

Disabled Person's Freedom Pass Scheme – Guidance for applicants with a Learning Disability

The Concessionary Bus Travel Act 2007 and Transport Act 2000, and related Department for Transport Guidance for Local Authorities.

The Council is authorised and required to determine the eligibility of applicants under the above law and related Government guidance. Your application will be considered in accordance with eligibility criteria and assessment procedures prescribed in law and in guidance.

As an applicant, it is your responsibility to provide evidence of your eligibility. If your eligibility is unclear, you may be required to provide additional information or to attend a mobility assessment interview. If you supply any medical reports these will be considered, but the final decision regarding your eligibility rests entirely with the Council. This decision will be based solely on whether the Council is satisfied that you meet the eligibility criteria as stated in law.

The Council may issue freedom passes **only** in line with the law. The Council is not permitted to issue a freedom pass to an applicant who does not meet eligibility criteria.

Please read these notes carefully before sending your application to:

The Royal Borough of Kensington and Chelsea, Accessible Transport Services, Room B118, Kensington Town Hall, Hornton Street, London, W8 7NX. Telephone: 020 7361 2390.

Please use this form only if you are applying for a freedom pass for the first time as a learning disabled person.

To apply for a Freedom Pass on the grounds of a **Mental Health Disability** please contact your Care Co-ordinator you regularly see for your mental health care.

To apply for a Freedom Pass on ground of **Physical Disability**, please call the telephone number above for an application form.

IF YOU ARE OVER 60 please go to a main Post Office branch in the Royal Borough and apply for an Older Person's Freedom Pass. You will need to take one passport sized photograph, proof of name and age and proof of address.

Thank you for your interest in the Disabled Persons Freedom Pass scheme.

January 2010



THE ROYAL BOROUGH OF
**KENSINGTON
AND CHELSEA**

Completing the application form

Please **print** clearly in capital letters, and remember to tick the boxes that apply to you. We will return your form to you if it is not completed correctly, or if you do not provide documents required to support your application.

Returning your application

Please return the application form to the Town Hall at the above address. You should receive a response from the Accessible Transport Services Team within 14 working days. Please do not ring the Town Hall about your application during this time unless you wish to make a major change to your application form.

Successful applications

If you are found eligible for a Freedom Pass we will send your details to a bureau to make the pass and send it to you through the post.

Appeals

If the Council decides that you are not eligible, there are two conditions under which you may appeal against the decision:

- 1) You believe that the Council's decision was made without regard to the law and guidance provided by the Department for Transport;
- 2) You believe that the mobility assessment not carried out in accordance with the Council's policy and procedures.

Travel Expenses

Please note that the Council cannot pay for your travel expenses whilst your application is being processed, regardless of the outcome of your application. If you are not eligible, and decide to appeal the Council's decision, the Council will not pay for your travel expenses while you are appealing, regardless of the outcome of the appeal.

ELIGIBILITY CRITERIA

Under the Concessionary Bus Travel Act, 2007, you will be eligible for a Disabled Person's Freedom Pass from your fifth birthday if you have ***“a learning disability, that is, a state of arrested or incomplete development of mind which includes significant impairment of intelligence and social functioning”***. Government guidance to the Act defines 'learning disability' in this way:

- *A person with a learning disability has a reduced ability to understand new or complex information, a difficulty in learning new skills, and may be unable to cope independently. **These disabilities must have started before adulthood** and have a lasting effect on development. The person should be able to qualify for specialist services and he or she may have had special educational provision.*
- *The Department of Health adopted the term 'learning disability' in 1992. **It has the same meaning as its predecessor 'mental handicap'** but it is seen as more acceptable, particularly in reducing the confusion with mental illness.*

OTHER POSSIBLE CATEGORIES OF ELIGIBILITY

Below are other possible categories under which a person with learning disabilities may be found eligible for a Disabled Person's Freedom Pass

- registered as blind or partially sighted
- profoundly or severely deaf
- without speech (unable to talk)
- has a disability, or have suffered an injury, which has a substantial and long-term adverse effect on the ability to walk
- without arms or have long-term loss of the use of both arms
- medically unfit to drive (due to uncontrolled epilepsy or 'severe mental disorder') and would be refused a driving licence if one were applied for

The statute excludes people from obtaining freedom passes who have been, or would be, refused a driving license on grounds of persistent misuse of drugs or alcohol.

For further information and application form please contact the Accessible Transport Services Team on telephone 020 7361 2390.

PART ONE – YOUR DETAILS

Please be sure to fill in all items called for in this part of the form, including your ***National Insurance Number***.

Please attach one recent passport sized colour photograph. The photograph must be:

- Facing forwards, looking straight towards the camera. It should include the whole head and not have any of the chin, top of head or ears missing.
- Nothing covering your face.
- Your full head, without any head coverings, unless worn for religious beliefs or medical reasons.
- Passport sized (45mm x 35mm)
- A colour photograph taken against a plain background. Preferably against a pale plain background so that all features are clearly distinguishable.
- Undamaged, for example, by creases, staples, paperclips, or other marks
- Your eyes open and clearly visible. Reactor glasses may be worn so long as your eyes are clearly visible through the lens. Dark glasses are permitted if worn for medical reasons.

Citizenship details must be completed by all applicants.

PART TWO – RESIDENCY

Acceptable proofs of current residency (issued within the last 6 months) are as follows:

- Current Council Tax bill (original);
- Home contents insurance policy (photocopy);
- Bank or Building Society statement dated within the last three months;
- Tenancy agreement that covers the full period of the freedom pass (photocopy)
- Council or housing association rent statement dated within the last three months;
- A letter confirming that your name is on the list of registered electors (original);
- Pension or benefit (e.g., DLA, Income Support) entitlement letter dated within the last three months.

The following will **not** be accepted: letters / general correspondence; bills; hand written tenancy agreements or “Challenge” rent books (bought from any stationers); rail cards or envelopes.

PART THREE – IDENTITY

One of the following documents must be provided as proof of your identity.

- Current passport
- Driving licence photocard
- Medical Card
- Birth Certificate (unless name has changed)

PART FOUR – COUNCIL SERVICES

If you receive, or have received, services from one of the Council's departments (listed in this section), please indicate the name of the department by ticking the box next to it, and the name of the social worker or care manager who serves you if you currently receive services.

PART FIVE – SPECIAL EDUCATION OR SPECIAL NEEDS STATEMENT

If you attend, or have attended a special educational needs school, please indicate the name of the school by ticking the box next to it.

You may also enclose with your application a copy of your Statement of Special Educational Needs or a report by a psychologist that confirms that you have a learning disability.

PART SIX – MY DECLARATION

It is important that you understand the conditions on which a freedom pass may be issued to you. Please read all items in this declaration carefully before signing and dating it, as your signature indicates that you have done so.

N.B. It is an offence under the law to make a false statement in order to evade the payment of public transport fares.

PART SEVEN – FAIR INFORMATION NOTICE

This section explains how we will handle the information that you provide in your application to ensure that your privacy, and sensitive information about you, is protected. In the space provided, please provide information about anyone else who we may need to speak about your application.

PLEASE DETACH AND KEEP THESE NOTES.