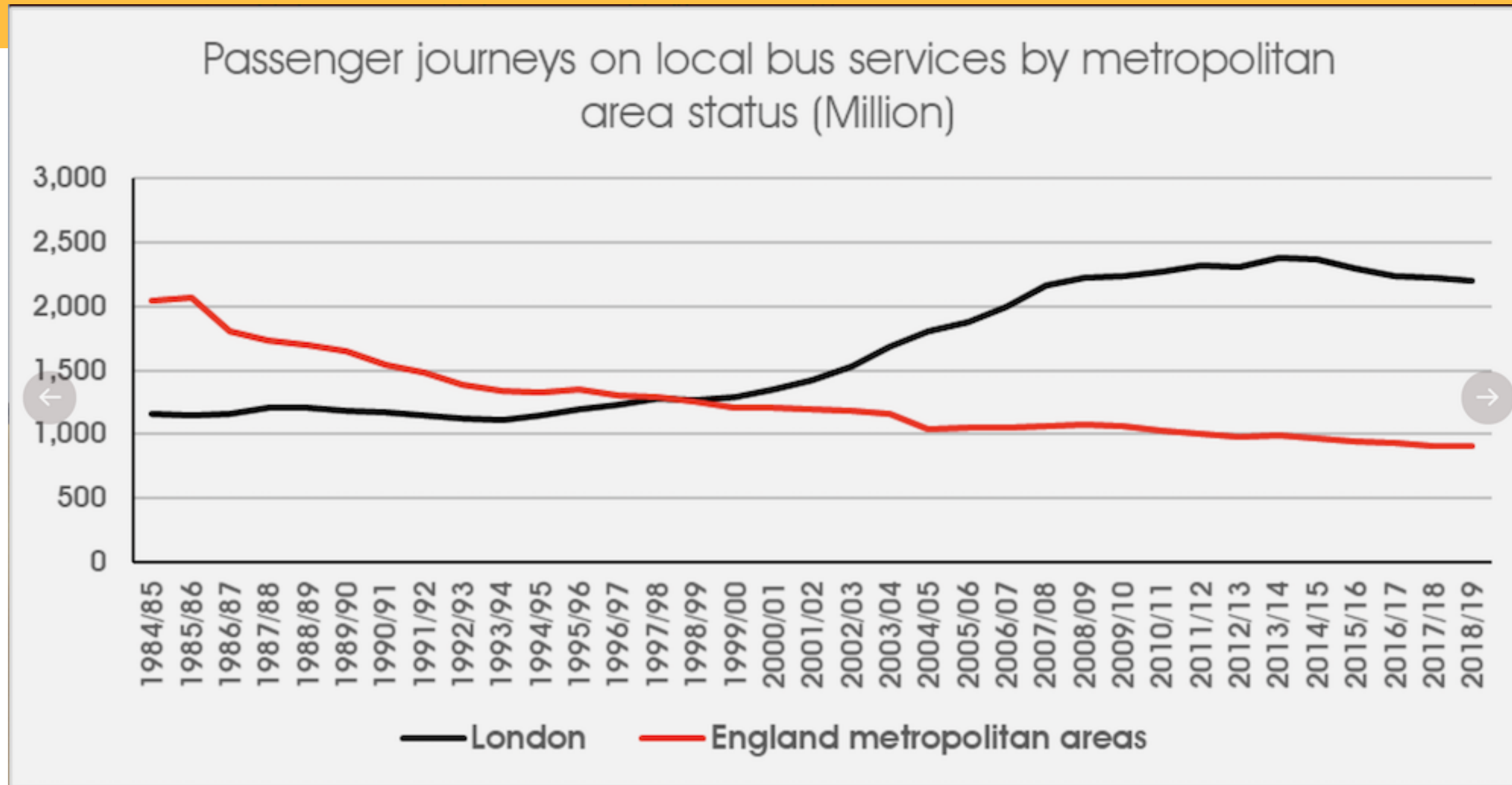
Index numbers (1968=100)



<sup>1</sup> Local bus services only. Financial years from 1985/86.

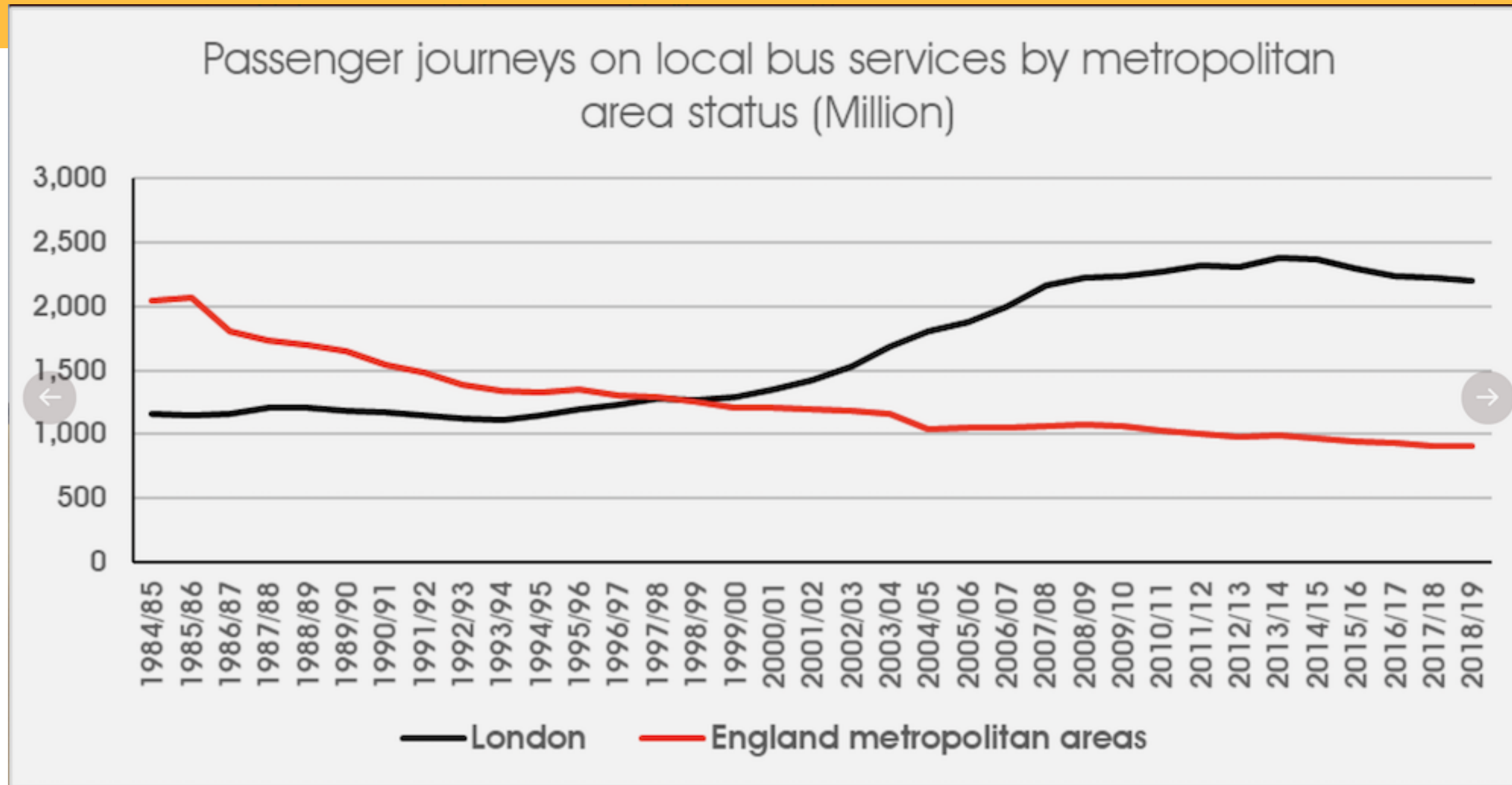


# A little history...





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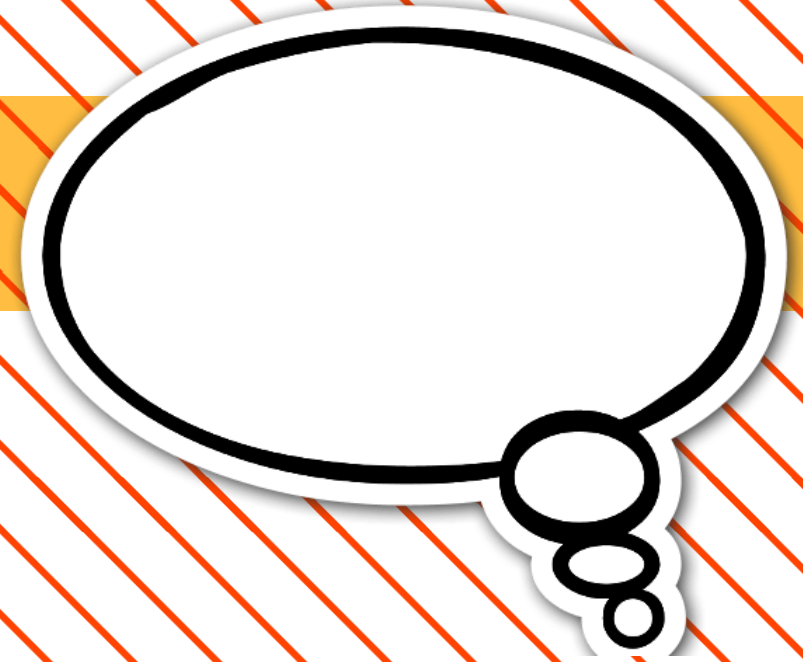
Operating revenue and profit margin for bus and rail operators, 2017



Source: [National Express 2017 Annual Report](#), page 28; [Stagecoach 2017 Annual Report](#), page 17, 19 & 20; [Go-Ahead 2017 Annual Report](#), page 24 & 27

# It's a bit like higher education

- **Competition** (between bus operators and between forms of PT) is supposed to drive up service standards and quality
- **National regulation** is supposed to enforce minimum standards on punctuality and service quality
- **Consumer rights** and **ADR/complaints schemes** are supposed to allow individuals to seek redress when things go wrong





# How regulation works

- Traffic Commissioners are responsible for the licensing and regulation of those who operate heavy goods vehicles, buses and coaches, and the registration of local bus services.

Among their priorities:

- robust systems, fair competition, safety
- to engage with stakeholders - listening to industry, meeting with local authorities, trade organisations, passenger groups and operators and presenting seminars





# How regulation works

- Gerallt Evans: North West of England
- Kevin Rooney: West of England
- Sarah Bell: London and the South East
- Richard Turfitt: East of England
- (Additionally, Senior Traffic Commissioner)
- Tim Blackmore OBE: North East of England
- Miles Dorrington: West Midlands
- Claire Gilmore: Scotland
- Victoria Davies: Wales

# It's the law

- Statutory guidance sets out the punctuality and reliability standards for the operation of registered local bus services.
- Traffic commissioners have powers to take regulatory action against operators who do not operate services in accordance with the registered particulars

The traffic commissioner can impose penalties:

- operator expends a sum of money, limited to the provision or improvement of local services or facilities
- that the operator provides compensation to passengers



# Passenger rights

- non-discrimination between passengers with regard to transport conditions offered by carriers;
- rights of passengers in the event of accidents arising from the use of the bus or coach, resulting in death or personal injury or loss or damage to luggage;
- non-discrimination and mandatory assistance for disabled persons and persons with reduced mobility;
- rights of passengers in cases of cancellation or delay;
- the minimum information to be provided to passengers.





# Case law

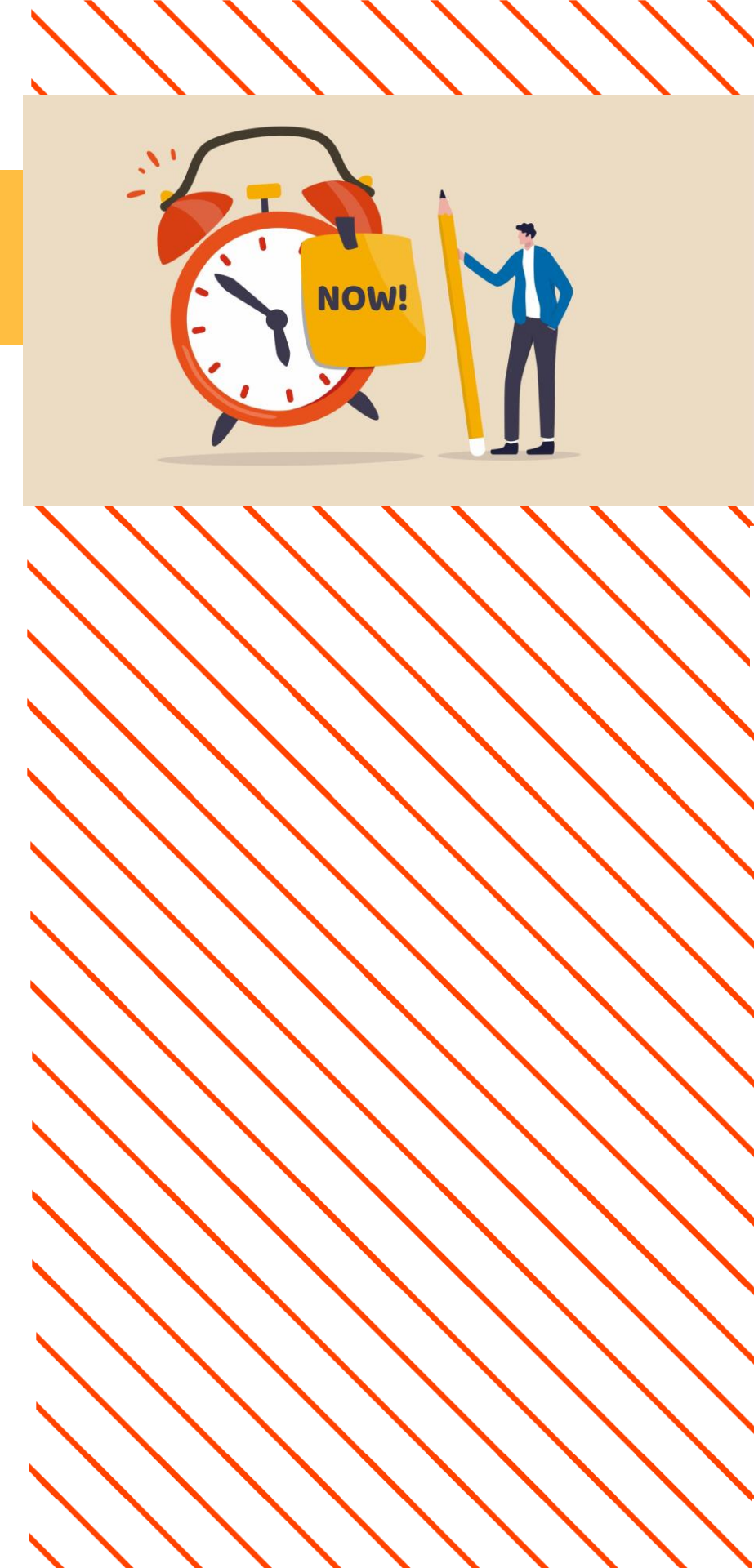
- Operators have to take all reasonable steps to keep services operating

95% punctuality target – with “tolerance”:

- An operator whose services come within the bracket of up to 1 minute early and up to 5 minutes late, for 95% of the time, has a reasonable excuse for not achieving 100% compliance.

Special regs for “frequent services”:

- Where the service interval is 10 minutes or less, 6 or more buses should depart within any period of 60 minutes and the interval between consecutive buses should not exceed 15 minutes. In general, 95% of buses should meet this standard.
- Where the compliance rate is below 80% a public inquiry is likely to be called.





# Disability

Training must include awareness of, and appropriate responses to:

- Passengers with physical, sensory (hearing or visual), hidden or learning disabilities. Staff must be able to distinguish between the different abilities of people whose mobility, orientation, or communication may be reduced
- Barriers faced by people with disabilities and those with restricted mobility including attitudinal, environmental, physical and organisational
- Assistance dogs or other assistance animals, including the role and needs of the animal. In the UK, assistance animals don't need to be registered but it's useful for owners to provide information about the help the animal provides
- Dealing with unexpected occurrences, interpersonal skills and methods of communication with people who are hearing impaired, visually impaired, speech impaired, or have a learning disability
- All staff responsible for luggage handling need to be trained in handling wheelchairs and other mobility aids so as to avoid damage.

# Nationality

- Bus and coach operators cannot discriminate against passengers because of their nationality
- Except where a concessionary pass is limited to passengers from a particular part of the UK (known as a 'social tariff').
- While this is unlikely to happen in the UK, if an operator offers a special fare to tourists from another country, that fare must also be made available to UK nationals.

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# Travel services

- When you pay to travel by bus you're considered to have purchased a service.
- The Consumer Rights Act provides obligations on those providing the service.
- The provider must perform the service with reasonable care and skill.
- Information which is said or written is binding if you've relied on it.
- If the price is not agreed beforehand, the service must be provided for a reasonable price.
- Unless a particular timescale for performing the service is set out or agreed, the service must be carried out in a reasonable time.
- Depending on how severe the failing is, you can claim back up to 100% of the price you paid.





# Special CRA...

- A severely overcrowded train because the train has run with fewer carriages than are normally available;
- A service is delayed for less than the time limit that applies under the company's compensation schemes;
- Unavailability of a seat that you have paid for (e.g. a reserved seat, or first-class service);
- A consistently late running service if you have bought a season ticket;
- Failure to provide access to a toilet on longer journeys;
- Failure to provide food on a train journey if it was described as part of the service; or
- The Wi-Fi service that you have paid for does not work.

# But not if...

- Acts or threats of vandalism or terrorism;
- Suicides or accidents involving trespassers;
- Gas leaks or fires beside a railway/road;
- Road or rail closures due to the request of the police or emergency services;
- Exceptionally severe weather conditions;
- Industrial action;
- Riots or civil commotion;
- Fire, mechanical or electrical failure or a defect (except where caused by a train/coach company); or
- The striking of a bridge by a vehicle.

# Claims

- Under The Consumer Rights Act 2015 travel amendments, students can claim for any financial losses they have suffered as a result of the failure by the transport service.
- To make a successful claim they will need to demonstrate in writing to the transport company how their losses are linked to a breach of contract by the service provider.
- The bus operator cannot exclude or limit the amount students can recover to less than the ticket price.

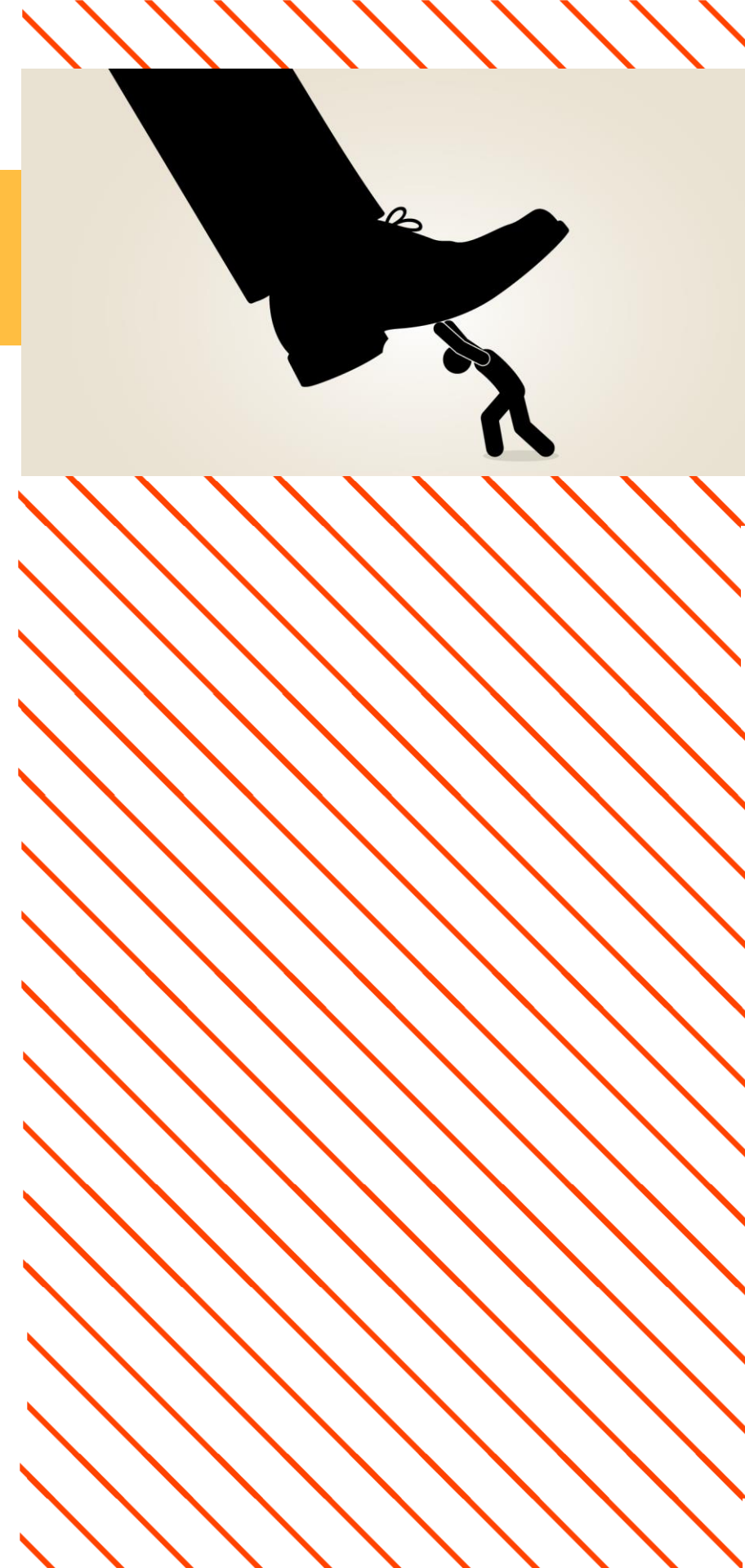


# How to complain

- Complain first to the operator
- Then use the dedicated Alternative Dispute Resolution Service
- For England (outside London) and Wales, students can complain to Bus Users UK, an independent consumer watchdog for bus passengers.
- Also Transport for London and London TravelWatch, Traffic Commissioner (Scotland), Consumer Council Northern Ireland

# So if...

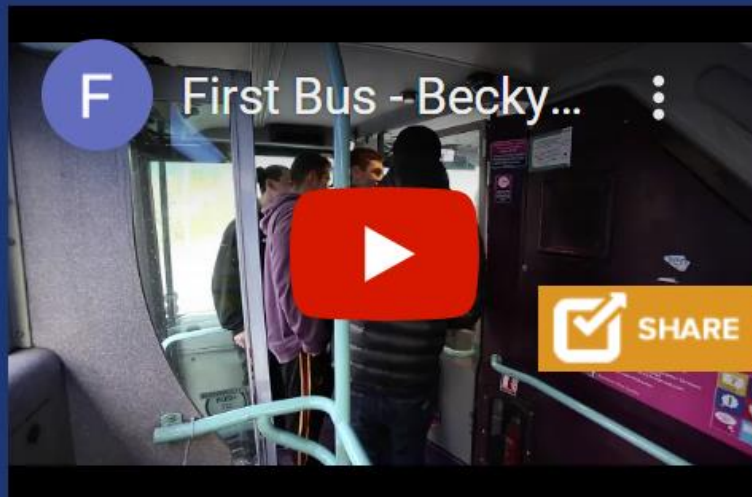
- Students knew their rights
- SUs were helping students to complain
- SUs were helping students to go to the ADR service
- SUs were feeding support back to the traffic commissioners
- More pressure to address poor services



# Bus Services Act: Data

- timetable data
- fares data
- vehicle location (real-time) data
- historic performance (punctuality) data.
- Tools for local authority, operator and traffic commissioner use.
- You should be able to request data for a specific route





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# Students, jobs, buses


- Late 90s – “scandal” of homeless shelters being source of bus driver labour
- Why not students?



F First Bus - Becky...

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F Zara - Bus Driver

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