

Appendix 1 - Response to consultation on Freedom Pass review

Thank you for contacting Transport for London (TfL) to provide input into this report on aligning the free national off peak bus travel criteria with the London Disabled Persons' Freedom Pass criteria. The email was forward to me as I am in TfL's Equality and Inclusion Unit.

Local borough councils issue freedom passes to disabled people who meet one of the categories in the Transport Act 2000, covered under the Greater London Authority Act 1999. In addition to these categories, Local councils may at their discretion issue freedom passes to disabled people that do not meet one of the above criteria.

The key proposal within this report is to remove the power to issue the Disabled Persons Freedom Pass on a discretionary basis with a near immediate effect (applying to all current users that were eligible on a discretionary basis and to all future applicants from April 2008). While councils may make such decisions on a discretionary basis, there are significant equality and inclusion impacts to consider.

Transport provides a key role in improving disabled peoples quality of life through access to basic services and activities such as work, learning, healthcare, food, shops, social, cultural and sporting activities. The Freedom Pass encourages greater social and economic participation and inclusion by disabled people, removes financial barriers to access and helps reduce a lack of confidence in using the transport network resulting from past and present transport barriers.

Removing discretionary decisions will not only impact on those with long term mental health conditions but is also likely to impact upon other groups of disabled people who do not fall into the categories specified (under a strict interpretation of the Act).

Once the Freedom Pass is removed there is no alternative travel concession for this group, particularly if they are not young children, students, older people or registered unemployed or receiving income support. Free fares only apply to children, older people and disabled people - according to the categories specified in the Transport Act. Travel concessions apply to New Deal Photocard holders (registered unemployed with local Job Centre or Social Security Office). Travel concessions also apply to people receiving income support but only to bus and tram. Note that if discretionary decisions are removed from the Disabled Persons' Freedom Pass and some of those people receive income support (e.g. some people with mental health conditions that are receiving income support such as the lower rate Disability Living Allowance) the discount only applies to bus and tram (half price bus season tickets and Oyster Pay As You Go travel) and not across the transport network like the Freedom Pass.

With regards to people with mental health conditions, the paper notes that many of those residents would qualify under other categories. Are there any

statistics on this? It is widely recognised that social and economic conditions impact upon health and there is a correlation between mental and physical health. While it is known that the physical health of those experiencing mental health problems, particularly those with long term and serious mental health problems, tends to be poor, this does not necessarily mean that the physical impact is a substantial and long-term adverse effect on ability to walk (if this is the category that they are thought to qualify under).

People with mental health conditions are more likely to find it difficult to study and achieve qualifications, more difficult to hold down a responsible job, more likely to be discriminated against and are more likely to have low incomes. The National Programme for Improving Mental Health and Well-Being: Addressing Mental Health Inequalities in Scotland provides more detail:

People with mental health problems are more likely to be in debt and have difficulties managing money than other members of the general population (SEU, 2004). Those who have a long term mental health problem are likely to be trapped in poverty for longer periods than other people and persistent low incomes make it more difficult for individuals to take part in social activities that would alleviate isolation. Lack of practical support and assistance with finance matters and benefit claims can reinforce the vicious cycle of poverty, exclusion and poor mental health (Cullen, 2004; SEU, 2004).

Has a full Equality Impact Assessment been carried out on the proposal to remove the discretionary powers to issue the Freedom Pass?

The Haringey Disability Equality Statement provides a commitment (on page 3) that “impact assessments will ensure that the council’s activities do not disadvantage disabled people in any way (either intentionally or not)”.

It would also be useful to consider the Duty to Promote Disability Equality under the Disability Discrimination Act 2005. The Duty requires all public authorities to have due regard to the need to promote equality of opportunity between disabled persons and other persons, and to take steps to take account of disabled persons’ disabilities, even where that involves treating disabled persons more favourably than other persons.

In addition the Haringey Disability Equality Statement sets out the Councils commitment to work in partnership with disabled people and involving disabled people in the changes and improvements made. Has there been any consultation outside the mobility forum or any direct consultation with people with mental health conditions? I am not sure of the level of presence of people with mental health conditions attending this forum.

With kind regards,

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Council Response

Dear Ms Hill

Thank you for taking the time to respond to our consultation on proposals to review the Disabled Freedom Pass qualifying criteria and align it with national legislation.

The categories of disabled people defined in the Transport Act 2000 are very comprehensive and we feel that we should not continue to issue Freedom Passes to people outside of those categories.

Haringey has as present the highest number of Disabled Freedom passes in issue across London. There are 6993 in issue, of which 660 are issued under an additional discretionary criterion – Mental Health. This is in addition to those who would qualify under criterion 7 of the Transport Act 2000 [the refused or would be refused a driving licence element]. Proposals in the report relate only to the additional discretionary criteria and not to any of the categories specified in legislation where discretion will also apply.

It is impossible at this stage to state exactly how many people will be affected. It is clear that a significant number of those currently issued with Disabled Freedom Passes under the additional criteria will still qualify under criterion 7 of the Transport Act 2000. We currently preparing for the 2008 reissue which involves re-assessing all existing applications and it is clear even at this early stage that individual circumstances change, which will impact on eligibility even under the additional criteria.

The new national pass being introduced in April 2008 will only be issued to those qualifying under the categories of disabled persons defined in legislation. Our proposals are aimed at bringing us in line with legislation and with many other boroughs and such we will still meet all our statutory obligations.