Annexure A

ANNEXURE B: SERVICE CHARTER

The following sections set out the rights and responsibilities of the passenger, Operator and the City and the complaints procedure in the context of this Agreement. Notwithstanding the provisions contained within the Service Charter, the Operator must comply with the conditions and specifications set out in the main body of the Agreement.

The Service Charter applies to all user categories of the Dial-a-Ride (DaR) Service, which are:

i. Regular users: those who use the service daily for travelling to work and school
ii. Regular ad hoc users: those who use the service at least three times a week for hospital visits, among others
iii. Ad hoc users: those who use the service for travelling to church, among others.

From time to time, the City through the Operator may, at their discretion refuse or withdraw the service (full or in part) temporarily due to extenuating circumstances.

This Service Charter may be updated or amended by the City from time to time.

Passenger Rights and Responsibilities

A. The DaR passenger has the right to:

1. A safe public transport service;
2. A reliable service that gets you to and from your destination according to his/her booking;
3. Be secure while travelling on the public transport service;
4. Travel on a vehicle that is not overloaded or overcrowded;
5. Clean and comfortable public transport;
6. Professional and courteous treatment from the drivers and staff of the Operator;
7. Music on the vehicle to be turned off or down when requested;
8. Adequate (sufficient to make an informed decision) and accurate information on the public transport services;
9. Travel on a public transport service without experiencing any form of sexual harassment or discrimination;
10. Access to call centre for bookings;
11. A service that provides value for money;
12. To join or lobby interest groups to protect and promote his/her interests as a passenger;
13. Complain and receive feedback if experiences of the service are not satisfactory

Annexure A

B. As a DaR passenger you have the responsibility to:

1. Inform the City of any change in personal information and disability/impairment
2. To notify the call centre of change of employment, loss of employment resulting in diminished need for the service.
3. Follow all safety regulations;
4. Comply with all safety requirements, instructions issued and communicated by the driver/Operator and use of the passenger wheelchair, and restraint systems if applicable;
5. Adhere to seating allocation indicated by the driver.
6. Users may not dictate to the driver the order of pick up's and drop-off's;
7. Users are not to contact driver directly and should instead utilise the Dial-a-Ride Call Centre;
8. All complaints are to be logged via the Transport Information Centre (transport.info@capetown.gov.za or 0800 65 64 63);
9. Pay the valid fare for the trip and show a ticket for inspection when required prior to boarding the vehicle;
10. Travel with an approved carer/travel assistant, where determined by the Health Care Practitioner and the City and to pay full fare for approved carer/travel assistant (Persons under the age of 16 cannot act as a helper/carer);
11. Not bring unauthorised passengers on the vehicles unless the person is a registered Dial-a-Ride carer/helper;
12. Not ask the driver to stop illegally in order to disembark from the vehicle;
13. To be ready for pick up 5 minutes before scheduled trip. Should the vehicle be forced to return due to any fault of the user the user would be charged for each missed trip in addition to the trip fare;
14. Not vandalise or litter at pick-up/drop-off points or in vehicles;
15. Not put his/her feet on seats;
16. Not smoke, eat or drink alcohol in a vehicle;
17. Not board the vehicle under drunk, disorderly and nuisance behaviour and no user shall use the service while intoxicated;
18. Keep belongings in own possession at all times;
19. Not let luggage impede the movement of other passengers;
20. Not bring live animals onto DaR vehicles, unless it is a guide/hearing dog without prior consent of the City; Guide/hearing dogs are to be kept clean and treated for ticks and flies so as too not cause harm or impede on the right of other passengers.
21. Report vandalism and abuse of vehicles and facilities;

Annexure A

22. Not abuse drivers, other passengers and staff by shouting, insulting and using vulgar, sexual language or behaviour towards them;
23. Treat all staff, drivers and passengers with dignity and respect.
24. Adhere to safety regulations as it is mandatory.

C. Adhere to no show and cancellations procedures:

1. *No-shows occur when:*
   - i. A user does not show up for the schedule trip, when the vehicle arrives on time for a pick-up and has waited the allocated five (5) minute
   - ii. A user does not cancel the trip one (1) hour before the scheduled pickup
   - iii. Users (and travel assistants) will be charged for no-shows.
2. *Cancellation occurs when:*
   - i. A user no longer requires a pick up.
   - ii. A user cancels the trip more than one (1) hour before the scheduled pick up time.

D. Misuse of the service:

1. Excessive no-shows i.e. four (4) or more repeated no-shows within 30 days by a regular user will result in the user being moved from regular usage to ad-hoc usage. Four (4) or more repeated no-shows, within 30 days, by an ad-hoc user will result in the user unable to make bookings for two (2) weeks. After such restrictions are lifted and the user continues to incur four (4) or more repeated no shows this will result in removal from the service in order to optimise the service to benefit other eligible users.
2. Excessive cancellations i.e. three (3) or more cancellations within seven (7) days by a regular user will result in the user being moved from regular usage to ad-hoc usage. Three (3) or more cancellations within seven (7) days by an ad-hoc user will result in a restriction in trip bookings for two (2) weeks. Thereafter, continued regular cancellation will result in removal from the service in order to optimise the service to benefit other eligible users. After such restrictions are lifted and the user continues to incur three (3) or more cancellations within seven (7) days, this will result in removal from the service in order to benefit other eligible users.
3. User disturbances, disruptions, non-adherence to rules and safety procedures and abuse of the Service under false pretences will be issued with a first offence notice should such behaviour persist a 2nd offence notice will be sent. Any further disturbances, disruptions, non-adherence to rules and safety procedures and abuse of the Service of the same kind will result in a final notice and exclusion from the Dial-a-Ride service.

Annexure A

Operator Rights and Responsibilities

A. The Operator has the responsibility to:

1. Conduct your business with due care for the safety and security of the public;
2. Conduct your business with due care for the environment;
3. Ensure that the working conditions of all your employees are in line with labour legislation;
4. Ensure that your employees receive the necessary training in customer care and the requirements of special needs passengers;
5. Ensure that your drivers are medically fit to drive public passengers at all times.
6. Ensure that drivers are provided with regular refresher training in driving skills to ensure that they are up to date with changes in legislation and to eliminate bad driving habits that develop over time;
7. Provide accessible and understandable information about services and fares;
8. Provide clean and comfortable vehicles;
9. Operate with friendly and helpful drivers and staff;
10. Listen carefully to passenger complaints, identify problem areas and, if appropriate, take action to remedy the situation;
11. Display this public transport charter in all public transport vehicles in a position clearly visible to passengers;
12. Display on each vehicle where complaints should be directed;
13. Provide public transport vehicles that do not pollute the air with fumes and unnecessary noise;
14. Ensure that your vehicles are driven by persons in possession of a valid PrDP, and ensure that they comply with the necessary legislation;
15. Ensure that your vehicles are roadworthy at all times, and have a valid roadworthy certificate;
16. Ensure that your vehicles are kept in good working order and, in the case of a breakdown, arrange for alternative transport for passengers;
17. Not allow drivers to harass, intimidate or molest passengers, and take action against drivers who do so;
18. Ensure that employees do not participate in any violent actions or actions that could lead to violence in the public transport context;
19. Ensure that employees do not carry any unlicensed firearms or allow the display of a weapon in your vehicles
20. Do everything in your power to ensure the security of passengers on vehicles;

Annexure A

21. Ensure that drivers do not collect fares from passengers in the roadway or in any dangerous situation.
22. Provide drivers with employment support and assistance programs
23. Provide mechanisms to record complaints
24. Follow a City approved complaints resolution procedure
25. Disembark a passenger that refuses to comply with established safety regulations. Alternatively, the Operator may refuse to commence travel. Any refusal by a passenger to adhere to these regulations must be documented and reported to the Operator and the City, as per the established reporting protocol.

B. The Operator has the right to:

1. Be paid the fare in full by all passengers.
2. Report inadequate facilities and infrastructure to the appropriate authorities

<u>Driver Rights and Responsibilities</u>

A. As a public transport driver, you have the responsibility to:

1. Ensure that you do not operate a vehicle if you know or believe it is unsafe or unfit to be operated;
2. Ensure that you do not operate a vehicle if you are unfit to operate it safely;
3. Know and obey traffic laws;
4. Ensure that you do not use foul language or engage in any disorderly conduct in public;
5. Be clean, sober and in uniform;
6. Not smoke or drink alcohol when you are driving a vehicle or dealing with passengers;
7. Be courteous and helpful to passengers;
8. Assist passengers where reasonable;
9. Not charge passengers unauthorised fares and sell the appropriate ticket for the journey;
10. Not refuse a fare (other than for the reasons outlined in "rights" below);
11. Not collect fares from passengers in the roadway or in any dangerous situation;
12. Not harass, intimidate or molest passengers;
13. Ensure that you do not participate in any violent actions or actions that could lead to violence in the public transport context;
14. Ensure that you do not carry any unlicensed firearms or allow the display of a weapon in the vehicle.
15. Refuse to take passengers if they are violent, noisy, misbehaving, drunk, filthy and/or offensive;
16. Refuse to take passengers if they cannot or will not pay the fare;

Annexure A

17. Ensure proper management of conduct, any observed misbehaviour is to be promptly reported to both the Operator and the City for procedural action.
18. Ensure passengers are adequately secured when boarding and alighting the vehicle using the ramps.
19. Ensure all passengers are safely and adequately secured during transit using the wheelchair restraints and passenger seatbelts.

B. As a public transport driver, you have the right to:

1. Working conditions that comply with labour and related legislation, including working hours and sufficient rest time, the right to organize, etc.
2. Safe and secure working conditions;
3. Working conditions free of any type of discrimination;
4. Refuse to take passengers with an unreasonable amount of luggage (unless the passenger pays for the additional seat space taken up by the luggage and has made this part of his travel request);
5. Refuse to take luggage which could be dangerous or offensive;
6. Refuse to drive a vehicle that is not safe.
7. Report abusive passengers to the necessary authorities

City's Rights and Responsibilities

A. The City has the responsibility to:

1. Establish a local mechanism for passenger consultation and feedback on service levels;
2. Ensure the development and effective implementation, monitoring and revision of the Service Charter;

B. The City has the right to:

1. Investigate complaints if it has been deemed to be inadequately dealt with by the Operator;
2. Terminate the contract within the provisions of this Agreement;
3. Expect the Operator to comply with the provisions of the Service Charter

Complaint procedure

1. A procedure is in place for people who wish to make a complaint. If the matter is serious, or concerns criminal activity, you should also contact the South African Police Services; otherwise, it is recommended that you first make your complaint directly to the DaR Operator who will investigate it.

Annexure A

2. If you are not satisfied with the result of the DaR Operators' internal investigation, you may make your complaint to the Transport Information Centre (transport.info@capetown.gov.za or 0800 65 64 63).

Note: This "Service Charter" must be finalised between the DaR Operator and City prior to its implementation. This service charter may be adjusted by the CCT from time to time and such adjustments must be communicated with the DaR Operator timeously.