

Please ask for: Ed Smith
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Our Ref: FOI 2437
Date: 05th February 2009

Mr Robert Eriksohn
Request-7124-ccfeaed@whatdotheyknow.com

Dear Mr Robert Eriksohn

FREEDOM OF INFORMATION ACT 2000 – Concessionary Travel Passes.

Your request for information has now been considered and the Council's response is **shown below**.

1. Does your authority provide concessionary travel passes to those individuals registered with their local Social Services department as disabled on the grounds of being a mental health user or survivor?

Response – No.

2. If your authority does have such arrangements why was the decision taken to extend the scheme in this way and what arrangements are in place?

Response – Not applicable because the Council does not have the arrangements in place. Please treat this as the statutory notice required by S17.1 of the Act because of S1.1 – information not held.

3. If your authority does not have such arrangements does your authority have some other arrangement beyond the statutory minimum to provide passes to those with mental health issues?

Response – No.

4. If your authority does not have such arrangements why was the decision taken not to extend the scheme in this way and has consideration been given to extending the scheme in this way in the future?

Response – Leicester City Council only currently provides concessionary travel passes to those with mental health issues who can show that they qualify through the statutory criteria: that is, people who are medically unfit to hold a driving licence due to mental illness.

Within concessionary travel legislation - the Transport Acts 1985 and 2000 and the Concessionary Bus Travel Act 2007 - there are no powers available to extend this generally to all people with mental illness.

In order to issue to all those registered with Social Services as having mental health issues, the Council would therefore have to be satisfied that all those people would be likely to be refused a driving licence on medical grounds.

Guidance about eligibility for disabled persons' travel concessions issued by the Government recommends that in the case of those with severe mental disorder seeking a concession on the grounds of being medically unfit to drive, cases should be assessed individually and if there is doubt about whether someone would be refused a driving licence, independent medical advice should be sought. This contrasts with the advice given in the case of blind or partially sighted or profoundly or severely deaf people, where local authorities are advised to consult Social Services registers, and implies that the use of the registers is not appropriate in assessing those with severe mental disorder.

There are impediments to widening the scheme to those falling outside the statutory criteria, even if powers could be found under other legislation to do so. In particular, the Council would not be able to issue English National Concessionary Travel Scheme passes to non-statutory pass recipients. This might both be confusing for bus operators and drivers and highlight that pass holders had a particular type of disability. In addition, the City Council would have to make funding available for such an extension to the Scheme.

5. Would it be possible to provide copies of any relevant policy documents you may have?

Response – Not applicable. No such documents exist. Please treat this as the statutory notice required by S17.1 of the Act because of S1.1 – information not held.

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If you are dissatisfied with the handling of your request please contact me at:
Information Governance
Legal Services

Leicester City Council, FREEPOST (LE985/33)
New Walk Centre,
LEICESTER LE1 6ZG
e-mail: FOIA@leicester.gov.uk

You can also complain to the Information Commissioner at:
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow SK9 5AF
Telephone: 01625 545 700
www.informationcommissioner.gov.uk

Please be aware that the Information Commissioner does not normally consider appeals or complaints until the internal appeals and complaints processes of the public authority which is answering the request have been exhausted. You are therefore advised to complain or appeal to me at the above address before contacting the Commissioner.

Please be aware also that I act as the single point of contact with applicants for requests for information. The above has therefore not necessarily been produced by me or my team. If you do have any concerns with the information provided in this letter please do not hesitate to contact me.

Yours sincerely

Ed Smith
Head of Information Governance
Legal Services