

WIRRAL COUNCIL

CABINET

13 OCTOBER 2011

SUBJECT:	INTRODUCTION OF NEW PROCEDURE FOR ALLOCATION OF BLUE BADGE PARKING FOR DISABLED PEOPLE
WARD/S AFFECTED:	ALL
REPORT OF:	HOWARD COOPER, INTERIM DIRECTOR OF ADULT SOCIAL SERVICES
RESPONSIBLE PORTFOLIO HOLDER:	COUNCILLOR ANNE MCARDLE
KEY DECISION	YES

1.0 EXECUTIVE SUMMARY

- 1.1 The 'Blue Badge' scheme, which offers preferential parking to disabled people free of charge, has been in operation since 1971. The scheme is operated using nationally agreed regulations, and administered by local authorities.
- 1.2 Two major changes have been introduced which necessitate a reform of the process locally.
 - 1.2.1 National reforms which will include a central distribution point for the badges from 1 January 2012.
 - 1.2.2 Payment for the assessment of eligibility passed from the health service to the local authority via the Department of Adult Social Services in April 2011.

2.0 BACKGROUND AND KEY ISSUES

- 2.1 The scheme to enable preferential parking for disabled people has been in operation since 1971, under the Chronically Sick and Disabled Persons Act 1970. A number of developments have taken place over time, including in 2007 extending the scheme to children under two with specific medical conditions and re-designing the Blue Badge to help prevent fraud and abuse of the scheme. The cost to members of the public has remained stable since 1971, at £2 per badge.

2.2 Eligibility for a badge is determined by the following:

2.2.1 A person is automatically eligible for a badge if they are over two years old and meet at least one of the following criteria:

- receives the higher rate of the mobility component of the Disability Living Allowance;
- is registered blind or is severely sight-impaired;
- receives a war pensioner's mobility supplement; or
- has received a lump sum benefit within tariff levels 1-8 of the Armed Forces and Reserved Forces (Compensation) Scheme, and has been certified as having a permanent and substantial disability which causes inability to walk or very considerable difficulty in walking.

The applicant also has to provide proof of their identity and proof that they are resident in the local authority in which they are applying.

2.2.2 Some people may also be eligible for a badge if they are more than two years old and have a permanent and substantial disability which causes inability to walk or very considerable difficulty in walking. This means that the person has to demonstrate

- they are unable to walk; or
- they are unable to walk far without experiencing very considerable difficulty, which may include excessive pain and breathlessness, or a deterioration of health brought on by the effort needed to walk.

A permanent and substantial disability is one that is likely to last a life time. Eligibility is not determined on the basis of a particular diagnosis or condition. It is the effect of the permanent disability on the ability to walk that is important.

2.2.3 Some people may also be eligible for a badge if they drive a motor vehicle regularly, have a severe disability in both arms and they are unable to operate, or have considerable difficulty operating, all or some types of parking meter.

2.2.4 There are special rules for children under three. A parent of a child who is less than three years old may also apply for a badge for the child if the child has a specific medical condition which means that they must always be accompanied by bulky medical equipment and/or need to be kept near a vehicle at all times.

2.2.5 Some organisations may be eligible for a blue badge if they both care for and transport disabled people who themselves meet the eligibility criteria for a Blue Badge. It is unlikely however, that taxi or private hire operators and community transport operators would be eligible for an organisational Blue Badge as they do not usually care for disabled people.

2.2.6 The concessions provided for parking under the scheme do not apply to off-street car parks, such as those at supermarkets and hospitals, or privately owned roads such as those at airports.

2.2.7 In Wirral there were a total of 7655 badges issued in 2009/10. The table below gives a more detailed breakdown of this information.

Blue Badges 2009/10:

	Number	%
Automatic entitlements	3588	47
Further information required	4067	53
Total:	7655	100
New applications	2207	29
Renewal	5448	71
Total:	7655	100

2.2.8 The following table gives a breakdown of number of Blue Badges in use at any one time and badge holders as a percentage of the population and compares Wirral's statistics to those of close neighbouring authorities. Not every authority returned the information required to be entered onto the table to the Department for Transport, which is the source of the information.

Local Authority	Number of valid badges	Badge holders as % of population	Population (thousands)
Wirral	25500	8.3	309
Liverpool	27200	6.1	442
Cheshire West & Chester	23300	7.1	327
Knowsley	8300	5.5	151

Wirral has the second highest number of badge holders as a percentage of the population in England. There are currently 2.5 million badges on issue in England. The number has trebled in the past 20 years and is forecast to increase further as the population ages.

2.3 In 2010 the Government consulted with interested parties over how the Disabled Blue Badge scheme is implemented, managed and enforced, with a view to considering changes to these procedures in line with feedback from the consultation. The objectives of the consultation were to deal with and reduce the current problems, for example: operational and service delivery issues; misuse of badges, and variations in quality and consistency of issuing procedures across the country. It also sought to ensure the scheme is able to deal with future pressures and demands. The groups that were consulted included issuing authorities, disabled groups and charities. The resulting programme of reform is called the 'Blue Badge Improvement Service' (BBIS).

The reform includes measures to

- support the use of independent mobility assessors
- extend eligibility to specific categories of disabled people
- establish a common service delivery project
- implement a new badge design and amend legislation to improve enforcement.

The reform also enables the maximum fee that local authorities can charge for a badge to be raised from £2 to £10 to cover costs more appropriately.

2.3.1 The resulting new legislation comes into force on 1 January 2012 which will change the way that Blue Badges will be produced in the future by issuing authorities. The BBIS aims to improve operational efficiency, reduce public sector costs and improve customer service.

2.3.2 From 1 January 2012, badges will be produced centrally by an approved contractor – Northgate Information Solutions (NIS), working in partnership with Payne Security Systems, who will be administering and printing badges nationally. Although the Council will have overall responsibility for dealing with applications and making the decision over eligibility for badges, they will be printed centrally by NIS/Payne. For this service there will be a charge of £4.60 per badge which will need to be met by the Council.

2.3.3 The Secretary of State for Transport has signed a contract with Northgate Information Solutions to:

- a) provide ordered Software Solutions to each Authority, and
- b) manufacture the badges.

Accordingly, each Authority has been sent an Access Agreement so that Northgate Information Solutions may liaise on both issues.

2.3.4 The Access Agreement is exempt from the usual tendering and procurement rules, as the Contract Procedure Rules state:

“Where tenders have already been invited by a local government consortium or other public body, for example: the Office of Government Commerce, in accordance with the procurement procedures of that organisation, being subject to the provisions of any European or UK procurement legislation.”

2.3.5 All current issuing authorities will be obliged to use the contractor with effect from 1 January 2012 and this will help with improved efficiencies and cost financial savings with more efficient administration, reduced administration costs, availability of online applications and payments. The new system negates the need for individual council-owned issuing systems for Blue Badges.

- 2.3.6 Reminders for renewal of badges can be sent by the contractor in different format; email, letter or text which promotes use of digital and online services.
- 2.3.7 The new process will create a national database of Blue Badges which will bring improved processing and enforcement due to secure data sharing and more effective checks.
- 2.3.8 There will also be a call centre resource which will be able to answer first line enquiries and signpost callers to the correct local authority, as well as take enquiries about a badge's progress and deal with issues of badges lost in the post or documentation not complete.
- 2.3.9 A new design of badge will be issued from 1 January 2012 that is harder to forge, copy and alter.
- 2.4 The national reforms lead to a reconsideration of the local process.
- 2.4.1 To date, the assessments of eligibility for people who are not automatically entitled to a Blue Badge have been carried out by GPs. There is a cost of £27.77 for each letter written by a GP, and in 2009/10 the total cost of such letters was approximately £112,000. This was funded by the health service until April 2011, when the responsibility transferred to the local authority via DASS. However, the total amount given for this purpose is £36,357 in 2011/12 and £36,953 in 2012/13.
- 2.4.2 The current system of assessment is not financially viable and under the national reforms, other methods of assessment are permissible. As a suitably qualified professional, an occupational therapist is ideally placed to carry out such assessments. The practitioner would be employed in the local authority and use nationally recognised methods to carry out the assessment. If the recommendation is accepted, this will commence on 1 November 2011, and be fully operational by 1 December 2011.
- 2.4.3 Consideration is also being given to self assessment for those people whose application is a renewal; 71% of all badges issued in 2009/10 were in this category. If self assessment is used, a random sample of 10% of badge renewals will be carried out every year in order to reduce the risk of fraud and confirm entitlement. This will concentrate on people who do not receive any other service from the Department.
- 2.4.4 The price for each new badge from the new central provider will be £4.60, charged to the local authority. Work undertaken by CSED for the Department for Transport in 2008 calculated a total cost to local authorities of £35 per badge. The Department for Transport has raised the maximum fee that can be charged to a successful applicant from £2 (the same level as 1971) to £10. Most local authorities will be introducing this charge including Sefton, which will cover the price of the badge (including postage), and make a realistic contribution towards the administration and assessment of the badge. If the recommendation is accepted, this will become effective from 1 January 2012.

3.0 RELEVANT RISKS

- 3.1 The reforms to the scheme are national, although implementation is the responsibility of the local authority, which must be in a position to do so by 1 January 2012.
- 3.2 The funding levels for the scheme are substantially lower than the amount of finance claimed in previous years by General Practitioners. There is a substantial risk of overspend within this budget, and the new system of assessment will need immediate implementation in order to reduce the level of overspend.
- 3.3 Implementation of the reforms will reduce the amount of time which is currently spent by One Stop shop staff in distribution of the badges. There are other areas of risk, however, which will now be able to receive attention, such as making sure that badges which belonged to a deceased person are returned to the authority.
- 3.4 There may be some people who will not receive a badge or have their badge renewed as a result of an Occupational Therapy assessment. This may lead to an increase in complaints to the Department.

4.0 OTHER OPTIONS CONSIDERED

- 4.1 Consideration has been given to maintaining the current system of assessment and payment. However, there is a financial imperative to changing this. In addition, using fewer assessors will bring a level of consistency into the process which has not been previously available.

5.0 CONSULTATION

- 5.1 The revised process has been developed between officers within the Department of Adult Social Services and Finance Department. Views have also been sought from Parking Enforcement colleagues.
- 5.2 On a national basis, consultation took place with disabled people's groups and older people's groups, and an Equality Impact Assessment was carried out.

6.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

- 6.1 People using a Blue Badge may contact a relevant voluntary organisation for advice and information. Local groups and organisations will need to be made aware of the reforms, and of the local implications.

7.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS

- 7.1 The amount of finance allocated to the local authority by the Department of Health is substantially smaller than the level of claims made by GPs in 2009/10.

- 7.2 The national reforms may require some work with the current IT systems in order to ensure compatibility.
- 7.3 An increase in staffing for assessments will be required, although the time spent by staff in the distribution of badges will diminish. Other duties connected to Blue Badges, such as the collection of badges which are no longer needed, can be undertaken.
- 7.4 Disabled parking is used on public highways and in Council-owned car parks.

8.0 LEGAL IMPLICATIONS

- 8.1 Wirral is required to work with the national reforms for parking for disabled people, including the adoption of a centralised system for the distribution of parking badges.

9.0 EQUALITIES IMPLICATIONS

- 9.1 The implications for equalities relate to people with a disability or mobility challenge. The majority of Blue Badge users are older people.
- 9.2 The Department for Transport undertook a full equality impact assessment and consulted relevant disability and age related organisations. A local Equality Impact Assessment is not needed on this basis, although local organisations will be prioritised in the publicity and briefing of the new process.
- 9.3 Is an Equality Impact Assessment required? No.

10.0 CARBON REDUCTION IMPLICATIONS

- 10.1 None.

11.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

- 11.1 The national reforms are targeted towards a reduction in the potential for fraud, which has an estimated cost of £46 million nationally per year.

12.0 RECOMMENDATION/S

- 12.1 That Cabinet
- i) Confirms the adoption of the new national regulations from 1 January 2012.
 - ii) Implements the new assessment process for eligibility from 1 November 2011.
 - iii) Increases the charge for a Blue Badge from £2 to £10 for the life of the badge.
 - iv) Accepts the Access Agreement which enables Northgate Information Solutions to distribute the Blue Badges and provide Software Solutions for the Authority.

13.0 REASONS FOR RECOMMENDATIONS

- 13.1 Each local authority in England is required to adopt the new process for the distribution of Blue Badges and adhere to the regulations to be introduced on 1 January 2012.
- 13.2 Payment for assessment of eligibility was made to general practitioners on a piece by piece basis; in 2009/2010 this amounted to approximately £112,000. The funding allocated to the local authority for this service is £36,357. Therefore, a different assessment process to test eligibility will be necessary.

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APPENDICES

N/A

REFERENCE MATERIAL

N/A

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
N/A	

Equality Duty Briefing

Context

The Equality Duty 2010 places general and specific duties on public organisations:

1. General Duties (legal requirement)
 - (1.1) To eliminate unlawful discrimination, harassment and victimisation
 - (1.2) To advance equality of opportunity
 - (1.3) To foster good relations between different groups of people

2. Specific Duty (legal requirement)
 - (2.1) Publish sufficient information to demonstrate compliance with general duties **by 30 July 2011**, including:
 - (2.1.1) Information on the effect that policy / funding decisions will have / have had on protected groups (race, gender, disability, gender reassignment, age, pregnancy and maternity, religion and belief, sexual orientation, marriage and civil partnership).
 - (2.1.2) Evidence of analysis undertaken.
 - (2.1.3) Evidence of information used in analysis.
 - (2.1.4) Details of any engagement undertaken (internal and external)

Implications for Report Authors

To ensure compliance with the legal requirements of the Equality Act 2010, Report Authors must give due consideration to protected groups when making policy and / or funding decisions which will affect services, the workforce or communities. Such consideration must be documented (for example, within minutes, reports, equality impact assessments).

Therefore, please find a template overleaf for Report Authors to use as a prompt when assessing impact.

Assessing Impact of Policy and Funding Decisions

1. What is being proposed?
 - A change to the assessment process for disabled parking badges
 - An increase in the charge for a badge to members of the public
 - The adoption of a national distribution scheme
2. Is the proposal part of the Corporate Plan? If so, which objective?
3. Has a criteria been drawn up for making a decision? If so, what are the criteria?

The criteria has been set nationally for the implementation of the new system.

4. Have you consulted or taken advice from anyone (internal or external) to inform your decision? If so please state who.

Decision informed by national guidance, change in the payment system by the Department of Health for assessments.

Department for Transport carried out an Equality Impact Assessment.

5. What information, data or research have you used to inform your decision?

Department for Transport documentation including commissioned research and CSED studies into efficiency savings.

6. Will the proposal have a favourable or negative impact on any of the protected groups (race, gender, disability, gender reassignment, age, pregnancy and maternity, religion and belief, sexual orientation, marriage and civil partnership)?

No negative impacts although it will affect older people and people with a disability.

7. What is your decision?

My recommendations are to adopt the national system of allocation of Blue Badges; to implement a new system of assessment, and to increase charges from £2 to £10.