**Complaint letter**

**Unable to get on a bus because the wheelchair space was occupied**

To: [Bus company’s name or Transport for London if a problem occurred on a London bus]

Bus company’s address

Also by email

From: your name

Your address:

Your Phone:

Your email

Date

Dear [Bus Company’s name / Transport for London]

**Re: Complaint about disability discrimination – the Equality Act 2010**

I am writing this letter of complaint because of difficulties that I experienced getting on the [insert bus name/number/route] bus at the [X stop] on [insert date]. I would like you to make your service more accessible for myself and other Disabled people who travel by bus. I believe you did not comply with your duties under the Equality Act 2010. This letter explains what went wrong and what I would like as an outcome of my complaint.

**I am a Disabled person under the Equality Act 2010**

I am a Disabled person within the meaning of Section 6 of the Equality Act 2010. I have [X condition] which means [describe the impact of your condition on your ability to travel, for example: I’m a wheelchair user and I am unable to get on or off the bus without a ramp and I can only travel in a wheelchair space.]

**The issue I am complaining about**

[Give details of your journey/journeys. For example: “On [X date] at approximately [X time], I attempted to get on the [X bus number] bus at the [X stop.”]

[Describe what went wrong. For example: “I was unable to get on the bus, because there was a buggy in a wheelchair space. The driver did not do anything to help free this space.”]

[Describe the impact this had on you, including inconvenience, feeling humiliated, any physical impact, like being made to wait in the cold, any financial impact, were you late for an important meeting etc. For example: “As a result not only I was late for my meeting, the difficulties with my journey affected my (physical) and mental health. I felt humiliated and angry and now I feel less confident using public transport.”]

[Describe whether this situation happens regularly.]

**How you breached the Equality Act 2010**

You are a service provider under Section 29 of the Equality Act 2010, which requires you to make reasonable adjustments to ensure Disabled people can access your service. Section 20 of the Equality Act 2010 requires you to take such steps as it is reasonable to have to take to avoid the disadvantage Disabled people like me experience when trying to access your services. Those steps should include: changing your policies or the way you provide your service, altering a physical feature or providing an auxiliary aid.

In 2017 in the case of [Paulley v FirstGroup PLC](https://www.supremecourt.uk/cases/uksc-2015-0025.html) the Supreme Court decided that it would be reasonable for a driver not only to ask other passengers to free up a wheelchair space, but also to take further steps to persuade them, which could include rephrasing the request as a requirement or refusing to drive on for some time.

The driver in my case did not take those steps . This means I was subjected to discrimination contrary to the Equality Act. You are responsible for the driver’s actions because they are your employee.

**Obtaining information**

Please provide me with the following information about the incident that I am complaining about:

* CCTV footage; Describe how you look or attach a photo
* Any letters or emails relating to the incident, including any reports from the driver;
* Details of any policies you have in respect of the use of a wheelchair space on the bus.

**What I would like to achieve by this complaint**

1. A written apology;
2. A commitment from you to train all of your drivers about Disability Equality, their duties under the Equality Act and the Paulley decision in particular;
3. A change to your policy on the use of wheelchair spaces, ensuring it complies with the Paulley judgement.
4. Compensation for the discrimination I experienced.

**Next Actions**

I very much hope we can resolve this matter amicably. I look forward to hearing from you within the next 21 days. If you believe you have not breached the Equality Act 2010, please give your reasons.

I am happy to engage with you to explore alternative ways to resolve this dispute. However, if I do not hear from you, or if you deny that you are in breach of the Equality Act, then I will consider taking legal action against you.

Yours sincerely