

F1457 A1 Equality Impact Assessment (EqIA) form

N.B: the completed form should be emailed to the [Diversity and Inclusion team](#)

Project * Programme Strategy Policy*	Management of Freedom Pass and 60+ Concessions during Covid-19 Recovery
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Document History	Version	Date	Summary of changes
	0.1	13/05/20	First draft
	0.2	18/05/20	Updated to reflect funding settlement outcome
	0.3	19/05/20	Updated with greater socio-economic impact statement
	0.4	23/05/20	Updated to include greater clarity on Disabled, BAME and Low Income groups and to ensure consistency with Mayoral Direction
	0.5	26/05/20	Updated for consistency with revised Mayoral Direction
	1.0	29/05/20	Final version approved by Director of D&I

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To be used in conjunction with: G1060



* Delete as appropriate (the Accountable person should always be at least one management level higher than the Responsible person).

Project Related Documents	Doc No.	Document title	Relevant Section(s) of this Document



Step 1: Clarifying Aims

Q1. Outline the aims/objectives/scope of this piece of work

As part of TfL's funding settlement from Government in the wake of the Covid-19 pandemic, the parties have agreed that the Freedom Pass and 60+ concession schemes will no longer be eligible at peak times for a temporary period (the duration of which has not been confirmed).

Additionally, it has been established that if social distancing were to be maintained, TfL's services would only be able to carry around 15% of normal peak time capacity. It is critical that preventative measures are taken to minimise the risk of customers being unable to maintain safe social distancing during the morning peak. One measure is to reduce non-essential travel, giving a clear message to customers to avoid using public transport unless essential.

The Freedom Pass provides free travel to the Older Persons (the criteria is based on when they are entitled to a state pension) and disabled persons on TfL services and National Rail services in London. The scheme is administered by the London Boroughs and is part of the statutory English National Concessionary Travel Scheme (ENCTS), where local authorities provide free bus travel to those who are eligible.

The statutory entitlement in London is for travel to be free between 09:30 and 04:30, Monday to Friday, and at any time at weekend and on public holidays. The GLA Act requires us to reach agreement with London Councils on arrangements for Freedom Pass acceptance on an annual basis. The agreement for 2020/21 requires us to maintain the Freedom Pass scheme for older persons after 09:00, Monday to Friday (and at all times at weekends), and at all time for disabled persons.

There are currently different times of validity for different services on weekdays:

- On TfL services, travel is free at all times of day (and for the Older Persons is subsidised by TfL before 0900 on weekdays)
- On National Rail services, travel is only free after 0930, in line with the statutory scheme.

The 60+ scheme is a mayoral initiative which was introduced by the previous Mayor when the statutory Older Persons' concessionary scheme eligibility was changed in line with changes in the state pension age for women. This scheme is open to those over 60 and who are not yet eligible for a Freedom Pass. The times of acceptance are the same as the elderly Freedom Pass.

In April 2020, 6.2% of Tube journeys and 15.4% of bus journeys started between 08:00 and 09:00 were made by Freedom Pass or 60+ concession holders. Whilst some of these may be legitimately people travelling to or from work, our priority is to reduce non-essential travel, particularly at the busiest times, and to spread demand wherever possible.

For these reasons, and to meet the obligations of the agreement reached with Government, we therefore intend to change the time at which these concessions for the over 60s apply to align them the Agreement with London Councils. We do not intend to make any changes to the times at which Disabled Freedom Passes are valid.

It should be noted that technically, both the 60+ and Elderly Freedom Pass are the same. Therefore, it is not possible to treat one in a different way from the other.



Q2. Does this work impact on staff or customers? Please provide details of how.

This change will impact on customers aged over 60. Those customers who wish to travel before 09:00 on weekdays will either need to pay for their journeys or will need to change the time at which they travel. Whilst we will encourage them to use contactless payments, if they wish to use an Oyster card, they will need to have a standard Retail Oyster card (the blue ones) for travel before 09:00 as it is not possible to load a pay as you go balance or a season ticket onto a Freedom Pass.

However, the benefit of this change is that it will make it easier for those who truly require to travel at the busiest times to do so whilst maintaining social distancing. This is consistent with our key messages to those considering using public transport which are:

- Please work from home if you can or make your journey by walk or cycle.
- If you must travel, please avoid peak times.
- We are working with Government to ensure that only those making essential journeys use the transport network during the restart phase
- This includes encouraging people to travel outside peak hours and proposing changes to some of our free travel arrangements



Step 2: The Evidence Base

Q3. Record here the data you have gathered about the diversity of the people potentially impacted by this work. You should also include any research on the issues affecting inclusion in relation to your work

Consider evidence in relation to all relevant protected characteristics;

- Age
- Disability including carers¹
- Gender
- Gender reassignment
- Marriage/civil partnership
- Other – refugees, low income, homeless people
- Pregnancy/maternity
- Race
- Religion or belief
- Sexual orientation

This change will primarily impact users based on age, as the concessions are age related. However, the changes continue to be more generous than the statutory provisions for the Older Persons concessionary travel scheme. There is no statutory provision for those over 60 and under state pension age.

By restricting the changes to the 60+ and Elderly Freedom Pass, we are continuing to protect disabled customers and enable them to make essential journeys if they need to.

Older Persons' Freedom Passes are held by 19% of White Londoners and 10% of BAME Londoners.

¹ Including those with physical, mental and hidden impairments as well as **carers** who provide unpaid care for a friend or family member who due to illness, disability, or a mental health issue cannot cope without their support



Step 3: Impact

Q4. Given the evidence listed in step 2, consider and describe what potential short, medium and longer term negative impacts this work could have on people related to their protected characteristics?

Protected Characteristic		Explain the potential negative impact
Age	Y	<p>Those aged over 60 who need to travel before 09:00 on weekdays will be required to pay for their travel.</p> <p>Over half of over 65s are in low income households. The introduction of temporary bus and Tube fares pre 09 00 hours for older Londoners will increase the barrier to travel at these times. However, the over 60s are amongst those most vulnerable to infection and most at risk of inadvertently passing on the virus.</p> <p>In 2018, only 50% of over 65s had a smart phone and over 65s are less likely to use the internet for financial purposes. Therefore, they are more likely to need to visit an Oyster Ticket Stop or a station ticket machine to top-up their Oyster card if they do not use contactless.</p>
Disability including carers	Y	<p>Disabled Londoners are also more likely to live in low income households. The introduction of temporary bus and Tube fares pre 09 00 hours for older Londoners will increase the barrier to travel at these times. However, the over 60s are amongst those most vulnerable to infection and most at risk of inadvertently passing on the virus. The Disabled Freedom Pass will be unaffected by the changes, enabling key workers with disabilities to continue to travel to work.</p> <p>Over 65s are more likely to be disabled (32%). An estimated 23,000 people who previously qualified for a Disabled Person's Freedom Pass prior to reaching the State Retirement Age have since been issued with an Older Person's Freedom Pass. These people will need to apply for a Disabled Person's Freedom Pass if they need to travel before 09:00 on weekdays and do not want to pay to do so.</p>
Gender	Y	<p>Women tend to be the primary carer at home so are less likely to be in full-time employment and more frequently cite affordability as a barrier to transport. The introduction of temporary bus and Tube fares pre 09 00 hours for women over 60 will increase the barrier to travel at these times. However, the over 60s are amongst those most vulnerable to infection and most at risk of inadvertently passing on the virus.</p>



Gender reassignment	N	
Marriage/civil partnership	N	
Other – e.g. refugees, low income, homeless people	Y	<p>12% of over 65s are in work. Over half of those over 65 are in low income households.</p> <p>The proportion of 60 – 64 year olds in low income households is equal to their representation in the London population as a whole.</p> <p>Londoners on low incomes tend to be women and older, BAME and disabled people, and those not in work. Low income largely reflects working status, though the underlying causes may be tied to education, qualifications, health and, in some cases, transport. The introduction of temporary bus and Tube fares pre 09 00 hours for older Londoners will increase the barrier for older Londoners on low incomes to travel at these times. However, Londoners over 60 and on low income are amongst those most vulnerable to infection and most at risk of inadvertently passing on the virus.</p>
Pregnancy/maternity	N	
Race	Y	<p>BAME Londoners are more likely to live in low income households and are likely to cite affordability as a barrier to transport. The introduction of temporary bus and Tube fares pre 09 00 hours for BAME Londoners over 60 will increase the barrier to travel at these times. However, these groups are amongst those most vulnerable to infection and most at risk of inadvertently passing on the virus.</p> <p>BAME Londoners are also less likely to hold an Older Person's Freedom Pass than Londoners as a whole due to their demographic profile.</p>



Religion or belief	N	
Sexual orientation	N	



Q5. Given the evidence listed in step 2, consider and describe what potential positive impacts this work could have on people related to their protected characteristics?

Protected Characteristic		Explain the potential positive impact
Age	Y	<p>42% of over 65s see overcrowding as a barrier to using public transport. As Covid-19 has a disproportionate effect on the elderly, by discouraging them from travelling at the busiest times of day (when they are least comfortable travelling anyway) we are doing what we can to reduce their exposure through inability to maintain a safe social distance.</p> <p>Younger Londoners are less likely to be physically disabled but more likely to be from a BAME community. Younger Londoners will not be directly affected by the fare proposals but will benefit from better social distancing during the morning peak.</p>
Disability including carers	Y	<p>Disabled Freedom Pass holders are unaffected by these changes. By actively discouraging Older Freedom Pass holders from travelling at busy times, this policy will make it easier for Disabled Freedom Pass holders who need to make essential public transport to do so, by freeing up space whilst maintaining social distancing.</p>
Gender	N	
Gender reassignment	N	
Marriage/civil partnership	N	



Other – e.g. refugees, low income, homeless people	Y	Many of those in what are currently classed as key worker roles in the current pandemic and who are under 60 are on low incomes. By taking steps to minimise non-essential travel by others, we are making it easier for this group to access public transport for essential journeys.
Pregnancy/maternity	N	
Race	Y	As many BAME people who are under 60 are on low incomes, they are more likely to be in roles where travel to work is unavoidable and where they are unable to change their working hours to travel at less busy times. By taking steps to minimise non-essential travel by others, we are making it easier for this group to access public transport for essential journeys.
Religion or belief	N	
Sexual orientation	N	



Step 4: Consultation

Q6. How has consultation with those who share a protected characteristic informed your work?

List the groups you intend to consult with or have consulted and reference any previous relevant consultation? ²	If consultation has taken place what issues were raised in relation to one or more of the protected characteristics?
London Councils	We are in active dialogue with London Boroughs as administrators of the Freedom Pass scheme on the impact on different groups of pass holders and to agree a joint communications strategy to pass holders.
London Travelwatch	We have informed London Travelwatch of the changes we are making to the schemes
Department for Transport	The Department for Transport has approved these changes as part of our funding settlement to support ongoing operations during the pandemic emergency.

² This could include our staff networks, the Independent Disability Advisory Group, the Valuing People Group, local minority groups etc.



Q7. Where relevant, record any consultation you have had with other projects / teams who you are working with to deliver this piece of work. This is really important where the mitigations for any potential negative impacts rely on the delivery of work by other teams.

This is part of the overall strategy to manage demand as part of the “restart” phase in response to the Covid-19 pandemic. This was also a condition of the agreement with Government to secure funding to support the significant loss of fares revenue due to the Covid-19 pandemic.

An ongoing review of the impacts on different groups will be undertaken by the TfL Social Impact working group who will make assessments to determine potential remedial measures if there is a disproportionate, adverse impact for certain groups.



Step 5: Informed Decision-Making

Q8. In light of the assessment now made, what do you propose to do next?

Please select one of the options below and provide a rationale (for most EqIAs this will be box 1). Please remember to review this as and when the piece of work changes

1. Change the work to mitigate against potential negative impacts found	
2. Continue the work as is because no potential negative impacts found	
3. Justify and continue the work despite negative impacts (please provide justification)	<p>Although those directly affected will have to pay for travel in the morning peak period, the Freedom Pass scheme will remain more generous than the statutory requirement.</p> <p>Furthermore, the broader benefits of helping to manage demand in the morning peak period through discouraging non-essential travel and ensuring on-going funding of TfL to provide its core services will be of greater benefit to the broader population, particularly those key workers who are reliant on public transport.</p> <p>In mitigation of the changes, it is noted that</p> <ol style="list-style-type: none">1. The changes will not prevent older people travelling to work before 09 00 hours. As such travellers will be waged, it is not considered unreasonable for them to pay for travel.2. The use of contactless payment cards will be promoted and will provide a safe and easy way to pay. For those opting for Oyster, a good supply of cards will be ensured.3. Older People travelling in the morning peak to access special shopping hours at supermarkets will be able to choose between the following



	<p>alternatives:</p> <ul style="list-style-type: none">• Continuing to use public transport to access the special shopping hours but paying to do so;• Using alternative means of transport or shopping on-line;• Shopping at other times when it is possible to travel free of charge and when public transport is less busy, at weekends or later in the day on weekdays. <p>4. Those needing to access appointments will be encouraged to make appointments for times when travel is less crowded. Many of these appointments (e.g. doctors, opticians and dentists) are currently very restricted and by exception only.</p> <p>5. The changes will improve public safety by reducing discretionary travel in the morning peak and creating more opportunity for social distancing for key workers.</p> <p>6. Discouraging those who are older from travelling at busy times, who are considered to be at higher risk from the virus, will help reduce their risk to exposure to the virus.</p> <p>Taking all of the above into account, it is considered that in the circumstances of the coronavirus 19 pandemic, these temporary changes are prudent and proportionate and will help maximise the availability of the transport system for those needing to use it for essential travel to work.</p> <p>The policy decision was also made as a condition of our agreement with Government, where there was the intention to both reduce demand during the peak to ensure social distancing.</p> <p>We propose to implement the changes with a minimum of 2 weeks' notice so that those affected can plan accordingly to minimise the use of transport they need to pay for.</p>
4. Stop the work because discrimination is unjustifiable and no obvious ways to mitigate	

Step 6: Action Planning

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Q9. You must address any negative impacts identified in step 3 and 4. Please demonstrate how you will do this or record any actions already taken to do this. Please remember to add any positive actions you can take that further any positive impacts identified in step 3 and 4.

Action	Due	Owner
<p>Communication: We will communicate the changes through messaging and through our stakeholders to advise those affected of the changes so that they can plan accordingly. A Communication Plan has already been drafted and has been shared with London Councils. Particular focus will be on</p> <p>a) those over 66 who would qualify for a Disabled Person's Freedom Pass to encourage them to change their pass if travel in the morning peak is essential;</p> <p>b) encouraging those who do need to pay for travel to use contactless payments wherever possible</p> <p>There will be a social media campaign to raise awareness of the proposals; and a Press and media campaign, including adverts on local radio and the Metro free newspaper. In addition, where they consider it appropriate to do so, London Councils will email or write to Freedom Pass holders' to inform them of the changes. We will email 60+ holders.</p> <p>There will also be a major programme of communication with TfL staff, including briefings for all frontline staff and Customer Services teams. On buses, rigorous enforcement of the new rules will not be possible while middle door boarding is in place. Bus staff will be expected to use existing processes to assist vulnerable people to ensure that no older people, including holders of the ENCTS concession from outside London, who may be genuinely unaware of the new morning peak restrictions, are left behind at stops</p>	22/5/20	Corporate Communications



Step 7: Sign off



Signed Off By	EQIA Author	Name Job Title
	Signature	Date
	EQIA Superuser	Name Job Title
	Signature	Date
	Senior accountable person	Name Job Title
	Signature	Date
	Diversity & Inclusion Team Representative	Name Job Title
	Signature	Date

