

CHIEF EXECUTIVE'S OFFICE

POLICY AND RESOURCES SCRUTINY COMMITTEE

REPORT OF THE HEAD OF CORPORATE STRATEGY AND DEMOCRATIC SERVICES – K.JONES

(27th November 2014)

SECTION – MATTER FOR MONITORING

WARD(S) AFFECTED: ALL

BLUE BADGE SCHEME IN WALES

1) Purpose of Report

To provide Members of the Scrutiny Committee with details of the operation of the Blue Badge scheme to support scrutiny of this area of work.

2) Background

The aim of the Blue Badge Scheme is to provide badge holders access to services, enabling them to park closer to where they need to go. Eligibility is generally aimed at people with permanent mobility problems and those who are in receipt of benefits, which themselves include a measure of mobility assessment. The criteria have been extended to include some persons who have “served” and in the near future will enable some persons with cognitive impairments to apply.

3) Eligibility

The Disabled Persons (Badges for Motor Vehicles) (Wales) Regulations 2000 set the eligibility criteria for a badge. The scheme is devolved to local authorities to administer and although the rules, guidance or the law has not changed, in 2010 the Welsh Government reminded Local Authorities of their obligations to adhere to the rules and guidance of the scheme.

3a) Automatic mobility eligibility criteria

People may be issued a badge “without further assessment” if they are more than 2 years old and fall in to 1 or more of the following categories -

- Receives the Higher Rate of the Mobility Component of the Disability Living Allowance (DLA).
- Receives a War Pensioner Mobility Supplement (WPMS) or
- Has been awarded a lump sum benefit at tariffs 1-8 of the Armed Forces Compensation Scheme
- Is registered blind
- Receives Personal Independence Payment (PIP) – mobility activity 1 descriptor for mobility activity 2 descriptors c, d, e, and f.
- A person who has been awarded tariff 6 – Permanent Mental Disorder of the Armed Forces Compensation Scheme

3b) Personal Independence Payment (replacement for DLA - mobility)

Early indications show that fewer applicants are applying under the current PIP criteria as opposed to the former DLA (high rate mobility component). One explanation is that those who were previously in receipt of DLA are now finding that they do not meet the criteria for PIP. The DWP are gradually re-assessing existing claimants to ascertain continued eligibility for this replacement benefit with the majority of applicants being seen in person. If deemed ineligible for PIP, Welsh Government has advised that a person cannot then apply under the discretionary criteria and should be refused a badge.

3c) Discretionary mobility eligibility criteria

Welsh Government recommends that assessment of eligibility for a Blue Badge requires the applicant to provide independent supporting medical evidence of permanent mobility related difficulties. This is combined with a desk-based assessment approach and the intelligent use of existing shared information to:-

- Significantly improve the accuracy of eligibility decisions, thereby ensuring that only those people who meet the discretionary, ‘subject to further assessment’ walking criterion receive a Blue Badge.

- Improve the consistency of eligibility decisions for applicants under the ‘subject to further assessment’ walking criterion.

Historically, discretionary applications were supported in the majority of applications by the person’s General Practitioners (G.P.). It was the Government’s view that the practice of using an applicant’s G.P to verify that an individual met the discretionary criteria for a Blue Badge was unsatisfactory. This decision could compromise the doctor/patient relationship and there were significant costs and delays associated with the administrative processes involved. Following a systems thinking review 3 years ago, these waste steps were eliminated for this authority and the Local Health Board, freeing up approximately £40,000 recurring in those costs. Since April 2011 supporting evidence provided by the applicant combined with a desk-based assessment approach and the intelligent shared use of information already held within the Council helps to determine eligibility in accordance with the stipulated criteria for a Blue Badge.

Difficult circumstances have occasionally arisen where a person has re-applied for a badge having previously received a G.P endorsement some years ago for a temporary or non eligible condition without review. In view of this, Welsh Government recognised the best practice example developed in Customer Services in NPTCBC and subsequently recommended this systematic sift of discretionary applications to all Welsh Councils. Additionally, Welsh Government has recently provided a Blue Badge verification toolkit to assist local authorities to achieve a more consistent approach in the eligibility assessments. This decision record tool should enable all local authorities to cease reliance on G.P. and achieve a pan Wales approach. It has been designed to reach a decision on those applicants who mainly fall under the discretionary criteria based on the information and evidence they provide in support of their application during the face to face interview process.

Non eligibility under the discretionary criteria remains the same for those who

- Receive lower rate DLA – mobility component
- Receive Attendance Allowance
- Have an impairment in one arm
- Have bladder or bowel conditions e.g. Crohn’s disease
- Have temporary conditions e.g. lower limb fractures, asthma, ME
- Are pregnant

Cognitive impairment criteria

The scheme in Wales is being extended to applicants in the near future with local authorities responsible for checking each application initially. This criteria applies to people who have difficulty planning or following a journey, to such an extent that they need constant supervision. Applicants may also apply in this respect if they are outside the qualifying age for Personal Independence Payment (PIP) or they choose not to apply for the benefit.

This may capture people with:

Autism

Alzheimer's or dementia

Stroke survivors

Learning Disabilities

Mental Health difficulties

Head injuries

This criteria is not entirely based on diagnosis of conditions, but requires that the applicant meets the safety needs described above. Applicants who fall into this category who are unable to clearly demonstrate/evidence their needs to the local authority may be referred to an Independent Advisory Service, depending on the result of the toolkit decision. This service will be responsible for making a decision in these cases.

Neath Port Talbot Council overview

Blue Badges are valid for 3 years and the person should re-apply as there is no automatic renewal process although a reminder letter is sent to the badge holder. Information is also on the Council website with a pre-eligibility check tool being launched in the near future to help manage expectations and reduce queries about perceived eligibility. The eligibility criteria is generally aimed at people with mobility problems and in receipt of benefits which themselves include a measure of mobility assessment.

Data on Blue Badges issued in NPTCBC over the last 3 years is given below.

Applicants aged under 65					
	New application	Re Application	Awarded New Blue Badge	Awarded Reapplication Blue Badge	Unsuccessful
2012	419	1393	366	1330	6.4%
2013	447	1325	373	1240	9%
2014	399	1042	342	930	11.7%

Applicants aged over 65					
	New application	Re Application	Awarded New Blue Badge	Awarded Reapplication Blue Badge	Unsuccessful
2012	403	2643	353	2479	7%
2013	432	2639	354	2359	11.7%
2014	323	2210	245	1921	14.5%

There is a perception that the Blue Badge assessment process fails persons over the age of 65, however this is not supported by the above data in that there is no significant difference in outcomes because of age.

Appeals/Reviews

There is an internal appeal/ review process where the applicant has initially failed to provide adequate evidence enabling this decision to be reconsidered via the provision of additional supporting evidence. We also signpost ineligible applicants to alternative services that may be identified besides e.g. radar key, I can't wait card, concessionary bus pass scheme.

Enforcement

A main reason behind UK changes to the Blue Badge scheme in 2011 is the perceived extent to which it is misused/abused and particularly in big city areas. The concern is that without legal action being taken against offenders, not only will a scheme that was designed to help disadvantaged members of society fall into disarray, but members of the public who abide by parking restrictions will become disillusioned with imposed parking controls that are abused.

In the last 6 months we have received 5 reports of misuse and wrote to the badge holder to advise that a report of abuse had been received and reminding them about their duties and responsibilities. In the main the badge was being used by a relative when the holder was not present. The Road Traffic Regulation Act 1984 enables enforcement action to be undertaken but when considered by Audit, Legal, Parking Enforcement and Senior Management, was not deemed a priority due to resources required to investigate/take action etc.

As Customer Services staff interview applicants in person this enables us to stress/reinforce the purpose of the scheme and responsibilities of the badge holder to uphold the purpose of the scheme to help reduce the potential for abuse besides.

Information on the Blue Badge scheme can also be found on the Council's website www.npt.gov.uk and the Welsh Government website wales.gov.uk/docs/det/publications/140806.

Appendices

None

List of Background Papers

None

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