

QDN Response to Aviation Customer Rights Charter



Submitted to the Department of Infrastructure, Transport, Regional Development,
Communications and the Arts

February 2025

About Queenslanders with Disability Network (QDN)

Queenslanders with Disability Network (QDN) is a state-wide, not-for-profit organisation led by and for people with diverse disability. We are dedicated to advancing disability rights and advocacy in Queensland. QDN is the Executive Peak Body for people with disability in Queensland, providing overarching leadership and coordination across funded peak bodies around the state. QDN operates a state-wide network of over 3,000 members and supporters all over Queensland. Guided by our motto “nothing about us without us,” QDN ensures that people with lived experience of disability are central to shaping policies, services and supports. Our vibrant and dynamic membership is made up of people with diverse disability who are at the centre of everything we do. QDN as an organisation is in a unique position of representing people with a diverse range of disabilities.

QDN’s work is underpinned by a commitment to inclusion, co-design, collaboration, and innovation and is guided by the pillars of inform, connect, lead and influence. By partnering with communities, service providers, businesses, and government, QDN fosters systemic solutions that empower individuals, amplify the voices of people with disability, and create sustainable, inclusive systems of support, working toward a more equitable and inclusive Queensland.

Through a powerful and engaged network of individuals and 32 Peer Support Groups, QDN informs, leads and influences change on issues impacting the disability community. QDN’s extensive body of work includes connecting people through peer support groups, supporting future leaders through the Emerging Leaders Program, and influencing government policies and programs through targeted advocacy. QDN’s initiatives are co-designed and co-delivered with people with disability. QDN successfully engages with diverse communities, including Aboriginal and Torres Strait Islander peoples, Culturally and Linguistically Diverse groups, and rural and remote populations across Queensland. Our work is focused on areas of key importance identified by Queenslanders with disability including health, housing, employment and transport. We believe that Queenslanders with disability need to be empowered active and valued citizens, and fully included in the economic, social, civic and cultural life of Queensland.

Introduction and acknowledgements

QDN welcomes the opportunity to provide feedback regarding the Aviation Customer Rights Charter. QDN welcomes an Aviation Industry Ombuds Scheme that would include a Customer Rights Charter highlighting obligations the aviation industry has to their customers.

QDN also acknowledges Australia’s commitments to upholding the United Nations Convention on the Rights of Persons with Disability (CRPD), Disability Discrimination Act (DDA) 1992, and Australia’s Disability Strategy 2021-2031. In making our submission, QDN acknowledges the members who contributed to this submission.

The six proposed rights in the Aviation Customer Rights Charter are supported in principle. If delivered and acted upon the Aviation Customer Rights Charter will greatly enhance the aviation experience of passengers who have a disability. We recommend that the various

points included in each proposed right be incorporated in the charter to assist in defining what is included in each right. We strongly encourage that aviation members provide progress updates and action plans to the Ombudsperson regarding their compliance with the charter.

We also welcome the development of new aviation specific disability standards as a schedule to the Disability Standards for Accessible Public Transport 2002. QDN always emphasises including people with a disability and using a co-design approach.

Proposed Right 1 – Aviation industry customers have the right to be treated with dignity and respect, in an accessible and inclusive environment.

Airlines and airports will have a Customer Service statement or charter, which outlines their commitment to provide their services in a safe and dignified manner, and free from discrimination.

QDN Members have stated that they welcome an Aviation Customer Service Charter or statement that outlines airlines and airports commitment to inclusion, safety and their rights being upheld. We advise that the customer service charter or statement be available online on relevant websites, provided to customers when booking a flight and there should be a webpage on the Department of Infrastructure's website that provides links to all the statements.

The Ombudsperson or the Department of Infrastructure needs to create a customer service template that could guide all aviation services and facilities, particularly those in regional and remote areas. It is paramount that people can easily find the customer service charter or statement.

They will be communicated with in a respectful and non-discriminatory manner, regardless of their circumstances.

Commonwealth, state and territory anti-discrimination, human rights legislation and consumer legislation already requires consumer rights to be upheld and yet discrimination occurs regularly as highlighted in Aviation White paper. The United Nations Convention on the Rights of Persons with Disabilities (CRPD) also needs to be incorporated into the consumer services charter. Training needs to be developed for staff working in airlines and airports to ensure rights of customers are respected and upheld. We strongly recommend co-design with the disability sector.

Their personal identity, cultural dress or religious practice (including clothing) will be respected during the whole travel experience.

We agree with this proposed right and recommend the relevant Commonwealth and State anti-discrimination legislation be always adhered to.

For a person with disability, airlines and airports will comply with the Disability Discrimination Act 1992 and Disability Transport standards across their aviation journey.

Various airlines and airports seem to have a varying understanding of the Disability Discrimination Act 1992 (DDA) and Disability Transport Standards (DSAPT). The new aviation-

specific disability standards as a schedule to the Disability Standards for Accessible Public Transport 2002 (DSAPT) under the Disability Discrimination Act (DDA) will hopefully clarify the aviation industries obligations and responsibilities.

The aviation journey must be regarded as starting and finishing at the property boundary of the airport. Inability to arrive or leave from the airport renders the rest of the journey irrelevant. All facilities and services, including public and private transport infrastructure, must comply with both the DSAPT and the Disability (Access to Premises — Buildings) Standards 2010. Adherence to the universal design principles of the Convention on the Rights of Persons with Disabilities (CRPD) and Australia’s Disability Strategy 2021-2031³ will ensure better outcomes in aviation journeys for all passengers. This should be stated in the Charter.

It should be clear that Aviation Industry referred to in the Charter should cover not only airports and airlines but also the third-party providers or agents of the airport or airline. For example, third party travel agencies, baggage handling contractors, food outlets, car hire companies, newsagents and so on will be found in many airports but will not necessarily offer accessible services to passengers with a disability. These entities are an essential part of the aviation journey and must be included in the Charter.

Information provided by airlines and airports must be available to passengers in a range of accessible formats, including languages other than English.

It is important that information is communicated in accessible formats by airlines, airports and third parties involved. These accessible formats must be available immediately to avoid discrimination, or, for uncommon formats, ‘in a timely manner and without additional cost’¹.

It is essential that information should be provided in Plain English and in Easy Read that avoids jargon and complex terminology. Websites need to be aligned to the latest version of the Web Content Accessibility Guidelines (WCAG)² and should reach AAA standard. Elements of AAA, such as audiovisual material incorporating Auslan for Deaf passengers and audio description for vision impaired passengers, must be incorporated. People using screen reading access software need documents to be formatted in a particular way to increase accessibility.

Airport and airline staff will be aware of how best to assist you if you have accessibility requirements or have medical issues requiring consideration, including implants and prostheses.

Members who are blind have stated that sometimes there is a lack of communication when booking Meet and Assist via third-party travel agent, or even directly with the airline that has resulted in no assistance when they have arrived at the airport.

Another QDN member said that he was greeted by a special assistance customer service officer at the airport who asked for his Dangerous Goods Declaration Form, and he had communicated to the airline that the type of battery in his wheelchair did not require a

¹ Convention on the Rights of Persons with Disabilities (CRPD) Article 21

<https://social.desa.un.org/issues/disability/crpd/article-21-freedom-of-expression-and-opinion-and-access-to-information>

² <https://www.w3.org/TR/WCAG22/>

licence. He provided documentation that it was safe to fly. Then there were issues with the wheelchair size, even though our member called the airline and was reassured it was within weight limits. However, they had no record of his wheelchair on the flight and that resulted in him not being allowed to fly.

Another QDN member said that she arrived at her international destination to be told her wheelchair had not arrived overseas and this caused a lot of distress. She had to go on a cruise without her wheelchair and could not operate the manual wheelchair without assistance. On another occasion she was told an airline had an Eagle Hoist, but when she arrived, they said they don't have one. She had to travel on a separate plane to her wheelchair.

Members have said that there are inconsistencies with how they have been treated by airport and airline staff. Some staff have shown disability awareness and empathy, while others seem to not to know how to communicate effectively with people who have a disability. We recommend that disability awareness training is created for staff to best support accessibility needs of passengers and to also ensure new staff have training. We also recommend improved communication from the time of booking to arriving at the airport to ensure specific needs are met to avoid distress.

[Security screening at airports will be delivered with dignity, free from bias and in line with requirements set by the Department of Home Affairs.](#)

There have been many instances reported of poor practice and even disability discrimination at security screening. Passengers should know their rights and have accessible information about travelling with special circumstances. Screening officers at the airport should be respectful to people with a disability going through the screening process.

If passengers feel they have had an inappropriate screening process, then they should have a clear process of who they can contact about the matter. The complaints process and jurisdictional responsibilities for poor practice in security screening needs to be clear such as will the airport, or the Ombudsperson be able to investigate and resolve complaints at security screening or should matters be reported directly to the security screening supervisor as per the Department of Home Affairs website.

[Wayfinding will assist in the easy navigation of airports, through signage provided in multiple languages and formats, and buildings designed to assist those with accessibility needs.](#)

Wayfinding can help navigate complex spaces at airports and has the potential to transform the aviation experience. It is strongly advised to co-design wayfinding strategies with the disability sector. A nationally consistent approach to wayfinding is essential.

Proposed Right 2 – Aviation industry customers have the right to accurate, timely and accessible information and customer service.

They will be provided with clear, simple, and transparent terms and conditions that are easily available and identifiable when purchasing airline tickets and/or using airport services, such as parking.

Passengers should have clear terms and conditions provided to them when purchasing tickets and using airport facilities. There should be national consistency and services and facilities should have the same name in metropolitan, regional and rural centres. Ambiguity must be avoided entirely, or passengers may make decisions based on false assumptions.

They will be provided with clear and easy to understand conditions of carriage (including all fees) by airlines, outlining their rights regarding delays, refunds, changes and cancellations.

Aviation industry members should provide a national consistent approach to explaining rights in the charter/statement.

A customer service representative will be available at the airport and/or on the phone to assist.

In addition to telephone contact, SMS contact should be available. People who are Deaf or hearing impaired might be challenged to communicate verbally with the representative. Queensland Rail currently provide an SMS service for passengers requiring information or assistance.³

Information about delays, cancellations and disruptions will be provided to customers promptly after it is known by the airline.

The information must be provided in multiple accessible formats. This includes Auslan. British rail operators are currently trialling British Sign Language messaging for Deaf passengers.^{4 5 6 7} A similar exercise is being undertaken in New Zealand.⁸ All of these projects recognise the confusion and anxiety that Deaf people experience when service disruptions occur, and they are left unimformed by the existing audiovisual systems.⁹

Any call centre should include the capability for a customer callback option or voicemail, to ensure customers are not on hold for excessive periods of time.

In addition to telephone contact SMS contact should be available. People who are Deaf or hard of hearing may be challenged to communicate verbally with the call centre when away from home or unable to use the National Relay Service.¹⁰ Queensland Rail currently provide an SMS service for passengers requiring information or assistance.¹¹

³ <https://www.queenslandrail.com.au/forcustomers/accessibility/text-message-service>

⁴ <https://www.railway.supply/en/a-railway-carrier-is-testing-an-application-for-translating-information-into-sign-language-in-the-uk/>

⁵ <https://railuk.com/travel/arriva-rail-london-trials-luna-to-help-british-sign-language-users/>

⁶ <https://www.railwaygazette.com/uk/sign-language-translation-to-be-tested-at-london-overground-stations/66829.article>

⁷ <https://www.railwaygazette.com/uk/northern-uses-ai-to-trial-british-sign-language-announcements/65976.article>

⁸ <https://at.govt.nz/about-us/news-events/media-centre/2024-media-releases/inclusive-at-signage-rolls-out-at-waitemata-britomart-station>

⁹ <https://theconversation.com/for-deaf-people-train-travel-can-be-a-gamble-but-an-ai-powered-auslan-avatar-can-help-241016>

¹⁰ <https://www.accesshub.gov.au/>

¹¹ <https://www.queenslandrail.com.au/forcustomers/accessibility/text-message-service>

The airline and airport will have a customer service statement or charter which will outline their specific commitments to customers, including timelines for responses to queries or feedback.

The customer service charter or statement should provide clear timelines in an accessible manner. This is highlighted in article 21 of the UN CRPD where it is stated people can seek and receive feedback 'in a timely manner and without additional cost'¹². This should be foremost in the development of the statement or charter.

Proposed Right 3 – Aviation industry customers have the right to prompt and fair remedies and support during and after cancellations, delays and disruptions.

If a flight is delayed, the airline should provide customers with regular updates on the status of the flight and the expected departure times.

As stated previously, the updates should be in multiple accessible formats including information in Auslan.

If a flight is disrupted or delayed for more than 3 hours, for reasons within the airline's control, customers should, at no cost to the customer: receive assistance to rebook with original or alternative airlines, without fees, the option to cancel time flights with a full refund, meal vouchers/reimbursement or access to a lounge where food is available and accommodation and transfer where a customer is required to remain in an away from home port overnight.

We agree that the customer should have assistance to rebook original or alternative airlines and to cancel time dependent flights with a full refund. Meal vouchers should be provided if the flight is delayed, however, the premises serving food should be accessible to people with a disability. We also agree that accommodation and transfers should be provided if required, however, the transport and hotels must be accessible for people who have a disability.

If customers have had to book a new flight with another airline due to their original airline not having a reasonable replacement flight, then the original airline will refund the cost of the original flight.

Third party travel agencies where customers might have booked their flight should also notify their customers in an accessible manner that they can receive a refund.

Customers should receive a refund for a cancelled flight within 14 days of the cancellation being notified, regardless of the fare type, where an alternative flight has not been agreed. The refund should be to the full amount paid by the customer, including baggage charges, pre-purchased meals, extra leg room fees and any payment fees and charges.

As stated previously, third party travel agencies where customers might have booked their flight should also notify their customers in an accessible manner that they can receive a refund.

¹² Convention on the Rights of Persons with Disabilities (CRPD) Article 21
<https://social.desa.un.org/issues/disability/crpd/article-21-freedom-of-expression-and-opinion-and-access-to-information>

If a flight has boarded, but is disrupted through a delayed take-off for longer than 1 hour, subject to safety requirements, customers will be provided access to amenities, appropriate refreshments and regular information updates about the delay,

As stated previously, the updates should be in multiple accessible formats including information in Auslan.

Proposed Right 4– Aviation industry customers have the right to safe and timely baggage handling and fair remedies for damage and delays.

Luggage will be safely handled through the aviation journey, from originating airport to plane to destination airport, including on the tarmac.

There have been reports of damage to mobility aids and disability aids. Reports of damage to mobility aids and disability aids by baggage handlers are far too frequent. The baggage handling contractors are often third-party providers, and not employees of an airline or airport so a decision would need to be made if they are included in the customer service charter. Passengers with a disability require staff to know how to handle mobility aids such as wheelchairs with respect so they are not damaged.

If luggage is temporarily lost by an airline, customers should be reimbursed for the necessary purchase of appropriate clothing and toiletries where this occurs away from the customer's home port.

This presumes that such clothing and toiletries are readily available at the passenger's away-from-home location. This will often not be the case, particularly in regional areas. A system that allows same-day replacement of necessary items must be in place and form part of the Charter.

If luggage is damaged in the course of carriage, the airline will finalize a claim for damages in a timely manner.

Finalizing a claim for essential supports and equipment must be done quickly. Clarification is needed regarding if third party baggage handling companies are covered by the Charter.

When any lost luggage is located, it should be delivered to the customer at the earliest possible time and at no cost to them.

We agree that the customer should not have any cost for lost luggage.

Proposed Right 5– Aviation industry customers have the right to the protection of their personal information.

Clear information about airline and airport handling of personal information will be available on their website.

The website should be compliant to the latest version of the Web Content Accessibility Guidelines¹³. Further, rather than AA compliance, elements of AAA compliance should be required. Information presented in audiovisual format must include Auslan alternatives for

¹³ <https://www.w3.org/TR/WCAG22/>

Deaf people and audio description for vision impaired people. In addition to webpages information should be available in other accessible formats, including verbal follow up with staff.

Airlines and airports (including their contractors) will collect, handle and store any personal information, according to law.

We agree that they should collect and store personal information according to privacy legislation. Customers should have assistance to understand privacy obligations if they request to know more about how their private information is stored.

Airlines and airports will only store any personal information for the length of time that is necessary for the provision of the aviation service they are providing, or as authorized by law.

We agree that they should collect and store personal information according to privacy legislation. Customers should have assistance to understand privacy obligations if they request to know more about how their private information is stored.

Personal information supplied to an airline or airport will be done securely, with minimal risk of compromise by unauthorized third parties.

Agree in principle, however, consideration is needed regarding third party organisations.

Proposed Right 6– Aviation industry customers have the right to provide feedback, make complaints and exercise their rights without retribution.

Airlines and airports will improve their complaint handling systems seeking to resolve customer complaints in the first instance and not require complaints agencies.

The Disability Royal Commission final report highlighted that people with disability required accessible complaints processes that were easy to navigate. Complaints should be handled effectively to avoid going to external complaint organisations. However, the option to seek assistance if issues are not resolved should be an option for customers. A stronger statement such as 'Airlines and airports shall improve their complaint handling systems, resolving customer complaints in the first instance whenever possible, in order to avoid escalation to external complaints agencies.'

A family member, carer, advocate or legal representative will be able to support and/or represent a customer.

People with a disability should be allowed to have an informal support, independent or legal advocate to assist them to navigate the complaints processes. It is recommended to have a list of advocacy organisations that could assist people if they need support.

Information will be supplied by the airline or airport on how to provide feedback or make a complaint, and how the complaint will be escalated if you are not happy with the response, including how to contact the Aviation Industry Ombudsman.

This information must be immediately available in Plain English, Easy Read and in multiple accessible formats whenever possible and information requested in an uncommon format must be supplied 'in a timely manner and without additional cost'¹⁴.

All feedback and/or complaints will be acknowledged by, and responded to, by the airline or airport in a reasonable timeframe (with a target of 24 hours to acknowledge and 30 days to resolve).

We agree with a target of 24 hours to acknowledge and 30 days to resolve the complaint. This information needs to be provided in an accessible manner.

Airlines and airports will facilitate the exercise of customer rights under the Charter without customers being concerned about retribution.

We agree that customers should be able to give feedback or make a complaint without the fear of retribution.

What happens if your rights are breached?

It is paramount that if airlines, airports and third-party partners cannot resolve customer complaints that customers are provided with clear and accessible information to put in a formal complaint to the Aviation Industry Ombudsman Scheme (AIOS). Customers should also be able to make complaints to the Australian Human Rights Commission and relevant tribunals if they feel their rights have been breached.

Conclusion

QDN is grateful to have the opportunity to provide a response regarding the Aviation Customer Rights Charter. Our submission is a culmination of QDN members' technical expertise and lived experience of air travel. QDN commends the Australian Government for this reform process and supports the call for the aviation industry to have inclusive and accessible transportation.

QDN and our members look forward to further opportunities to contribute to the Department of Infrastructure's commitment to accessible travel and creating new specific disability aviation standards. We strongly encourage a co-design approach and having Queensland disability representation, particularly because Queensland will be hosting the Olympics and Paralympics in 2032.

¹⁴ Convention on the Rights of Persons with Disabilities (CRPD) Article 21
<https://social.desa.un.org/issues/disability/crpd/article-21-freedom-of-expression-and-opinion-and-access-to-information>