

CONCESSIONARY BUS TRAVEL – BULLETIN #15

Welcome back

The concessionary bus travel bulletins began in late 2006 to keep local authorities and other key stakeholders up to speed on the Concessionary Bus Travel Act 2007 and what they would need to do to implement the impending England-wide bus concession. The last Bulletin was sent out in May, shortly after the successful implementation of England-wide concessionary travel on 1 April 2008.

The introduction of the new concession won't see the end of the bulletins though. We intend to continue publishing them, though they will now be less frequent than in the run up to April. We anticipate that the bulletins will now be issued roughly once a quarter rather than to a monthly schedule.

Launch of the Concessionary Travel Online Community

Concessionary Travel is a complex area, and the introduction of England-wide Concessionary travel has brought further challenges for administrators and stakeholders alike. However, there are experienced practitioners with a wealth of knowledge and technical expertise out there. Many of our stakeholders have asked us if we could find a way to ensure that experience is shared across those involved in concessionary travel.

The Concessionary Travel Online Community (CTOC) is an attempt to do just that. It will allow members to share their knowledge and learn from the experience of their peers. Members can communicate in a variety of different ways: by asking questions in the forum, uploading relevant files, collaborating on documents in the wiki or posting blog entries. The forum builds on the work of the integrity network, a virtual community of CT practitioners. The CTOC is a step up from this both in terms of technology and scope. Within the community there are four separate sub-communities to cover specific aspects of concessionary travel:

- Reimbursement and Appeals,
- Passes,
- Eligibility and Integrity, and

- Eligible Services.

The Community is intended to allow members to share best practice and experiences. While we will post some information that we think may be useful, the forum is not intended to be simply another medium for the DfT to issue information (official communications will still be posted on our website). The Community is intended to be a forum for discussion and information sharing, and so is dependent on you, the members, for its success.

In previous bulletins we have asked for representatives for our “Integrity Network”. We envisage that the Integrity Network will communicate through the Eligibility and Integrity section of the Community. If anyone wishes to join the Network, they can do so through the Community. DfT will take on the role of moderator to ensure that community continues to be used appropriately.

Please go to <http://www.communities.idea.gov.uk/c/844620/home.do> to join the Concessionary Travel Community.

Special Grant Payment Problems

We are aware that a small number of have TCAs experienced some problems with the payment of the special grant and received their payments late and we would like to apologise for this. All payments have been received by the relevant authorities and we fully expect the third payment of the grant to go ahead on November without any problems.

Appeals and Judicial Reviews

In Bulletin 14 it was reported that the Department has received a number of notices of Judicial Reviews with respect to appeal determinations made in 2007/08.

The Department recognises that there is financial uncertainty for those Travel Concession Authorities (TCAs) where determinations have been challenged by Judicial Review but as this process is now under way we are not in a position to discuss any of the specific issues. No date has yet been set for the Judicial Review hearings.

In the current financial year, 100 applications were lodged in respect of Travel Concession Schemes. Operators had 56 days rather than 28 days to make applications following the changes brought about by the Concessionary Bus Travel Act 2007, which took effect on 1 April. Of the applications lodged, 5 were not valid

and 48 were withdrawn – nearly twice as many as last year – as reimbursement was resolved locally. The Department continues to encourage operators and TCAs to engage in local negotiation.

Two independent adjudicators have been appointed to determine the remaining 47 applications. The Department's economists are at the data analysis stage, having developed a new proforma with more detail about changes in trends and additional costs. Both parties were given a period of 14 days to comment on the other's data. This approach required more work by applicants and TCAs but the over-riding consideration is that the appeals are considered carefully on the basis of robust information so that they can be determined fairly. It is intended to start issuing determinations later this autumn.

Possible Extension to the Framework Agreements

In order to help with the issuing of passes, last year the Department put in place several Framework Agreements that local authorities could draw down on. These frameworks were for two years, with an option for the Department to extend them by another year, and then a further final year.

The contracts were let in September 2007, which means that the initial two years will run until September 2009. However, we would like to give local authorities as much notice as possible about our intentions as we are aware that procurement exercises can be time consuming.

If we were to extend the framework agreement, then local authorities could continue to use the framework contract to procure their passes at the agreed framework prices until at least September 2010. If we chose not to extend the framework agreement, then local authorities currently using the framework would need to make their own provision for pass production after September 2009.

In order to better inform our decision as to whether or not to extend the contract, we would like to invite comments from local authorities as to whether they would like to see the framework agreements extended. If you would like to comment, please could you use the form attached at Annex A and send it to:

concessionaryfares@dft.gsi.gov.uk.

We do not plan to publish any comments, but if for any reason you would like your comments to be kept anonymous, please fill in the details on the form.

We expect that we will make an announcement about our decision as to whether we will extend the framework agreements around the turn of the year in order to give local authorities plenty of time to make alternative arrangements should we decide not to extend the agreements.

Smart Ticketing

The decision to specify an ITSO format for the new concessionary bus pass, and the generous £31m grant to fund its roll-out, should give a significant boost to ITSO smart ticketing. We are aware of a number of local authorities that are already developing plans in this area.

We are looking at what else we can do to encourage ITSO smart ticketing take-up, particularly amongst those authorities that already had non-ITSO schemes in place. But there are no concrete plans at this stage, though we will continue to talk to stakeholders about the future. The Department is likely to publish a Ticketing Strategy early in 2009 which will help to inform this work.

Data Protection Responsibilities and Issuing Passes

In the current climate we would like to remind TCAs that they are responsible for ensuring that all data on individuals is collected and further processed in accordance with the requirements of the Data Protection Act 1998.

We would also like to remind TCAs that the passes themselves also hold personal data. As such, TCAs must be mindful of their responsibilities if they choose to distribute them through the post.

Eligible Services Consultation

The criteria about which bus services are eligible were **not** changed with the introduction of the England-wide statutory concession. However, the improvement in the statutory concession has brought the eligibility of services under greater scrutiny. The existing Eligible Services Order still gives clarity in respect of the great majority of services, but the variety of bus services in England means that there are potential ambiguities in relation to certain services at the margins. The Department has received representations from both TCAs and Operators requesting clarification of which services are eligible for concessionary travel. We have also received enquiries from members of the public seeking clarification of which services are included within the statutory concession.

We have therefore decided to revisit the current criteria to investigate whether they can be improved to give the greater clarity for those services at the margins and increase consistency in the interpretation of eligible services and intend to issue a consultation document shortly.

The consultation will suggest potential additions to the current criteria. We would encourage all interested parties to respond to this consultation. We will also put a link to the consultation in the Concessionary Travel Community, Eligible Services subgroup, and we would encourage discussions on the issue from the Community members. Please note that we cannot use discussions on the Community as a response to the consultation and that responses should still be sent to us as detailed in the consultation document.

Consultation on changes to concessionary travel

The value of the statutory bus concession has increased significantly over the last decade, from half fare local travel, to free off peak travel anywhere in England. However, the system for administering the concession has remained unchanged since before 2001. Following the introduction of free England-wide travel in April, now may be an appropriate time to reflect on whether the present system remains the most appropriate way of administering concessionary travel.

We will be consulting on possible changes to how concessionary travel is administered in England later this year / early next. We'd like to hear the opinions of the local authority community, operators and other key stakeholders about how concessionary travel should be administered going forward, so please look out for the consultation and send us your comments.

Update of the Passes Regulations

You may be aware that the current version of the ITSO Specification is now 2.1.3, which has replaced version 2.1.2. To ensure that the passes regulations are kept up to date, amendment regulations have been laid which update the existing passes regulations. You can find the amending regulations here:

http://www.opsi.gov.uk/si/si2008/uksi_20082091_en_1

The effect of the amendment is that Regulation 2(11) of the Concessionary Bus Travel (Permits)(England) Regulations 2008 has now been amended to read:

“The permit shall contain an electronic chip in the form of the electronic media device specified in ITSO version 2.1.3 (ISBN 978-0-9548042-3-7) published by ITSO Limited on 21st April 2008 or any earlier version of such device which is compatible with that specified in ITSO version 2.1.3.”

Please note that the copy of the Passes Regulations that appears on the Office of Public Sector Information website will not be amended, although the amending regulations have come into force.

Encoding ITSO Pass Readers with concessionary products

We would like to re-iterate our message from the last bulletin about the encoding of ITSO readers to be able to read passes issued by all TCAs.

As you know, all of the new smartcard passes that have been issued are ITSO compliant and have a concessionary fares product loaded which identifies which local authority has issued the pass. This means that they are capable of being read on an ITSO reader, but the reader must first be configured to recognise the products which feature on the concessionary passes issued by other local authorities.

In order for all concessionary travel passes to be read electronically by smartcard readers, the reader must be encoded so that it is able to recognise all of the concessionary travel products in England. We would encourage anyone with ITSO readers to take steps to enable their readers to read cards from outside of their area.

We strongly recommend that anyone who is considering adding readers to buses ensures that they are configured to recognise all concessionary passes. A Master Reference List is held by ITSO Ltd which contains the scheme details such as the product OIDs and product types.

We would also like to emphasise the need for TCAs and bus operators to work together in order to ensure that valid passes are accepted. For example, if a valid pass cannot be read on a smartcard reader because it has been issued from outside of the local area and the reader has not been configured to recognise non-local products, then it should be accepted after being shown to the driver as a flash pass.

The passes cannot currently be read on non-ITSO smart readers including London Oyster readers. London are likely to be re-issuing their passes in dual format (ITSO/Oyster) form for 2010 and work is also underway to make the Oyster Estate ITSO compatible in due course.

Stoplisting / Hotlisting Technical Advice Note (TAN)

One of the major benefits of smart ticketing is the ability to Hotlist lost and stolen cards. As such, Stoplisting and Hotlisting are very important for the national concession, even in areas that do not currently have full smart ticketing.

The Department has produced a Draft Stoplisting/Hotlisting TAN which sets out the principles of Stoplisting/Hotlisting for Concessionary Travel in England and has circulated it to key stakeholders for comment.

It is very important that all TCAs and other key stakeholders read this document carefully as it affects everyone who issues passes. This is a draft and there is an opportunity to provide comments before the document is finalised. If you do have any comments, please provide them by Friday 14 November.

A copy of the TAN will be placed in the online community in the Integrity section and we would encourage discussions about the TAN from Community members. Please note however that although we will be monitoring the Community, any substantive comments about the drafting should be emailed to:

ConcessionaryFares@dft.gsi.gov.uk.

We would also like to take this opportunity to remind TCAs who use ITSO Services Ltd (ISL) that it is very important that they provide their Stoplisting information to ISL in a timely manner each month. More information about how to do this can be found at the ISL website here:

<http://www.itsoservices.org.uk/page211/StopListing>

Purchasing equipment for in-house pass production

If any TCA is considering purchasing equipment in order to take pass production in-house, it is vital that they ensure that the all of the equipment is properly ITSO certified. It is not sufficient that the company you purchase has an ITSO certificate – they must have a certificate for the specific equipment that you are purchasing.

For advice on how to ensure that all of the equipment you purchase is properly certified, please contact ITSO Services Ltd at helpdesk@itsoservices.org.uk.

Annex A

TCA Views on Extending Framework Agreements

PART 1 - Your details

Name	
Address	
Postcode	
email	
Company Name or Organisation (if applicable)	
If you would like your response or personal details to be treated confidentially please explain why:	

PART 2 - Your Comments

1. Do you think we should extend the framework agreement for Lot 1?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Please explain your reasons and add any additional comments you wish to make:		
2. Do you think we should extend the framework agreements for Lot 2?	Yes <input type="checkbox"/>	No <input type="checkbox"/>

Please explain your reasons and add any additional comments you wish to make:

3. Do you think we should extend the framework agreements for Lot 3?

YES

NO

Please explain your reasons and add any additional comments you wish to make:

4. Do you think we should extend the framework agreements for Lot 4?

YES

NO

Please explain your reasons and add any additional comments you wish to make: