



Report **03.309**
Date 5 June 2003
File T/10/4/1

Committee **Passenger Transport**
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Total Mobility Fraud

1. Purpose

To provide the Committee with information regarding issues facing the Total Mobility Scheme and agree further actions required.

2. Background

Audit procedures have recently exposed minor patterns of fraud by elderly users living in the shared culture of council flats. As a result we have suspended a small number of users from the scheme.

A fraud case involving one of our Total Mobility users and a taxi driver came to court on 12 May 2003. Both user and driver were found not guilty on all counts. Previously, there have been 2 successful prosecutions of fraud where collusion has occurred between a Total Mobility user and a taxi driver. We have since received a full report from the police officer who officiated on our behalf making a number of recommendations on ways in which we can protect the scheme from misuse in the future.

3. Comment

The above cases highlighted the need to remind our users of the possible results of abuse of the scheme. As a result we began to release a warning letter to all users to highlight their obligations and to advise them about the possible consequences of misuse. A copy of the warning notice is attached (**attachment 1**) for your information.

The warning sheet was approved and welcomed by a number of our distributing agencies and there has been a noticeable improvement in user travel patterns. However, we did receive one very strong complaint from an individual about the tone of the warning and an objection to a possible infringement of personal rights.

In respect of the objection raised, the warning notice was withdrawn whilst legal opinion confirmed no infringement of personal rights or Act of Parliament had occurred and that Council was fully within its right to warn

people of their responsibilities and the possible consequences of abuse of the Total Mobility scheme.

It should be noted that no user of the scheme has been disadvantaged by the issue of the warning notice.

4. Communications

The complainant has spoken with both the Manager, Transport Procurement and the Chairman of the Passenger Transport Committee and will be kept informed of any decisions resulting from the initial complaint.

5. Recommendation

It is recommended that the Committee:

- 1. Receive the report and note it's contents.*
- 2. That the warning notice is re-instated and incorporated into all future registrations in the Total Mobility Scheme.*
- 3. That work is undertaken with the Police to focus on the high risk fraud areas and adapt the scheme accordingly.*

Report prepared by:

Report approved by:

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Attachments:

1. Warning Notice