

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: **21 February 2025**

Public Authority: **London Borough of Hammersmith and Fulham**

Address: **King Street
Hammersmith
London
W6 9JU**

1. Request:

The complainant requested the following information from the London Borough of Hammersmith and Fulham on 26 November 2024:

"I am requesting the following information under the Freedom of Information Act 2000:

1. Detailed Scoring Breakdown Across All Criteria
 - A full explanation of how my scores were calculated in each section of the assessment (Distance and Pace, Manner of Walking, Balance and Outdoor Mobility, Pain and Discomfort, and Breathlessness).
 - A breakdown of how each of the three elements of the legislation (difficulty walking, psychological distress, and risk of harm) were considered and scored individually.
 - Clarification on how considerable psychological distress caused by my condition, including the need for immediate access to toilets, fatigue, and anxiety, was factored into the scoring process.
2. Expert Assessor Guidance and Compliance with Legislation
 - Copies of the guidance and training materials provided to Expert Assessors for evaluating applications based on hidden disabilities, particularly in cases of psychological distress, fatigue, and risk of harm.
 - Confirmation that my application was assessed in compliance with

the Department for Transport guidance, which includes consideration of hidden disabilities.

3. Decision-Making Process

- A detailed explanation of how the assessor's decision aligns with the legal requirements to evaluate psychological distress and risk of harm, as well as physical mobility.
- An outline of how variability in my condition, with better and worse days, was factored into the final decision.

4. Assessment Documentation

- Copies of all documentation and notes relating to my assessment, including the assessor's observations and internal discussions that informed the decision.

5. Scoring Framework Used

- A copy of the full scoring framework used by the London Borough of Hammersmith and Fulham to assess Blue Badge applications.
- Confirmation that the framework includes scoring mechanisms for all three elements of the legislation, not just physical mobility.
- An explanation of how the scoring framework ensures compliance with the Department for Transport guidelines and the updated legislation effective August 2019.

6. Assessor Qualifications and Training

- A full disclosure of the qualifications, training, and relevant experience of the Expert Assessor who evaluated my application.
- Evidence of the assessor's expertise in evaluating all three elements of the legislation: physical mobility impairments, psychological distress, and risk of harm.
- Confirmation of whether the assessor has received specific training to assess hidden disabilities in compliance with the updated 2019 legislation."

2. Commissioner's Decision:

A public authority will breach section 10 of FOIA if it fails to respond to a request within 20 working days. Based on evidence available to the Commissioner, by the date of this notice the public authority has not issued a substantive response to this request. Therefore the Commissioner finds a breach of section 10.

3. Steps:

The public authority must provide a substantive response to the request in accordance with its obligations under FOIA.

The public authority must take this step within 30 calendar days of the date of this decision notice. Failure to comply may result in the Commissioner making written certification of this fact to the High Court pursuant to section 54 of FOIA and may be dealt with as a contempt of court.

4. Other Matters

The Commissioner notes that some of the information requested is personal information and would remind the Borough of its obligation to process the request under the requirements of the DPA/GDPR 2018.

5. Right of Appeal:

Either party has the right to appeal against this decision notice to the First-tier Tribunal (Information Rights). Information about the appeals process may be obtained from:

First-tier Tribunal (Information Rights)
GRC & GRP Tribunals,
PO Box 9300,
LEICESTER,
LE1 8DJ

Tel: 0203 936 8963

Fax: 0870 739 5836

Email: grc@justice.gov.uk

Website: www.justice.gov.uk/tribunals/general-regulatory-chamber

Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

**Information Commissioner
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF**