

Call For Evidence

Blue Badge Scheme Potential Extension to Eligibility Criteria

Introduction

This Call for Evidence is designed to assist Transport Scotland gather information on the benefits and consequences of potentially extending the eligibility criteria for the Blue Badge scheme, to include people, who as a result of a diagnosed mental disorder¹, have little or no awareness of danger from traffic and are likely to compromise their safety, or the safety of others as a result.

The Call for Evidence is primarily aimed at health professionals and practitioners responsible for administering the Blue Badge scheme. Transport Scotland are looking for respondents to provide evidence throughout their response to support their view.

Transport Scotland is Scotland's national transport agency, and carries out Scottish Ministers' transport objectives. It has policy responsibility for the Blue Badge scheme in Scotland, though related schemes exist in the rest of the UK, and comparable schemes can be found across the European Union. Local authorities are responsible for the administration of the scheme.

Blue Badge scheme: Eligibility

Blue Badges can be issued either without assessment by a local authority or following assessment by a local authority. To be eligible, an applicant must fit one of the following criteria contained in The Disabled Persons (Badges for Motor Vehicles) Scotland Regulations 2000.

Badges may be issued **without assessment** by the local authority if the applicant:

- receives the higher rate of the mobility component of Disability Living Allowance (HRMC DLA), or through a qualifying rate of Personal Independence Payment (PIP)².
- receives the War Pensioners' Mobility Supplement; or
- has received a lump sum benefit under article 15(1)(a) of the Armed Forces and Reserve Forces (Compensation Scheme) Order 2011 tariff levels 1-8 (inclusive); or
- is blind or registered blind.

¹ The definition of "[mental disorder](#)" used for the purposes of this Call for Evidence is as defined in the [Mental Health \(Care and Treatment\) \(Scotland\) Act 2003](#).

² In April 2013, the Blue Badge scheme eligibility criteria were extended as a result of the UK Government's welfare reforms and the introduction of PIP. [The Welfare Reform \(Consequential Amendments\) \(Scotland\) Regulations 2013](#) provided for passport arrangements to a Blue Badge for PIP recipients.

Badges may be issued **following assessment** by the local authority if the applicant:

- regularly drives a vehicle and has a severe disability in both arms and is unable to operate, or has considerable difficulty in operating, all or some types of parking meter; or
- has a permanent and substantial disability which causes the person to be unable to walk, or virtually unable to walk; or is unable to walk or virtually unable to walk by reason of a temporary but substantial disability which is likely to last for a period of at least 12 months beginning with the date on which the badge is issued; or
- is a child under three who requires to be accompanied by bulky medical equipment or kept near a motor vehicle so that they can be treated for their condition.

At 31 March 2012, 263,045 people were in possession of a Blue Badge in Scotland. Around half qualify without further assessment, under the first set of criteria above, and around half qualify under the second set of criteria following local authority assessment. When an applicant's eligibility under the "unable to walk or virtually unable to walk" criterion is uncertain, an Independent Mobility Assessment will be conducted, usually by an Occupational Therapist.

As detailed above, under the first set of criteria ('without assessment'), those who receive HRMCDLA or a qualifying rate of PIP, are eligible for a Blue Badge. For HRMCDLA, this includes persons who receive HRMCDLA as a result of being assessed as having a 'severe mental impairment'. Under PIP, persons may receive PIP at the qualifying rate where they score 12 points under the 'planning and following a journey' activity of the mobility component criteria – "[c]annot follow the route of a familiar journey without another person, an assistance dog or an orientation aid". There is no equivalent eligibility criterion under the second set of criteria ('following assessment').

2010 Blue Badge Reform Consultation Results

The question of extending eligibility under the second set of criteria was explored as part of the 2010 Consultation on Blue Badge Reform, (analysis available here: <http://www.scotland.gov.uk/Publications/2010/12/22153337/0>). At that time Transport Scotland asked: '*Do you agree that we should extend eligibility for those with severe forms of autistic spectrum disorder and very advanced forms of dementia?*'

The proposal was supported by 378 of 500 respondents, with 83 against, and the remainder undecided. The main concerns expressed by those not in favour of the extension were that autism and dementia were not disorders that affected ability to walk; that the scheme is already over-subscribed and it is already difficult to find parking spaces. The National Autistic Society Scotland were in favour of the extension of the scheme to people with autism, but cautioned that the proposed definition of 'severe forms of autistic spectrum disorder' would be inappropriate, as 'severe' has no medical meaning in relation to autism'.

Aim of this Call for Evidence

Transport Scotland is seeking to build on the variety of views expressed in response to the question as framed in the 2010 Consultation, with evidence to address the wider definition and consideration of 'diagnosed mental disorder'. This will allow Transport Scotland to consider any potential extension to eligibility under the second set of criteria ('following assessment') to include those, who as a result of a diagnosed mental disorder, are likely to pose a danger to themselves or to other road users.

This Call for Evidence is therefore seeking to gather views from all interested parties on:

- the benefits of potentially extending the eligibility criteria for the Blue Badge for disabled people to include people whose unpredictable behaviour, as a result of a diagnosed mental disorder, may pose a danger to themselves or other road users.
- potential consequences of an extension for other Blue Badge holders.
- potential challenges in writing a relevant definition of the eligibility criteria for the Blue Badge Scheme
- potential costs of this extension.
- potential administrative and diagnostic challenges with this potential extension.

Questions:

The following is a series of questions about potentially extending the Blue Badge eligibility criteria to cover those who by reason of their diagnosed mental disorder have little or no sense of traffic awareness. **For each question please be aware that we are interested both in your answer, and also in any evidence you have to support your view.**

1. What do you think would be the key benefits to people with a diagnosed mental disorder should the Blue Badge scheme's eligibility criteria be extended?

- Would there be different benefits for adults or children?
- Would there be different benefits for people with different conditions?
- What would it make possible that is now currently not possible?

2. What consequences, if any, would there be for other badge holders if the Blue Badge scheme was extended to people with a diagnosed mental disorder?

- If so, how would it impact on them?

3. Do you think that the definition 'diagnosed mental disorder' as defined in the Mental Health (Care and Treatment) (Scotland) Act 2003 could be suitable for determining eligibility for a Blue Badge?

- Would the definition cover the people you feel should be entitled to a Blue Badge if the eligibility criteria were to be extended?
- Does this definition extend eligibility beyond those who you feel should be entitled to a Blue Badge?

- Could the PIP descriptor “cannot follow the route of a familiar journey without another person, an assistance dog or an orientation aid” be used as a threshold for determining eligibility?
- Is there an alternative definition that would be more suitable?

4. What challenges would arise for the administration of the scheme should it be extended to incorporate people with a diagnosed mental disorder?

- How would eligibility be identified?
- Who would be an appropriate person/organisation/authority to carry out the process of identifying eligibility?
- Would there be any challenges to administrative systems currently in use if eligibility were extended to those with a diagnosed mental disorder?
- What would the impact on caseload be for local authorities?
- What would be the impact on resources for local authorities and any other affected organisations?

Responding:

The deadline for receipt of written submissions is **Wednesday, 18 December 2013**.

Please use the specific questions above as the basis for your submission. You may wish to respond to any or all of the specific questions.

If possible, written submissions and your completed Respondent Information Form, should be submitted electronically (preferably in word processing format i.e. Microsoft Word), by email to:

BlueBadgeCallForEvidence@scotland.gsi.gov.uk

A copy of The Respondent Information Form, which can be amended electronically, can be found here: www.transportscotland.gov.uk/road/blue-badge-scheme

You may also send your written submission and Respondent Information Form as hard copy to the following address:

Blue Badge scheme
 Transport Policy Directorate
 Area 2D North
 Victoria Quay
 Edinburgh
 EH6 6QQ

Contact

Any queries about written submissions to this Call for Evidence should be directed to David Jamieson, Blue Badge Policy Officer, email:

David.Jamieson@transportscotland.gsi.gov.uk

CALL FOR EVIDENCE

Blue Badge scheme – Potential Extension to Eligibility Criteria

RESPONDENT INFORMATION FORM

Please Note this form **must** be returned with your response to ensure that we handle your response appropriately

1. Name/Organisation

Organisation Name

Title Mr Ms Mrs Miss Dr *Please tick as appropriate*

Surname

Forename

2. Postal Address

<input type="text"/>		
<input type="text"/>		
<input type="text"/>		
<input type="text"/>		
Postcode	Phone	Email

3. Permissions - I am responding as...

Individual <input type="checkbox"/>	/	Group/Organisation <input type="checkbox"/>
<i>Please tick as appropriate</i>		

(a) Do you agree to your response being made available to the public on the Transport Scotland website?
Please tick as appropriate Yes No

(b) Where confidentiality is not requested, we will make your responses available to the public on the following basis
Please tick ONE of the following boxes
Yes, make my response, name and address all available
or
Yes, make my response available, but not my name and address
or
Yes, make my response and name available, but not my address

(c) The name and address of your organisation **will be** made available to the public on the Transport Scotland website.

Are you content for your **response** to be made available?
Please tick as appropriate Yes No

(d) We will share your response internally with other Transport Scotland and Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Transport Scotland to contact you again in relation to this consultation exercise?
Please tick as appropriate Yes No