

Freedom Pass Review

ON THE ISSUE AND RENEWAL OF SOUTHWARK DISABLED PERSONS
FREEDOM PASSES

Report of Scrutiny Sub-Committee C

November 2008



Table of Contents

Foreword: Scrutiny Sub-Committee	3
Introduction	4
Freedom Passes Overview	5
Discretionary London Only Freedom Passes	6
Assessment Criteria	7
Systems Issues – Helix and Carefirst	9
Service Transfer	10
Staffing Issues	11
Vangent/One Stop Shops/Communication	12
The Assessment and Renewal Process	13
Appeals	16
Number of People Affected	16
Relationship with London Councils	17
Extension to Existing Freedom Passes	18
Publicity	19
Other Authorities	20
What Should Be Done Differently?	20
Recommendations	22

Foreword: Scrutiny Sub-Committee

The aim of this review was to investigate Southwark Council's handling of the renewal process for Freedom Passes in 2008. This included the delays in completion of the renewal cycle, the provision of information to Freedom Pass holders and the treatment of those seeking to renew their Passes.

The sub-committee received evidence from two main sources. An officer was appointed to carry out an internal review, the report of which formed the backbone of the sub-committee investigation. Also, the sub-committee were very grateful to hear from service users who informed Members about their personal experiences. As a result, their evidence was used to test the findings of the officer's internal review work.

The scrutiny committee is satisfied that the internal review and subsequent report undertaken by Jennifer Seeley has addressed the concerns of Members and stakeholders. The committee have accepted and in some cases strengthened the officer's recommendations and these are set out in this report. It is the wish of the committee, stakeholders and officers that this review will inform future process and will provide learning for other significant transfers of functions between directorates.

Introduction

Jennifer Seeley, Assistant Finance Director.

1. I have been asked to prepare this report for the Scrutiny Sub-Committee C – Freedom Pass Renewal by Eleanor Kelly, Deputy Chief Executive. I have asked for and received co-operation from officers in Health and Social Care and in Customer and Corporate Services.
2. It is clear that many people have experienced significant distress during the process of the renewal of Freedom Passes in 2008, and I express my sympathy to all those who have suffered during this time.
3. It is also apparent that some staff have worked very hard over an intense period, and, as a result, that many people did receive their Freedom Passes by the renewal date.
4. I have not investigated any individual cases, or complaints, but have used these complaints to inform my review and this report.
5. This report focuses on the Southwark Disabled Persons' Freedom Passes, rather than the issue of Freedom Passes to those aged 60 and over.
6. I have tried to address those questions which were highlighted in the Scrutiny Sub-Committee meeting of 24th July 2008, and I have made recommendations for consideration to help the council improve its performance, both in the issue of Southwark Disabled Persons' Freedom Passes and in any future service transfer.
7. This report is structured with the following sections:
 - Freedom Passes
 - Discretionary London Only Freedom Passes
 - Assessment Criteria
 - Systems Issues: Helix and Carefirst
 - Service Transfer
 - Staffing Issues
 - Vangent / One Stop Shops / Communication
 - The Assessment and Renewal Process
 - Appeals
 - Number of People Affected
 - Relationship with London Councils
 - Extension to Existing Freedom Passes
 - Publicity
 - Other Authorities
 - What should be done differently
 - Recommendations

FREEDOM PASSES

8. In 2000 the Government introduced a guarantee of half fare travel for eligible England residents within their local authority area.
9. From 1st April 2006 to 31st March 2008, all residents of England who were aged 60 and over and eligible disabled people were guaranteed free off peak local travel within the local authority area in which they lived. As a minimum, passes could be used for off-peak bus travel within the boundaries of the district or unitary authority of residence.
10. Eligible residents of one of the six metropolitan areas - Greater Manchester, Merseyside, South Yorkshire, Tyne and Wear, West Midlands or West Yorkshire - could travel within their whole Passenger Transport Executive (PTE) area. Eligible residents of Greater London are could use their Freedom Passes for free travel throughout the Greater London area.
11. Local authorities could also choose to offer extra benefits such as county-wide or area-wide schemes, or could offer concessions on specific cross-boundary journeys, at their discretion.
12. On 22nd March 2006, the Transport Secretary announced that from April 2008 the local entitlement for free bus travel would be extended to allow bus travel in every area of the country. After 1st April 2008 people aged 60 and over and eligible disabled people in England were entitled to free off-peak travel on all local buses anywhere in England (rather than just within their local authority area of residence).
13. In Southwark, this travel entitlement is known as the "Freedom Pass". For those people with disabilities the full formal title is the "Southwark Disabled Person's Freedom Pass". Whilst older people's Freedom Passes are for off-peak travel only, people with a Southwark Disabled Persons' Freedom Pass are entitled to free travel at any time.
14. So, from April 2008, many people, including all those over 60 years of age, would have qualified for the statutory National Freedom Pass. I refer to this as the NFP. There was no entitlement to free national bus travel prior to 1st April 2008.
15. The main difference between the renewal processes for 2006 and 2008 was not any change in qualifying criteria but appears to be the strict requirement for the council to maintain an audit trail displaying clear evidence why the NFP was issued. All NFP have to be issued under one of the assessment criteria discussed below. Councils received guidance in June 2007 that they should not assume that people with certain conditions who had previously had a discretionary pass would be automatically entitled to a NFP.
16. Officers issuing Freedom Passes in April 2006 would have been aware that there would be a mass renewal required for April 2008, and should have been aware that there would be a change to a national scheme which would be likely to increase demand for the Freedom Pass. The bulk renewal of passes is problematic and the council should lobby for a rolling programme of renewals.
[see recommendation 4]

DISCRETIONARY LONDON ONLY FREEDOM PASSES

- 17. In Southwark, the council had issued Freedom Passes (FP) for many years. Councils had always had the option to issue discretionary passes. After the introduction of the NFP the council continued to issue discretionary ‘Local Enhancement’ or ‘London only’ Freedom Passes (which I refer to as LFP).
- 18. London Only Freedom Passes were issued to those who, whilst not meeting the national criteria for a NFP, met discretionary local criteria expressed on the Disabled Persons’ Blue Badge and Freedom Pass Guidance Notes as:

Criteria	Evidence required by Southwark
You have a severe enduring long term mental health condition (and are on a full Enhanced Care Programme Approach).	You will need to provide an original copy of your Care Plan
You are unable to walk	<p>The Appeals Procedure states: The applicant needs to be able to demonstrate that they are unable to walk by showing their inability to physically place one foot in front of the other and take a step forward</p> <p>The applicant needs to be able to demonstrate that he/she can only get around by using two crutches whereby their arms need to take their full weight in order to move forward (both feet off the ground at the same time)</p>
Virtually unable to walk	<p>The Appeals Procedure states: The applicant is unable to walk very far without experiencing severe discomfort, breathlessness, extreme fatigue, high levels of pain may also be taken into account. When referring to walking the Council is asking about the applicant’s ability to walk outside their home.</p>

- 19. This means that for the April 2008 issues and renewals there were three possible outcomes for applicants for the NFP:
 - a. meeting NFP criteria and receiving a National Freedom Pass
 - b. not meeting NFP criteria, but meeting discretionary Southwark criteria and receiving a discretionary London Only Freedom Pass
 - c. not meeting the NFP or LFP criteria and being refused any concessionary travel permit.
- 20. The existence of both National Freedom Passes and London Only Freedom Passes is confusing for customers and requires additional resourcing. Some councils, including Newham and Hackney, have chosen to only issue NFP and not to support a local discretionary scheme. Whilst noting that this would be a

diminution in service for some customers, Southwark council should consider the merits of the continuation of the discretionary London Only Freedom Pass scheme beyond March 2010. **[see recommendation 5]**

ASSESSMENT CRITERIA

21. Southwark Disabled Persons' Freedom Passes are available for people who have their sole or principal residence in Southwark, being residency in the borough for at least three months. The original (not copied) evidence required would be one of the following documents:

- Current tenancy agreement showing name and address of applicant
- Council Tax demand showing name and address of applicant
- Bank or building society statement showing name and address of applicant
- Utility bill, i.e. gas, electricity or home telephone bill showing name and address of applicant
- Her Majesty's Revenues and Customs (HMRC) or Department for Work and Pensions (DWP) letter
- Housing/Council Tax Benefit letter.

22. The assessment criteria for a Southwark Disabled Persons Freedom Pass have not changed since 2000. The criteria are drawn from the Transport Act 2000, although for London, this was the Greater London Authority Act 1999 section 240(5). In practice this is the same list. This list was amended by the Concessionary Bus Travel Act 2007 which altered the structure and numbering. The categories and evidence required by Southwark for each category is shown below:

Criteria	Evidence required by Southwark
(a) is blind or partially sighted:	Certificate of Vision Impairment (CVI) or BD8 registration form or other medical evidence
(b) is profoundly or severely deaf	Audiology report confirming hearing impairment showing profound deafness = 70-95dBHL or severe deafness = +95dBHL
(c) is without speech	Medical report/confirmation
(d) has a disability, or has suffered an injury, which has a substantial and long-term adverse effect on his ability to walk,	May be in receipt of the higher rate of Mobility Component of the Disability Living Allowance – evidence required copy of letter from Department of Works and Pensions confirming eligibility or medical report/confirmation
(e) does not have arms or has long-term loss of the use of both arms,	Medical report/confirmation

Criteria	Evidence required by Southwark
(f) has a learning disability, that is, a state of arrested or incomplete development of mind which includes significant impairment of intelligence and social functioning,	Medical report/confirmation or proof that the applicant is known/registered with the local authority
(g) would, if he applied for the grant of a licence to drive a motor vehicle under Part III of the Road Traffic Act 1988, have his application refused pursuant to section 92 of that Act (physical fitness) otherwise than on the ground of persistent misuse of drugs alcohol or	Written confirmation from the DVLA that the person has or would be denied a driving licence or written medical evidence supplied by the person's doctor
(h) persons to whom a current statutory travel concession permit has been issued under section 145A(4) of the Transport Act 2000.	<i>Note: not generally used as it effectively repeats the criteria above</i>

23. Depending on the criteria for entitlement, as outlined above, there may be a number of sources of evidence as to an individual's condition. The Southwark application form asks permission to confirm entitlement with third parties, including the Department for Work and Pensions (DWP), GPs and other health professionals. In cases relating to people in receipt of the higher rate of Mobility Component of the Disability Living Allowance (DLA) this can be done by Southwark staff through a computer terminal with access to DWP information.
24. Evidence of entitlement may frequently involve a medical report or confirmation. Whilst this may be obtained from a Consultant or medical specialist, in many cases the council is reliant on information received from an individual's General Practitioner (GP). Although this has been the case for some years, this has a number of disadvantages. It results in local GPs being required to complete assessments for a large number of their patients over a short period of time. There have been instances of local GPs refusing to complete the assessments. DWP acknowledge that "it is most unlikely that the GP will have meaningful or detailed information about [a patient's] ...difficulties in getting around". If a GP refused to agree a patient's condition as falling within one of the criteria, or to complete the assessment as expected by the applicant, this may compromise the doctor/patient relationship.
25. A council internal audit report completed in October 2005 recommended that the council appoint its own Occupational Therapists (OTs) rather than using GPs. When this recommendation was followed up in July 2006 the action taken was recorded as "the use of OTs has been given consideration but because of the large numbers of applicants and effect on Social Care/PCT budgets was not deemed possible". Some other London councils have used OTs to fulfil this function. The use of an OT team would improve the consistency of decision making. Staff report that they are currently investigating other options including using OTs, and working more closely with colleagues in Health and Social Care and local PCTs to ensure quicker turnaround for medical reports. This review should be completed. **[see recommendation 6]**

26. Southwark council requires GPs to complete a “Disabled Persons’ Freedom Pass Medical Report” form in order for the council to assess individuals as to their eligibility. The form is three pages long, and the design is confusing and repetitive. Local GPs were not consulted on the best layout of the form. Should the council wish to continue using GPs this form should be reviewed in conjunction with local GPs. **[see recommendation 7]**
27. The receipt of the medical report is not acknowledged by the Freedom Pass team. This is not considered to be a significant issue. A return receipt to a GP could add to the GPs administrative burden. However, a robust case management system would be desirable. **[see recommendation 16]**
28. For those customers who are newly resident in the borough and wish to apply for a NFP and where their entitlement to an NFP is not clear cut, effort will be made to contact their previous responsible local authority in order to obtain confirmation of their current situation and entitlement.

SYSTEMS ISSUES – HELIX AND CAREFIRST

29. Prior to 2006 information relating to persons with an entitlement to a FP was held on the Helix system. Helix was a standalone system held on an Apple Mac PC. The Helix system database had been created specifically for use by Southwark council. In 2005 it was determined that the system was no longer robust. The consultant who had created the bespoke system also left the council, so the system was not supported. This presented a considerable risk to the council.
30. A decision was taken to move to the Carefirst system. This system was in use by other local authorities, was supported by the manufacturer and was considered fit for purpose moving forward. Carefirst is a database package which can be accessed by staff in Southwark. It is held on a Southwark computer server.
31. Carefirst is described by its owners as “the UK’s leading case management system for Children’s and Adults Services”. It is used by over 75 local authorities, and has a suite of integrated modules covering the full spectrum of Adults’ Services client groups. This includes the assessment and process of new and renewal applications for Freedom Passes, although the Carefirst publicity highlights its role in Blue Badge administration rather than bus travel.
32. Despite extensive negotiation, the suppliers of the Carefirst system would not allow information from Helix to be transferred automatically by way of a data upload. All data had to be entered manually, and this was undertaken by temporary staff employed for this purpose. A sample of around 1% of records were checked after transfer by the Disability Services manager.
33. The data from Helix did include information on level of automatic permanent entitlement and higher rate DLA.
34. Carefirst is considered by officers to be a robust system that can be used to generate relevant reports and information. However, this is dependent on information being held accurately, and reports generated as required. Further information on the Carefirst system capabilities, user training and better co-

operation between Customer Services and Information Services is required. **[see recommendation 8]**

SERVICE TRANSFER

35. Prior to November 2007 the Freedom Pass service had been provided by Health and Social Care.
36. In 2007 a decision was taken by Rod Craig, Head of Social Care in conjunction with other senior officers to transfer the service from Health and Social Care to Corporate and Customer Services. The service is delivered by the 'Blue Badge team'. This is the same team as the 'Disability Services' team which is cited as the main contact for all Disabled Persons' Blue Badge and Freedom Pass matters. There was scope for both staff and senior managers to be involved in discussions around this transfer and the implications of it. **[see recommendation 9]**
37. One Stop Shops (OSS) offer general advice and information. It is clear that not all One Stop Shops were aware that they were going to be offering the NFP service. It was assumed that most customers who had queries would use the Walworth Road One Stop Shop as this was closest to the office at 151 Walworth Road which had dealt with the Freedom Passes previously. The initial plan was to train staff and implement the new arrangements before the transfer of service took place, but this did not appear to happen. The service transfer relied heavily on the One Stop Shop. Details of training for OSS staff has been requested but has not yet been received.
38. Officers believe that there were problems with the service transfer. Essentially this was that, although preparatory work had been planned, which should have commenced in 2006 and carried through to 2007/08, this did not take place. There was no transition period when the service transferred and relevant information was not available in the receiving service. The former manager for the service advised that there were meetings to discuss the transfer of services with various minutes /records of these. The minutes have not yet been received. Even if the meetings took place, it is clear that the transfer was not successfully managed. **[see recommendation 10]**
39. There does not appear to have been any consultation with relevant customer groups or representatives about this move, and it was not publicised to customers. Officers accept that it would have been useful to, at least, publicise the change through relevant groups. **[see recommendation 3]**
40. Value Adding are management consultants working for Local Authority and other public sector clients in the UK. They describe themselves as "Experts in Activity Based Costing, Change Management, Skills Frameworks, Process Redesign and Management Development". Value Adding worked for the council in the late summer/early Autumn of 2007. They made recommendations to improve on the existing service provided to customers. These recommendations including the redesign of the new application form and internet form, to make these easier to use and to include customers' consent for other checks to be made to confirm eligibility. Some of the recommendations were acted upon, but the service transfer and business process review elements do not appear to have been successfully implemented by the council.

41. The Disability Services Team was initially managed by the Joint Team Manager. This had the advantage of allowing staff to access to the Department of Work and Pensions (DWP) computer system. Staff were then able to check individual customer's entitlement to Disability Living Allowance (DLA), to evidence entitlement to the NFP.
42. Joint team staff were also able to check that applicants were receiving all the welfare benefits they are entitled to, and visiting officers within the team were able to assist with the delivery of notification letters to vulnerable customers.

STAFFING ISSUES

43. Prior to the transfer of the service there were three permanent staff and one temporary member of staff. They were under the control of the manager who worked off site. This arrangement was not successful.
44. However, as the service was based within Health and Social Care, in 2006 the team was part of a much larger department with expertise in disability issues. This meant that at peak demand times in 2006 the team could call upon other staff who had relevant levels of expertise to assist in the assessment of entitlement. This additional expertise and resource was not readily available in 2008.
45. By March 2008 there were the following staff involved in the renewal process:
 - Two permanent members of staff assessing entitlement
 - Two members of staff based in the One Stop Shops
 - Two temporary members of staff recruited to assist with administration who could input data on the spreadsheet to free up more expert members of staff.
 - Six additional administrative support staff from Liberata
 - There was also one permanent member of staff who had been signed off sick for three months over the relevant period.
46. The manager of the Joint Team also managed the Disability Services team until the Customer Services Centre Commercial Manager took over as manager in May 2008.
47. The Disability Services team have two main contact numbers of 020 7525 2141 and 020 7525 2306. These numbers are extensively quoted, including on the application form and guidance notes, on the medical report form and on the council's website for questions about National Freedom Passes. Customers have reported difficulty getting through on this number. A small sample was taken of the response times to 020 7525 2141, which indicates customers are still not generally receiving a personal response. If typical of the service February to May this would certainly make it more difficult for customers, GPs or their staff to resolve queries on the spot.

Date	Time	number of rings	Response
31/07/08	18.10	3	Mailbox full – could not leave a message
01/08/08	11.55	3	Personal response

Date	Time	number of rings	Response
05/08/08	14.12	1	Voice mail
08/08/08	14.43	0	Voice mail
12/08/08	17.15	5	Voice mail
13/08/08	13.45	6	Voice mail
14/08/08	15.27	0	Voice mail
18/08/08	16.26	1	Voice mail
20/08/08	14.05	1	Personal response

48. The number 020 7525 2141 is staffed 9.00am to 5.00pm. Outside of these times the calls are automatically directed to voice mail, as they are if both contact numbers are engaged. Officers are currently reviewing this, and are considering a telephone queuing system instead. Clearly staffing levels impact on ability to answer calls, but the council should review how these important contact numbers are managed. **[see recommendations 1 and 14]**
49. The service transfer relied heavily on the One Stop Shop. Details of training for OSS staff was requested but has not yet been received.
50. The Disability Services team handle all new and renewal applications for both National and Local Freedom Passes, as well as administering the Blue Badge scheme for on street parking concessions. Staffing levels for the assessment and issue of NFP are discussed further in paragraph 72. **[see recommendation 14]**

VANGENT / ONE STOP SHOPS / COMMUNICATION

51. Vangent have responsibility for the One Stop Shops (OSS). The telephone task team, which comprised three members of staff, were provided with an agreed script, enabling them to deal with general enquiries relating to NFP. If the enquiry was more complex, and the OSS staff were unable to assist, then the details of the customer and query were recorded and passed to the Disability Services team. The Disability Services team should have contacted customers later the same day to resolve their queries.
52. The scripts for the telephone task team on NFP were reviewed on a daily basis and updated as required so that answers could be provided to frequently answered questions.
53. One Stop Shop staff have received some training in customer care, but have not generally received training about the more specific requirements of people with disabilities. The National Freedom Pass was a new service provided by the OSS, and was likely to affect people older people and people with

disabilities. All staff working within One Stop Shops should receive specific training on the needs of people with disabilities. **[see recommendation 2]**

54. Members of the Disability Services Team who operate from Walworth One Stop Shop are available to give specific advice relating to NFP, and are able to check eligibility and issue notification letters. Customers should be able to submit their application or renewal forms and relevant information at that OSS and have original documents returned immediately.
55. It has been suggested that the council's Emergency Plan should have been invoked when the problems with the OSS became known. The situation does not appear to fall within the Civil Contingencies Act definition of an emergency "An event or situation which threatens serious damage to human welfare in a place in the United Kingdom, the environment of a place in the United Kingdom or war or terrorism which threatens serious damage to the security of the United Kingdom" (Cabinet Office 2005a). Without underestimating the personal distress of many of those queuing, the situation was of a local scale, and demanded a local solution. This should have been well covered by the departmental or corporate business continuity plans. **[see recommendation 11]**
56. There were clearly problems with communication to customers, both in letters on the council's website and at the OSS. Other councils offered timed appointments to customers to resolve the issue.
57. The level of response to the number of older and disabled customers who arrived at the Walworth Road One Stop Shop was unacceptable. Some customers have provided individual accounts of their experiences which show that the management of the OSS were not proactive in dealing with issues on the morning of 2nd June, and that these customers were very distressed by their experiences. There is now a new manager with responsibilities for the One Stop Shops.
58. Some actions were taken to try to mitigate the hardship people experienced in queuing, including offering drinks and some seating. As the problems at the Walworth One Stop Shop became apparent, staff were involved in issuing notification letters, including asking people in the queue about their renewals, and where this was straightforward, reissuing on the spot.

THE ASSESSMENT AND RENEWALS PROCESS

59. The basis on which individuals are entitled to receive a FP did not change for the 2006 or 2008 processes. If customers meet one or more of the criteria they are given an authorisation/notification letter by the council. The customer has to take this to an issuing Post Office, along with proof of identity and address, and the Post Office are then responsible for the issue of the actual Freedom Pass. This duplication of effort for people with disabilities is under review by London Councils (see paragraph 115). For the purpose of this report I use 'issue of Freedom Pass' to refer to all issuing of the notification letters, except in any reference to the Post Office element of the process.
60. The Post Office is independent of the council, and the relationship is managed through London Councils. At the London Council Liaison Group meeting of

April 2008 (see below) it was reported that there were some problems with the Post Office stock control generally, but that these were 'being dealt with'. London Councils undertook to look at the overall reissue process later in the year.

61. Each Freedom Pass is valid for two years and is renewed on a two yearly basis, with bulk renewal of all passes each alternate April. Individuals who meet one of the criteria within the year (e.g. by suffering an injury which has a substantial and long-term adverse effect on their ability to walk) can apply for a Freedom Pass at any time.
62. Some qualifying conditions are clearly lifetime or permanent conditions and people with these conditions received an automatic renewal in 2006. The process was the same in 2008. Customers should have received a letter confirming their entitlement to the NFP, and asking for updated confirmation of address and recent photographs. Subject to these being in order these people received an automatic renewal.
63. Prior to the April 2006 renewal, Freedom Passes for those without permanent or lifetime conditions were being renewed without any reassessment of eligibility taking place. Approaching the renewal process for April 2006 it was decided that the entitlement of all existing FP holders should be reviewed. People with conditions which are not clearly lifetime or permanent were asked in 2006 to supply current evidence of entitlement. The same approach was adopted in 2008.
64. For the renewal in 2006 letters were sent to all existing FP holders using information from the Helix system. At the same time, data was being entered into the Carefirst system as a manual transfer from Helix. As each individual's application was processed, any new or updated information should have been entered into the new Carefirst System.
65. During the 2006 renewal process some people sought to renew their existing FP, but their details were not shown on the Carefirst system. In these cases the relevant information should have been entered onto Carefirst, and notification letters subsequently generated. However, experience in 2008 show that staff at the time may have not updated the Carefirst system for information received in 2006.
66. This meant that the Carefirst system information was incomplete (where customers details were not entered at all), or inaccurate (where customers details had not been updated for the most recent information). The data available on Carefirst used to generate renewal letters as part of the 2008 process, with the consequence that some customers were missed out altogether, and inaccurate information (on, for example, address or current eligibility) was used to contact others.
67. In 2008 all those with a permanent condition were considered for an automatic renewal of their FP which was now a NFP under the new regulations. They should have received a letter confirming their entitlement and asking for updated address details and photo. The lack of data integrity in the Carefirst system, arising from the way the system was updated in 2006, may have meant some customers did not receive this automatic renewal.
68. All customers who did not qualify for the automatic renewal should have been

contacted by letter, generated from the Carefirst system, asking for current information on entitlement, address and photos. As demonstrated above this mailing may not have used complete or accurate data.

69. New applicants for a NFP have to complete a “Disabled Persons Blue Badge & Freedom Pass Application Form” which is six pages long, although not all sections have to be completed. The NFP renewal form is only two pages and appears straightforward. There is merit in reviewing the application form. For example, Cambridgeshire has a two page application form which also includes a section for GP or other health professional to complete if required. **[see recommendation 12]**
70. For the 2008 renewal the initial contact letters were sent out in February 2008, giving at most 8 weeks for the renewal process to be completed. For people who have a qualifying condition that may change, it is appropriate for the renewal process to be completed fairly close to the renewal date. This is because the evidence of their entitlement may be time limited. For example, it would not be appropriate to issue a two year pass, on evidence that expired within a very few months of the NFP issue date.
71. For those people with a permanent or lifetime qualifying condition, the renewal is automatic (subject to proof of residence and new photos), and these people could have received a renewal letter early in the 2008 new year, in order to process these applications more quickly. Certainly the qualifying criteria group of all current pass holders should be recorded. Consideration should be given to this for 2010. **[see recommendation 13]**
72. If an application is complete and in order, the actual processing of an application form for an individual should only take five days, including posting to and from the applicant. The time to assess an individual’s entitlement is relatively short – perhaps one or two hours. Clearly the volume of applications is a consideration given staffing levels. Even if everything is in order, on the basis of around 6,000 applications in the 13 weeks from January to March and 1 hour to process each, there would need to be 12-13 staff working 36 hours a week. **[see recommendation 14]**
73. However, there is often a delay in processing each application as the application itself is incomplete. The most common reasons why an application is incomplete are:
 - No proof of address
 - Proof of address is not suitable (should show residence for three months)
 - Incorrect documents submitted as proof of address
 - No evidence submitted as proof of eligibility
 - Unsuitable evidence submitted as proof of eligibility
 - No response from GP or other clinician
 - Customer’s Disability Living Allowance has expired or expires shortly
 - Photograph not included
 - Application form is not fully completed
74. There was no standard procedure for acknowledging applications, or for informing customers that their application was delayed. This led to repeat contacts from concerned individuals, and often customers attending their GP

more than once, in the belief that the GP had not submitted the required form. This led to additional and unnecessary burdens on both GPs and the Disability Services team.

75. Customers also reported that some original documentation had been lost in the application process. A robust case management system and approach would mitigate this issue, and that of outstanding medical reports as above. **[see recommendation 16]**

APPEALS

76. Customers can appeal if their application is refused because they failed to meet the criteria for the National or London Only Freedom Passes. Any customer who wishes to appeal is given an appeals pack which contains the full procedure and the reason why the application was refused.
77. When a customer who applied for a NFP and did not meet the national criteria, but is awarded a discretionary LFP pass as they qualify under discretionary grounds, they have the option to appeal to obtain a NFP.
78. All applicants who appeal against a decision not to award them a NFP are referred to a Senior Practitioner, based within the Physical Disabilities team in the Health and Social Care department for a stage 1 review. Then the Stage 1 Appeals Panel will use the criteria for Disabled Persons' Freedom Passes to assess all appeals. The Panel will review all relevant papers, records, discussions and previous decisions, alongside any new information.
79. If the stage 1 appeal is unsuccessful, people have the option to progress to a stage 2 appeal. At stage 2 all cases are reviewed by an Occupational Therapist and all people making a Stage 2 Appeal will be required to have a mobility assessment. This stage 2 is the final stage in any appeals process.
80. After the appeals process applicants can move to the council's Complaints Procedure. Customers can, of course, raise a complaint about how their application has been handled, whether it is successful or unsuccessful, at any time. The costs of any compensation award would be likely to fall on the Disability Services Team.

NUMBER OF PEOPLE AFFECTED

81. I have not been able to establish the full numbers of people who applied for or received Freedom Passes in 2006 or 2008. I understand a separate report is being compiled by officers in the Disability Services Team. It is important that this is reviewed so that the scale of the problem and the chronology of dates and numbers of passes assessed at particular dates is known. In addition to understanding what happened in 2008, this information will be extremely helpful for better managing the 2010 issue and renewal process. **[see recommendation 15]**
82. There are no formal records maintained by the Disability Services Team of the number of complaints made in 2006.

83. The Carefirst system has not been set to obtain details on how many customers have been awarded a NFP and how many have a discretionary London Only pass. This situation should be reviewed alongside the review of the continuation of discretionary London Only passes and the capability of the Carefirst system. **[see recommendations 8 and 17]**
84. It appears there around 10-15 completely new applications a day being received by the Freedom Pass team. The reasons for these new applications include people who are more unwell, whose condition has deteriorated, recently moved into the borough, or who have recently learned of their entitlement through word of mouth or local press.

RELATIONSHIP WITH LONDON COUNCILS

85. London Councils is a cross-party organisation, funded and run by member authorities to work on behalf of them all, regardless of political persuasion. They develop policy and also run a range of services. This includes the Freedom Pass scheme where London Councils act as lead negotiator with Transport for London (TfL).
86. London Councils has a “Freedom Pass Borough Officers’ Liaison Group” (Liaison Group) to which all boroughs are invited. Meetings during the relevant period are shown below together with details of Southwark council’s attendance.

Date of meeting	Summary Topics discussed	Southwark attendance
16 January 2007	Freedom Pass Reissue 2006 (look back) Apportionment National Scheme 2008 Policy on Appeals procedures	No
24 April 2007	Freedom Pass Re-issue 2008 National scheme Policy on appeals procedures	No
26 June 2007	National Scheme 2008 Government Funding arrangements How trips are charged to boroughs Discretionary disabled freedom pass Freedom Pass re-issue 2008	No
16 October 2007	Publicity Review of Application Form and Leaflet Re-issue Options 2008-2010 National Scheme 2008 Apportionment Discretionary Disabled Freedom Passes	Yes
15 January 2008	Freedom Pass Re-issue 2008 National Scheme 2008 Apportionment	Yes

Date of meeting	Summary Topics discussed	Southwark attendance
	Usage	
22 April 2008	Freedom pass Re-issue 2008 New 2008 Reissue Procedures Freedom Pass data National Scheme 2008 Apportionment	No

87. Of the 32 London Boroughs (excluding City of London Corporation) 11 had representatives at every one of these six meetings and a further 13 attended three or more of the meetings. Only eight authorities had the same or worse levels of attendance at the meetings as Southwark council.
88. The officers who did attend from Southwark council were not of a sufficiently senior position to be able to ensure that any actions arising could be implemented or that any implications or consequences are properly communicated within the council.
89. A review of the minutes shows that the meetings would have been hugely valuable for this council in understanding the context of the introduction of the national scheme, the debate around eligibility and assessment, application forms and publicity, and in understanding decisions made about the scheme. **[see recommendation 18]**
90. It appears that other councils may have negotiated further extensions (beyond 31st May 2008) and that this is in part due to their closer working involvement with London Councils. The lack of engagement of Southwark council with the Liaison Group may have hampered this council's negotiation with London Councils at a point when it became clear that this council was having significant difficulty in issuing all NFP by 31st May 2008.
91. This apparent lack of engagement may be an issue for other services where there are cross London groups and the council should identify with London Councils all similar borough liaison groups, evaluate whether attendance is necessary and commit to engaging in the relevant groups. **[see recommendation 19]**
92. The cost of each pass is borne by the council under an apportionment scheme managed by London Councils. The cost for 2008/09 is £6.243 million. The existing methodology for apportionment is based on the number of passes issued, although in the future this is likely to be changed to apportionment based on usage of the FP. Clearly there is a balance to be struck between ensuring all customers get the national free travel to which they are entitled, and protecting this important public service from abuse or dishonesty.

EXTENSION TO EXISTING FREEDOM PASSES

93. There has been various comment and confusion around the 'extension' of the existing permits issued in 2006 beyond their designated expiry date of 31st March 2008. However, minute 5.2.3 of the Liaison Group meeting in October

2007 states: “the pass renewal process still remains the same. If pass holders have not renewed by 01/04/2008 there will be a grace period until 31/05/08 after which their cards will be hotlisted. Such passholders would then have to make a new application if they wish to renew”.

94. This resolution did not give councils an additional two months to process claims. The expectation was that councils would renew by the end of March 2008. It did however, allow a grace period, such that individuals who had not renewed, for one reason or another, could continue to use their ‘old’ pass until 31st May 2008. It is also clear that from 31st May 2008 anyone who had not renewed their old FP would be treated as a new applicant for the NFP.
95. This message was repeated at the Liaison Group meeting on 22nd April 2008.
96. Information from officers is that TfL were anxious that this extension should not be publicised as it may deter people from renewing promptly. It was certainly a concession, rather than a revised target date for reissues. However it is clear that the council could have advised anyone concerned about their ability to renew by 31st March 2008 that they could continue to use their pass, whilst pursuing their renewal.
97. Officers maintain that if a customer enquired about the use of their pass beyond 31st March 2008, they could be reassured. This message was not communicated clearly and consistently, particularly post 31st March 2008.
98. There was no formal agreement for any Southwark issued Freedom Pass to be extended beyond 31st May 2008. However people may have been able to continue using their passes beyond this date, although some will have experienced challenge from TfL bus drivers or revenue inspectors which will have been upsetting.
99. As above, some other councils appeared to negotiate extension dates beyond 31st May 2008, due mainly to their better relationships with London Councils.
100. The Department for Transport web site, as on 29th August states “Existing local passes will continue to be valid for local travel until 30 September 2008. Eligible people will need to use an England-wide pass for travel outside their local area.”

PUBLICITY

101. As for other years, the bulk of the publicity around the introduction of the national scheme was undertaken through Transport for London (TfL). This included 4,000 posters on bus panels, 500 posters at tube stations and 1,500 posters at bus stops.
102. Publicity posters and CDs from TfL were received by the council in late February to early March 2008. London Councils also undertook to supply copies of the Freedom Pass leaflet in Braille and audio versions if requests. Southwark council did not take up this offer.
103. Southwark council also supplied additional leaflets and posters in local libraries and other local council offices.

104. The main direct instrument of communication in 2008 were the personal renewal letters generated from the Carefirst system, which has been shown to contain inadequate or inaccurate information.
105. Opinion at the London Councils Liaison Group in April 2008 was that the TV coverage for the launch on 1st April 2008 was “abysmal”.

OTHER AUTHORITIES

106. For a variety of reasons other local authorities have not been willing to discuss their experiences of renewal. It is important that Southwark council attend the next Liaison Group meeting (likely to be in October 2008) to feedback our problems and understand how other councils approached and successfully managed their 2008 issue and renewal process. **[see recommendation 18]**
107. A representative from Newham was able to give some insight into their approach. This had included a review of policy between 2006 and 2008 which removed any local passes, and restricted entitlement to the National Freedom Pass criteria. Newham started issuing on 1st March 2008 and dealt with those people with automatic renewal first. They also contacted all 2006 FP holders who seemed likely not to qualify under the national scheme to inform them of this and invite them to update any relevant information. Newham decided to move away from GP assessment and established an independent OT team. Newham had issued around 3,000 passes by the end of March with a further 1,000 in April and 1,000 in May / June. By robust negotiation with London Councils they secured an extension to 30th June for existing 2006 FP.

WHAT SHOULD BE DONE DIFFERENTLY?

108. Officers within the council knew from as early as April 2006 that there would be a reissue required by March 2008, and that this represented a change to the existing scheme (being national travel rather than only local). Officers should certainly have anticipated that there would be additional demand as the FP became even more attractive to obtain.
109. Much more resource should have been directed to getting all existing Freedom Passes reviewed and renewed by the effective date of 31st March 2008, thus avoiding any concerns over people continuing to use out of date Freedom Passes.
110. The information held on all existing Freedom Pass holders should be reviewed to ensure that the relevant qualifying criteria is recorded, and there is a record of whether this is a permanent condition. This must be held in a format that allows for easy data extraction to facilitate future renewals.
111. The key areas highlighted by staff that should be done differently next time – or done differently when other services transfer are grouped as ‘strategic’, ‘service’, and ‘consultation’ discussed further below.
112. Strategic: there was insufficient strategic planning or involvement at a senior level. For better results in future this should include:

- strategic and detailed project planning for the service transfer
- communication of the issues and supply of answers to FAQs to Southwark council members to assist them in dealing with queries from constituents
- senior officer involvement in and sign up to the service
- taking time to make sure the transfer works well
- a complete and structured handover
- clearer governance structure for the project.

113. Service: there are specific issues with the service that need to be reviewed:

- more efficient way of obtaining medical reports
- more staff to be trained and able to assess entitlement
- review of the functionality of Carefirst
- better communication and consultation with customers and service professionals.

114. Consultation: there was a lack of communication and consultation at all levels which needs to be addressed:

- more dialogue between 'giving' and 'receiving' service departments on service transfer, including key milestones or events
- more information and consultation with external professionals who are relied upon for their help
- better, more targeted communication with community and representative groups
- timely and accurate communication with individuals affected by change
- consistent and up to date information relay through One Stop Shops
- consistent and up to date information on the council's web-site (including acknowledging where the message has changed)
- better liaison and communication with other boroughs and London Councils.

115. The Liaison Group noted in April 2008 that "the 2010 re-issue will be fundamentally different". It is therefore particularly important that Southwark council remains engaged with London Councils and fully understands the requirements of any emerging scheme. **[see recommendation 18]**

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RECOMMENDATIONS

The scrutiny sub-committee recognises the serious problems experienced during 2008 by some of our most vulnerable residents. These recommendations are designed to make the Freedom Pass renewal system significantly more user friendly and customer focused. The committee would expect OSC to review progress on the finally agreed recommendations ensuring implementation.

Paragraph numbers refer to the officers report which formed part of the sub-committee's agenda on the 13th October 2008.

- 1) Communication: All council officers must adhere to the Council's service standards for all phone calls and particularly in the contact numbers given for Freedom Pass enquiries, 020 7525 2141/2306. Different ways of managing the volume of calls received should be considered. **[see paragraph 48]**
- 2) Communication: All staff working within the One Stop Shops should receive specific training on the needs of people with disabilities. **[see paragraph 53]**
- 3) Communication: All service delivery changes should be, at least, publicised or communicated to relevant groups. Depending on the level and impact of the change there may be merit in consultation about the proposed changes. In cases of significant change, prior consultation should take place. **[see paragraph 39]**
- 4) Bulk renewals: The council should lobby for a rolling programme of renewals of Freedom Passes. This would have greater force if the validity of each pass is lengthened beyond two years. **[see paragraph 16]**
- 5) Discretionary London Only Freedom Passes: The council should complete a full assessment of the costs and benefits of continuing with discretionary London Only Freedom Passes, well in advance of 2010. The review should include taking steps to ensure clarity on the criteria as to the entitlements of individuals to the discretionary London only Freedom Passes. **[see paragraph 20]**
- 6) Use of GPs: The council should complete a full assessment of the costs and benefits of appointing its own occupational therapists for those people who require an assessment rather than relying on local GPs. There should be consideration given to cross borough working on the use of Occupational Therapists and to the convenience of applicants in the assessments process. **[see paragraph 25]**
- 7) Use of GPs: Where GPs are to be used in future, the design of the form should be reviewed in conjunction with local GPs. **[see paragraph 26]**
- 8) Carefirst: Further information on the system capabilities should be identified, with Health and Social Care and Customer Services working together. Staff who use the system should receive further training, particularly on data entry, exception reporting and generating correspondence from the system. There should be joint meetings between Health and Social Care, Customer Services and Information Services. Particular attention should be given to the system's ability (i) to identify persons entitled to automatic renewal and to generate the necessary communications and, (ii) to avoid where possible the requesting of duplications of verification of residence. **[see paragraphs 34 and 83]**

- 9) Service transfer: Staff and senior managers should be closely involved in discussions around the transfer of services and the implications for service delivery. **[see paragraph 36]**
- 10) Service transfer: All service transfers must be better planned and implemented, including the use of formal project planning tools and agreement of the implementation plan by both receiving and old departments. Risks associated with the transfer should be identified and reported for consideration by the Executive. Clear guidance should be provided as to the responsibilities of the relevant Executive Members. A 'soft landing' is preferred with the 'giving' service retaining responsibility for and an interest in the 'receiving' service performance. Plans must include consideration of IT, staff training, parallel running and known workload issues. **[see paragraphs 38 and 40]**
- 11) One Stop Shops and business continuity: The departmental business continuity plans for One Stop Shops should be reviewed. The Executive should also consider whether there is a need for a broader continuity plan to respond to any acute stresses in capacity. **[see paragraph 55]**
- 12) Application form: The "Disabled Persons Blue Badge & Freedom Pass Application Form" and NFP renewal forms should be reviewed, in conjunction with customers and their representatives. **[see paragraph 69]**
- 13) Renewal process: Consideration should be given to an earlier start to the renewals process for 2010, particularly for those people who are likely to have an automatic renewal. **[see paragraph 71]**
- 14) Staffing: a full review of the process for assessing applications and the number and grade of staff required to do so should be completed well in advance of January 2010, with a view to identifying additional resources. The review should encompass the desirability of decisions about entitlement being made by a team in a single location. Staff training should be improved to ensure: 1) better general understanding of the issues facing disabled people 2) assessment of entitlements under the various eligibility criteria 3) full proficiency in and proper use of the Carefirst database 4) numbers of people trained sufficient to cope with future very high demand periods. **[see paragraphs 48, 50 and 72]**
- 15) Relevant Numbers: A full history of the numbers of people who applied for or received NFP and LFP in 2008, including a chronology of dates and numbers of passes assessed at particular dates should be compiled and used to inform arrangements for the 2010 issue and renewal process. The system for producing numbers should facilitate cross-borough and inter-temporal comparisons. **[see paragraph 81]**
- 16) Case Management: There should be a robust case management system and strict limits for the turnaround of applications request for documents and chasing the necessary evidence. In particular, there must be no repetitions of delays in scanning documents and entering them into the system. Better case management should also include the tracking of appeals and setting time limits on determining appeals. **[see paragraphs 27 and 75]**
- 17) Carefirst: Subject to the review of local London Only passes continuing in 2010, the Carefirst system parameters should be amended so that accurate

numbers can be obtained on the number of NFP and local discretionary passes. **[see paragraph 83]**

- 18) London Councils: The council should commit to attending all of the London Borough Liaison Group meetings for Freedom Passes. The representation should be at a level to ensure that any actions arising can be implemented and that any implications or consequences are properly communicated within the council. **[see paragraphs 89, 106 and 115]**
- 19) London Councils: The council should identify from London Councils all similar borough liaison groups, evaluate whether attendance is necessary (and if so, at what level of seniority) and commit to engaging in the relevant groups. **[see paragraph 91]**
- 20) Post Office Ltd: Through the London Councils or otherwise, the Council should become better aware of the role of the Post Office and the need to stock adequate numbers of Freedom Passes, together with the merits of streamlining the process of issuing the pass once the entitlement has been verified by the Council (including the possibility of no longer using the post office).
- 21) The Council must work with the PCT to ensure that any outstanding amounts due to GP's are paid without any further delay and are paid promptly in future.
- 22) That steps to ensure that all fresh data relating to applicants be promptly entered into the Carefirst system. The Southwark Audit and Governance Committee be invited to address this issue.
- 23) That applicants should not be asked to produce a photograph more frequently than once every 10 years.
- 24) The Council should use appropriate media where available such as braille and audio versions of necessary information. The Carefirst system should record any information about an individual's disabilities which may affect communication between the Council and the applicant so that documentation can be provided in an appropriate format.

Scrutiny Sub-Committee C

Membership:

Councillor Toby Eckersley (Chair)
Councillor Anood Al-Samerai (Vice-Chair)
Councillor Dora Dixon-Fyle
Councillor Aubyn Graham
Councillor Richard Livingstone
Councillor Jane Salmon
Councillor James Barber – Reserve for Councillor Mackie Sheik
Patrick Horan - Disabilities Forum
Tom White – Pensioners Forum

The full minutes of the meetings held on this subject are available from the Scrutiny Team, Southwark Town Hall, Peckham Road, SE5 8UB

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