



# Blue Badge scheme: consultation on eligibility (Department for Transport)

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## About Age UK

Age UK is the country's largest charity dedicated to helping everyone make the most of later life. The Age UK network includes around 140 local Age UKs reaching most areas of England. In 2015-16, nearly 5.9 million people were helped by Age UK and our local partners with information and advice on a range of issues influencing later life. We also work closely with our partners Age Cymru, Age NI, Age Scotland and Age International.

## SUMMARY OF KEY POINTS

- Age UK **supports the extension of the blue badge parking scheme** to people with **hidden disabilities**. This would significantly benefit many vulnerable older people and their carers who struggle due to a hidden or an unacknowledged condition. It is especially important for older people travelling to receive care, support or medical treatment.
- The extension of the scheme has **parking capacity implications** given limits on space. We accept the points made in the consultation paper on providing a service that is 'sustainable' and addresses those in 'greatest need'. However, we would oppose measures to address capacity issues by introducing a higher eligibility threshold for people with physical disabilities. We would like to see further support to local authorities to reduce fraud, police disabled parking bays and increase the number of designated spaces.
- Evidence from local Age UKs indicates **inconsistency** in how the scheme operates between different local authorities. Although the guidelines allow a degree of local discretion and interpretation the Government must have stronger oversight to ensure that disabled people are **treated fairly regardless of where they live**.
- Completing application forms and bringing together the necessary evidence to qualify for a blue badge can be difficult and stressful for many older people. The Government needs to ensure local authorities are delivering their **public sector equality duty** to ensure older people are given appropriate help and assistance under the scheme and do not experience discrimination as a result of their circumstances or condition.

- The review of the blue badge scheme needs to put reform in the **broader context** of supporting older people who rely on a car to get to essential services - especially in places where a regular bus service is no longer available.

## INTRODUCTION

The Government is proposing to extend the blue badge parking scheme to people with 'hidden disabilities'. This would include people with a mental, cognitive or learning disability that affects their mobility. The scheme was introduced in 1971 and currently benefits 2.4 million disabled people. It allows free parking on streets with parking meters or pay-and-display machines, on designated street parking bays or on single or double yellow lines for up to 3 hours - apart from areas with a no loading sign.

Local authorities must determine whether an applicant qualifies under the scheme based on set criteria which give automatic eligibility, or through an independent assessment for those who do not meet these criteria. The Department for Transport (DfT) provide guidance to local authorities who have discretion over the administration of the scheme.

Automatic eligibility criteria include attaining eight points under the 'moving about' part of Personal Independence Payments (PIP) or the higher rate mobility component of Disabled Living Allowance (DLA). However, in Wales and Scotland the eligibility criteria include 12 points scored under the ability to 'plan and follow journeys' part of PIP. The Government is consulting on whether this wider criteria should also be applied in England as part of extending eligibility to people with hidden disabilities.

Previous reforms to the scheme by the DfT have assumed the need to manage limited parking capacity and the cost implications have been an important factor in whether to extend eligibility. These are likely to be considerations in any further changes to the scheme. There have also been practical measures to prevent the fraudulent use and sale of badges as well as a tightening up of the application process and renewal requirements. There is a tension between fraud prevention measures linked to the application process and making the scheme as accessible as possible to disabled people.

Extending the scheme could potentially reduce the number of parking spaces for people with physical disabilities. As part of these proposals the consultation says that DfT will need to consider how to increase parking capacity, reduce fraud and strengthen deterrence for non-disabled use of designated parking spaces. It argues that greater targeting may be needed, potentially meaning narrower qualifying criteria for some groups. Age UK is concerned by this suggestion and believes that **it would be unacceptable to provide benefits to people with 'hidden disabilities' at the expense of those with a physical disability.**

## RESPONSE TO CONSULTATION QUESTIONS

1.) Do you agree with the proposed new criteria?

We support the new criteria as these will provide important and positive benefits for older people with conditions that affect their mobility, safety and wellbeing. However, we would be concerned if a more inclusive approach for people with hidden disabilities resulted in a tightening of the definition for older people with physical disabilities. Extending eligibility for the scheme needs to be accompanied by increased parking capacity and additional funding to allow local authorities to successfully implement the changes.

2.) If you answered no to Q1, what is your alternative proposal and why?

We believe the proposed criteria require further measures to ensure that people with physical disabilities do not lose out, such as increasing the number of designated parking spaces and stronger measures to prevent the misuse of these spaces by non-disabled people. Again, this implies additional resources to increase capacity and improve the efficiency of the current scheme.

3.) Do you agree that where an expert opinion is required it should be provided by an eligibility assessor?

The local authorities have discretion to provide a blue badge to applicants where they already have evidence of a substantial disability affecting mobility - without an independent assessment. However, in cases lacking the required evidence we agree that an independent assessor should look at the individual circumstances of an applicant - within the regulatory framework. However, the assessor should be required to take into account medical information provided by the applicant's GP or other healthcare professional. Given limited resources for assessors it may be better to allow a wider range of healthcare professionals to carry out assessments within the regulatory requirements.

Medical evidence is required where, even though an applicant may be able to walk, it will damage their health due to an underlying medical condition. Also for older people with a 'hidden disability' it would be appropriate to seek the opinion of a GP, as well as health and social care professionals. This collaboration may also be helpful in terms of linking the applicant to other forms of support - such as home adaptation services. The scheme should be part of a more holistic approach to assist and support disabled older people.

We have some concerns about inconsistencies in the way different local authorities operate the blue badge scheme. Although we recognise the need for flexibility the Government should identify and reduce unfair local variations in the treatment of disabled and older people applying under the scheme. There is some limited evidence showing differences in the numbers of qualifying applicants between local authority areas - where levels of need are similar. The Government should improve data collection for applications to identify and take action on significant disparities to ensure fair application of DfT guidance.

Both administrative differences and a failure to promote the scheme may indicate insufficient local resources to operate in line with the DfT blue badge best practice

guidance. The DfT should ensure that local authorities give the guidance proper consideration - especially in regard to their legal obligations under the public sector equality duty, for example by ensuring that there are no barriers to applications from people who cannot claim online. At the end of this response we highlight some ways in which we think local authorities risk failing to meet these duties.

4.) Do you agree there should be automatic badge eligibility for people with non-physical disabilities who score 12 points under the PIP activity 'Planning and Following Journeys'?

This proposal would bring England in line with the operation of the scheme in Wales and Scotland. We support this addition to the criteria for automatic eligibility. Where the applicant does not fit these automatic criteria we support a flexible approach to independent assessments that takes account of individual circumstances in the context of legal requirements. Local authorities need to make clear that even if an older person does not qualify under these automatic criteria they are still entitled to an independent assessment to determine entitlement. The feedback we have received suggests some older people assume that if they don't qualify under the 'automatic eligibility' criteria they won't qualify at all - and so may not make an application. The DfT online guide to qualifying for a blue badge is helpful but not all older people have access to the internet so do not benefit from this. This point relates to a broader issue on the availability of accessible information and advice as well as promotional material encouraging applications.

5.) If you are responding on behalf of an organisation representing people with non-physical disabilities or conditions, please could you provide us with information on the number of disabled people in England that you consider might become eligible?

We are unable to give detailed figures but general demographic trends will mean an increase in those with physical or hidden disabilities - as either drivers or passengers. In regard to 'hidden disabilities' we know, for example, that there are around 850,000 people with dementia and that this figure is likely to increase to over 1.1 million by 2025<sup>1</sup>. The extension of this scheme will make a significant difference to older people with dementia as well as other 'hidden conditions'. However, this increased demand is likely to have implications for all disabled and older people using blue badges.

Question 6 – Do you believe the proposals in this consultation would disadvantage any particular group of disabled people? If yes, which group of people and why?

We have some concerns about the wording used in the consultation that might indicate a tightening of eligibility for people with physical disabilities to compensate for the likely increase in demand from people with 'hidden disabilities'. We agreed it is important to ensure the scheme is directed to those in greatest need - given the practical limitations

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<sup>1</sup> Available online at: [https://www.alzheimers.org.uk/info/20027/news\\_and\\_media/541/facts\\_for\\_the\\_media](https://www.alzheimers.org.uk/info/20027/news_and_media/541/facts_for_the_media)

on parking spaces. However, it would be unacceptable to provide benefits to people with 'hidden disabilities' at the expense of those with a physical disability.

## Question 7 – What other comments or views on these proposals do you have?

This consultation provides an opportunity to review the broader operation of the blue badge scheme. In fact this will be a necessity given the implications of extending the scheme and its impact on the availability of parking spaces.

### APPLICATION PROCESS

Although many local authorities provide printed application forms there is a growth in online applications. Some older people find this a more convenient way of making an application, but others experience it as a barrier in the absence of any help or assistance. Regardless of whether a local authority uses a printed or online application form local authorities **must be required to offer assistance** to help complete the form over the phone or through a face to face appointment in an accessible location e.g. a local neighbourhood office or library. The DfT guidance on the blue badge scheme makes clear that local authorities have a legal obligation under the **public sector equality duty** to make sure that vulnerable older people and others are not disadvantaged by the application process and a lack of practical assistance. The DfT needs to ensure this is being implemented on the ground.

Despite the guidance a number of local Age UKs have told us that older applicants are not offered help by their local authorities. They have to rely on help from their local Age UKs or other voluntary agencies who are struggling with limited resources. The DfT should do more to ensure local authorities offer a **consistent approach to help and assistance with applications** - which could include offering funding for support provided through local Age UKs. As suggested in the guidance local authorities should offer telephone support as well as face-to-face help to complete the form and to gather together supporting evidence.

### OTHER CONCERNS

Other concerns have been raised with us on disabled parking as follows:

- Older people have told us that parking spaces for disabled people in some locations **may require a smart phone** to register their vehicle and can result in a fine if they are unable to do so. These systems discriminate against disabled people who do not have a smart phone or have difficulties in using the required app and are particularly likely to affect older disabled people given smart phone use reduces with age<sup>2</sup>.

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<sup>2</sup> Available online at:

- Concerns over the **fraudulent use of badges** which denies parking spaces for disabled older people in genuine need. Failures on this issue partly reflect cuts to local services which makes it difficult for local authorities to effectively police and operate the scheme.
- Extending the qualifying criteria is to be welcomed but does not address a **lack of parking in places** that older people need to get to. Older people have told us there can be particular problems with parking near their GP or at their local hospital, which we have set out in our report 'Painful Journeys'<sup>3</sup>. The ability to travel to these services helps to reduce costs in other parts of the system. These broader benefits should be taken into account as part of encouraging take up.
- Older people have told us **renewals** can be unnecessarily bureaucratic for those with a chronic condition. We appreciate that tightening renewal procedures helps to reduce fraud. However, if the issue relates to concerns over fraud after an applicant has died we would expect the local authority to become aware of this through social services and data sharing. The DfT should reconsider whether renewal for older people with chronic conditions is really necessary given that it is unlikely to result in significant cases of fraud.
- We have an example where a local authority **increased the fee** for a blue badge for an older driver using a diesel car. Policy objectives to reduce diesel pollution (or other traffic issues) should not be linked to the fee for a blue badge, especially given that this is likely to discriminate against older people who cannot afford to replace their vehicle.

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<https://www.ons.gov.uk/peoplepopulationandcommunity/householdcharacteristics/homeinternetandsocialmediausage/datasets/internetaccesshouseholdsandindividualsreferencetables>

<sup>3</sup> Available online at: <https://www.ageuk.org.uk/our-impact/campaigning/painful-journeys/>