

REPORT TO: Executive Board
DATE: 8 April 2010
REPORTING OFFICER: Strategic Director, Adults & Community
SUBJECT: Revised Blue Badge Policy, Procedure and Practice

1.0 PURPOSE OF REPORT

1.1 To present Executive Board with the revised Blue Badge Policy, Procedure and Practice document.

2.0 RECOMMENDATION: That Executive Board;

(1) note contents of the report; and

(2) endorse the revised Blue Badge Policy, Procedure and Practice (Appendix 1).

3.0 BACKGROUND/POLICY CONTEXT

3.1 The review of the Blue Badge Policy Procedure and Practice has been carried out in conjunction with Direct Link and the Contact Centre who are responsible for administering the Scheme on behalf of the Directorate.

3.2 The Disabled Person's Parking Badge Scheme (Blue Badge Scheme) was introduced in 1971 (then known as the Orange Badge Scheme) through section 21 of the Chronically Sick and Disabled Persons Act 1970. Orange Badges were phased out from November 2002.

3.3 The Blue Badge Scheme provides a national arrangement of parking concessions for some people with disabilities who travel either as drivers or passengers. Department for Transport Regulations govern the Scheme.

3.4 The Scheme allows badge holders to park close to their destination without charge or time limit in the on street parking environment and for up to three hours on yellow lines, unless a loading ban is in place.

3.5 Many changes have taken place in the Scheme since the early 1970s. A review of the Scheme in 2007 highlighted several areas where improvements needed to take place to the administration of the Scheme, to the eligibility criteria and to prevent abuse.

3.6 In January 2008, the DfT published the current Guidance for local authorities on the Blue Badge Scheme (The Blue Badge Scheme

Local Authority Guidance (England)). This Guidance intended to promote improved assessment and enforcement of the Scheme, in order to promote consistency and prevent fraud and abuse.

3.7 After further consultation, a five year Reform Strategy for the Blue Badge Scheme was published in October 2008. Planned changes to the Scheme include extending Blue Badges to more disabled people, introducing independent medical assessments to improve fairness and consistency and introducing data sharing systems to reduce fraud and abuse. The Blue Badge Policy, Procedure and Practice document will be reviewed and amended as new legislation and guidance is issued.

3.8 The Direct Links and the Contact Centre are responsible for administering the Blue Badge Scheme on behalf of the Council. Halton Home Improvement and Independent Living Services within the Adults & Community Directorate currently provide professional advice and support where required, particularly in relation to more complex cases.

3.9 GPs are currently responsible for carrying out medical assessments on applicants where required and these are funded by Halton and St Helen's Primary Care Trust. However the Blue Badge Reform Strategy plans to move toward independent medical assessments and introduce a grant for local authorities to fund these. This process is scheduled to commence during 2010.

4.0 REASONS FOR REVIEWING THE BLUE BADGE POLICY PROCEDURE AND PRACTICE

4.1 The main changes include:

- To ensure that Halton's Blue Badge Scheme is administered in accordance with DfT Regulations and with the good practice outlined in The Blue Badge Scheme Local Authority Guidance (England) January 2008.
- To promote a fairer and more consistent approach to assessing applications under the Scheme.
- To develop a robust approach towards the prevention of fraud and abuse in line with the current guidance and in future through the development of data sharing systems as outlined in the Blue Badge Reform Strategy.
- To ensure that procedures reflect the role of Direct Link and the Contact Centre in administering the Scheme.

5.0 CHANGES TO THE POLICY, PROCEDURE AND PRACTICE

5.1 The main changes include:

5.1.1 Promoting a fairer and more consistent approach to assessing applications under the Scheme

The Policy has been amended to remove the automatic entitlement to a renewal badge for applicants over 80 and for applicants who have received three or more badges under the “eligible subject to further assessment criteria”. All applicants will now be subject to a reassessment at least every three years in accordance with the Blue Badge legislation and current guidance. A letter issued by the Department of Transport to all local authorities in May 2009 (attached at Appendix 2) emphasises that “there is no provision in the Regulations that entitles an authority to issue a badge solely on the basis of an applicant’s age...” However the Blue Badge Reform Strategy proposes to extend the Scheme’s eligibility criteria to specific groups of disabled people who are currently ineligible under the existing legislation, including people with certain temporary mobility problems lasting at least one year, individuals with severe mental impairments, seriously disabled service personnel /veterans and more children under three with specific medical conditions. The Blue Badge Policy, Procedure and Practice document will be reviewed and amended as new legislation and guidance is issued.

- Application forms have been revised in line with the model application forms recommended in the January 2008 DfT guidance. A separate application form has been created for children under 2 as they are assessed under separate criteria by Halton Home Improvement and Independent Living Services.
- Medical information form completed by GPs has been revised so it is more comprehensive. Supplementary guidance notes on the DfT criteria are to be sent to GPs to improve the consistency of assessments.
- Organisations applying for a badge must cater for a minimum of three people with the required degree of disability. Where fewer people meet the eligibility criteria for a badge, service users should apply for their own individual badges.
- Minor changes have been made to the appeals procedure to ensure it complies with Government guidance.

5.1.2 Preventing fraud and abuse

- Residency checks to be carried out by the Direct Links/Contact Centre before application forms are issued.
- Two forms of personal identification (where possible one to be a photograph form of identification and one showing the applicant’s address) are to be supplied with applications. Children under 2 are only required to supply a copy of their birth / adoption certificate however.

- Badges must be collected from Direct Link by the applicant or their representative (with appropriate documentation). Badges will only be posted out in very exceptional circumstances.
- A review of cases, where fraud or misuse is suspected, will be undertaken and a decision to refuse to issue or to withdraw a badge where appropriate.
- Badge holders to be asked to present their badge for inspection to a Team Leader at Direct Link after one reported incident of misuse. This will check whether the badge has been tampered with and provide an opportunity to remind the badge holder of the rules and regulations of the Scheme.
- One of the key projects within the Blue Badge Reform Programme is to establish a system of data sharing amongst local authorities to assist in reducing abuse of the Scheme and to aid enforcement.

5.1.3 Applicants with a Terminal Illness

- Introduction of fast track procedures to ensure that these applications are dealt with in a timely manner

6.0 POLICY IMPLICATIONS

6.1 Approval of revised Policy, Procedure and Practice, including the associated changes highlighted in this report will ensure that Halton Borough Council's Blue Badge Scheme complies with current DfT Regulations and good practice. However it is recognised that further work is needed to effectively tackle fraud and abuse and to improve data collection. It is anticipated that revised legislation and guidance arising from the implementation of the Blue Badge Reform Strategy will assist in taking forward these objectives, in addition to the other proposed changes to improve the Blue Badge Scheme nationally and it is likely a future report to the Board will be tabled.

7.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

7.1 Children and Young People in Halton

The Blue Badge Scheme benefits eligible children and young People with disabilities, enabling them and their parents and carers to access education, health and other essential facilities.

7.2 Employment, learning and skills in Halton

The Blue Badge Scheme enables eligible disabled people to

access employment, education and training opportunities.

7.3 **A Healthy Halton**

The Blue Badge Scheme enables eligible disabled people to access health and other essential facilities.

7.4 **A Safer Halton**

A robust approach to tackling fraud and abuse of the Blue Badge System will contribute to crime and disorder objectives.

7.5 **Halton's Urban Renewal**

None identified.

8.0 **FINANCIAL IMPLICATIONS**

8.1 There are no significant additional costs to the Authority of implementing these proposals.

9.0 **RISK ANALYSIS**

9.1 The approval of the revised Policy Procedure and Practice document presents an opportunity to significantly improve the administration of the Blue Badge Scheme in Halton by bringing it in line with current legislation and guidance. This will provide the required foundation for the successful introduction of the proposed changes outlined in the Blue Badge Reform Strategy. The main risk of not implementing the revised Policy, Procedure and Practice is that Halton will fail to comply with DfT regulations and good practice guidance. This may lead to inconsistent assessments with blue badges being issued unlawfully and will contribute to the wider problem of lack of fairness and consistency across authorities in the administration of the Scheme.

A full risk assessment is not required.

10.0 **EQUALITY AND DIVERSITY ISSUES**

10.1 A key objective of the Policy, Procedure and Practice is to ensure that the Blue Badge Scheme promotes equal opportunities by enabling disabled people to enjoy maximum mobility, access local facilities and play a full and active role in their communities.

The measures outlined in this report to improve the consistency of assessments for Blue Badges should also promote fairness and equal opportunities.

A Stage 1 Community Impact Review and Assessment (CIRA) has been completed on the revised Policy, Procedure and Practice

document and is available upon request from the Strategic Director, Adults & Community.

11.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972

Document	Place of Inspection	Contact Officer
The Disabled Persons (Badges for Motor Vehicles)(England) Regulations 2000		Strategic Director Adults & Community
The Disabled Persons (Badges for Motor Vehicles)(England) Regulations 2007		Strategic Director Adults & Community
The Blue Badge Scheme Local Authority Guidance (England) January 2008		Strategic Director Adults & Community
Comprehensive Blue Badges (Disabled Parking) Reform Strategy (England) October 2008		Strategic Director Adults & Community