

Equality Impact Assessment (EqIA)

Before completing this EqIA please ensure you have read the EqIA Guidance Notes

Title	Extending the Blue Badge eligibility to people with hidden disabilities		
Date assessment started:	10/07/2019	Version No:	2
		Date of completion:	27/09/19

Type of Strategy, Policy, Project or Service:

Is this Equality Impact Assessment (please put a cross in the relevant box)

Existing:	<input type="checkbox"/>	Changing, update or revision:	<input checked="" type="checkbox"/>
New or proposed:	<input type="checkbox"/>	Other (please explain):	<input type="checkbox"/>

Is this Equality Impact Assessment (please put a cross in the relevant box)

Internal:	<input type="checkbox"/>	External:	<input type="checkbox"/>	Both:	<input checked="" type="checkbox"/>
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Report Created By:

Name:	Lee Kevern
Job Title:	Customer Services Operations Manager
Email address:	Lee.Kevern@dorsetcouncil.gov.uk
Members of the assessment team:	Lee Kevern Susan Ward-Rice

Step 1: Aims

What are the aims of your strategy, policy, project or service?
<p>To roll out the Blue Badge Scheme to people with hidden disabilities following the new legislation that goes live on 30 August 2019, which officially extends the scheme to people with non-physical (hidden) disabilities (e.g. autism, dementia, severe anxiety, etc.)</p> <p>To ensure that robust mechanisms are in place to establish eligibility for both physical and non-physical applicants, by reviewing and improving our provision.</p> <p>Please note that is Equality Impact Assessment is about implementing the changes to the Blue Badge Scheme locally in Dorset, the Department for Transport have undertaken a separate Equality Impact Assessment on the extension of the Blue Badge Scheme, which we have used as part of our desk top analysis for this impact assessment. when undertaking this impact assessment.</p>
What is the background or context to the proposal?
<p>The Blue Badge (Disabled Persons' Parking) Scheme was introduced in 1971 under Section 21 of the Chronically Sick and Disabled Persons Act 1970. The aim of the scheme is to help disabled people with severe mobility problems to access goods and services, by</p>

allowing them to park close to their destination. The scheme is open to eligible disabled people irrespective of whether they are travelling as a driver or as a passenger.

The scheme provides a national range of on-street parking concessions to Blue Badge Holders. It allows them to park without charge or time limit in otherwise restricted on-street parking environments and allows them to park on yellow lines for up to three hours.

The Department for Transport (DfT) is responsible for the legislation that sets out the framework for the scheme. This includes:

- the prescribed descriptions of disabled people to whom a badge may be issued i.e. the eligibility criteria;
- the maximum fee that can be charged by local authorities for issue of a badge;
- the period of issue of a badge
- the grounds for refusal to issue a badge and the grounds to withdraw a badge
- the circumstances in which a badge should be returned to the issuing authority
- the manner in which a badge should be displayed; and
- the national concessions available to badge holders under the scheme

Local authorities, including Dorset Council, are responsible for the day-to-day administration and enforcement of the scheme, this includes determining and implementing procedures in accordance with the governing legislation and DfT guidance. It is the responsibility of local authorities to ensure that badges are only issued to residents who satisfy one or more of the eligibility criteria set out in the legislation that governs the scheme.

Blue badge applications can be made online at any time, or over the telephone (8.30-5.30 Mon-Fri). The form can be completed by the applicant themselves or by a 3rd party; this is usually a family member or friend, though this can extend to any person they trust (like a carer). Although we currently have a paper form, the new form is likely to be more complex and would likely be around 50 sheets of A4; therefore, with the above provisions in place, and considering the impracticalities of the new form, we are proposing to no longer offer a paper version of the form from 30 August 2019, but will continue to offer telephone support as described above. Please see consultation section (Step 2 intelligence & Communication) for further information on a response to this proposal. It should be noted that a number of local authorities around England only use the GOV.UK website for applications, this is an online application process and residents have to contact their local authorities for alternative formats.

Charges for Blue Badges

The regulations governing the Blue Badge scheme give local authorities the discretion to charge a fee on the issue of a badge, however, the fee cannot exceed £10, at Dorset Council the charge is £10. The badge however is issued for a 3 year period, which equates to less than 1p a day for the badge-holder.

Eligibility Criteria

The current Blue Badge Scheme has two types of eligibility criteria:

- eligible without further assessment
- eligible subject to further assessment (the application is referred to professionals who have been specifically trained in mobility and who are independent of the applicant e.g. an Occupational Therapist).

In no circumstances is a badge issued to an application who does not meet one of the eligibility criteria set out in the legislation that governs the scheme.

A person is eligible without further assessment 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
- receives a Personal Independence Payment for being unable to walk further than 50 metres (a score of 8 points or more under the 'moving around' activity of the mobility component)
- is registered blind (severely sight impaired)
- receives a War Pensioner's Mobility Supplement
- has received a lump sum benefit within tariff levels 1-8 of the Armed Forces and Reserve 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.

Provided that the applicant can demonstrate that they satisfy one of the criteria listed above, and can satisfy identity and residency checks, badges are issued with the minimum of formality.

People who may be issued with a badge after further assessment are those who are more than two years old and fall within one or more of the following descriptions:

- Drives a vehicle regularly, 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 that causes inability to walk or very considerable difficulty in walking.

In addition, children under the age of three may be eligible for a badge if they fall within either or both of the following descriptions:

- a child who, on account of a condition, must always be accompanied by bulky medical equipment which cannot be carried around with the child without great difficulty;
- a child who, on account of a condition, must always be kept near a motor vehicle so that, if necessary, treatment for that condition can be given in the vehicle or the child can be taken quickly in the vehicle to a place where such treatment can be given.

In assessing whether an applicant is eligible, Dorset Council uses a desk-based assessment. A successful desk-based assessment relies heavily on the details submitted in the Blue Badge application form delivering the right level of information about the applicant, their disability, any medical conditions they experience and their ability to walk or make a journey.

When a decision cannot be reached on the basis of this information, the application is referred to professionals who have been specifically trained in mobility and who are independent of the applicant e.g. an Occupational Therapist at the applicant's local social care office.

In 2017 Dorset Council extended the Blue Badge Scheme to include non-physical disabilities. It was considered that applicants posing a danger to themselves and other people whilst near traffic (for example, bolting into the road inexplicably), would also be eligible due to 'the very considerable difficulty in walking' they would experience. We suggested that under this criteria, instance would be most closely linked to conditions such as 'advanced dementia, severe learning difficulties, profound autism etc. and we required a recommendation from a health care professional to qualify.

Proposal to change the Blue Badge Scheme

In 2018, the Department for Transport undertook a consultation about eligibility issues in relation to the Blue Badge Scheme. Eligibility under the current scheme is primarily aimed at those who have “a permanent and substantial disability which causes inability to walk or very considerable difficulty in walking”. The consultation proposed to change that criterion to the following:

“a person who has an enduring and substantial disability the effect of which is that that person is unable to-

- i. walk
- ii. undertake any journey without it causing very considerable difficulty when walking
- iii. undertake any journey without there being a risk of very considerable harm to the health or safety of that person or any other person;
- iv. follow the route of any journey without another person, assistance animal or orientation aid.”

The consultation also proposed that where it is not self-evident that an applicant meets the above criterion, the local authority should use an expert assessor to establish eligibility, rather than an independent mobility assessor as presently. This would allow involvement of a wider range of health care professionals with specialist knowledge of mental, cognitive or learning disabilities.

In addition, the consultation also asked for views on providing automatic badge eligibility to those people who receive 12 points for the 'Planning and Following Journeys' activity of the mobility component of Personal Independence payment (PIP) for non-physical mobility issues. This includes people who cannot follow the route of a familiar journey without another person.

The consultation ran for 8 weeks (21/01/18 -18/03/18), it covered England only as the Blue Badge Scheme is a devolved matter. The consultation was available online and an Easy Read of the consultation document was produced, the document was also available in different formats on request.

The Department for Transport received a total of 6,349 responses from members of the public, local authorities, groups representing disabled people and other organisations. For further information about the consultation and to see the full report (published in July 2018), see [Blue Badge Consultation Summary](#).

In addition, the Department of Transport also met with key disability organisations:

- National Autistic Society
- Disabled Motoring UK & Association of British Neurologists
- Alzheimer's UK
- Limbless Association

Comments from these meetings can be found in the Department of Transport's Equality Analysis.

In June 2019, Department for Transport announced that the Blue Badge Scheme would be extended to people who have less visible disabilities, making journeys more accessible, this change would come into force on 30 August 2019.

Not all applicants would need to be individually assessed. Those who have already qualified for specific benefits are automatically eligible for a badge.

These benefits are:

- Disability Living Allowance (DLA) at the Higher Rate of Mobility

- Personal Independence Payment (PIP) and scored 8 points or more for 'Moving Around'
- Registered blind (severely sight-impaired)
- War Pensioners Mobility Supplement
- For people who have received a lump sum benefit (within tariff's 1-8) of the Armed/Reserve Forces Compensation Scheme, and have been certified as having a permanent and substantial disability effecting mobility

From 30 August 2019, a further automatic benefit will be included:

- Personal Independence Payment (PIP) and scored exactly 10 points for 'Planning a journey'

For applicants not in receipt of any of the above, they would be asked more details about their condition and be asked to provide relevant supporting evidence.

Step 2: Intelligence and Communication

What data, information, evidence and research was used in this EqIA and how has it been used to inform the decision-making process?

The following data has been used:

- Department for Transport Equality Analysis 2019 (we received this via an online forum - but cannot confirm whether the Department for Transport have published this document).
- Department for Transport website - Blue Badges <https://www.gov.uk/government/collections/blue-badge-scheme>
- Blue Badge Scheme Local Authority Guidance (England), Department for Transport; 2019 ([Local authority guidance](#))
- Blue Badge Scheme, Statistics, England; 2017
- Blue Badge Scheme: consultation on Eligibility; 2018
- Can I get a Blue Badge guide ([Can I get a Blue Badge](#))
- Department for Transport, Equality analysis for Proposals to Extend Blue Badge Eligibility; June 2018
- Personal Independence Payment statistics specifically relating to automatic eligibility for a badge
- Employment Support Allowance data (Dorset Council)
- DfT Blue Badge Scheme Online Forum (Slack)
- Consultation with Marianne Gillingham (acting head of Community Mental Health Teams)
- Consultation with Rose Hill (Occupational Health- Dorset Council)
- Consultation with Linzi Gow (Area Practice Manager (Adult Access Team)- Dorset Council)
- Consultation with Amy-Jane White, Principal Occupational Therapist (Dorset Council)

As the Department for Transport (DfT) is responsible for the legislation that sets out the framework for the Blue Badge Scheme, Dorset Council has used the above data to guide how we implement the scheme locally.

What data do you already have about your service users, or the people your proposal will have an impact on?

The number of Blue Badge applications received in 2017-18 was 10,821.

According to PIP statistics, the number of residents in Dorset who will become automatically eligible for a badge will increase the number on issue by 6%. Just in terms of automatically eligible persons, this equates to 280 extra badges.

These figures do not account for those who are eligible after an assessment process; however, using a similar split between auto-eligible and assessment badges currently, there would be a 12% total increase on the number of badges on issue.

What engagement or consultation has taken place as part of this EqIA?

As part of the redesign, we have engaged with colleagues in Adults and Children's services at Dorset Council (including Occupational Therapist's), Equality leads, the Community Mental Health Team (CMHT), a disability access group, existing badge-holders and Councillors. Please note that an EqIA has already been completed at national level, so this EqIA is to cover the local authority specific elements of our provision.

Consultation with colleagues in the CMHT and Occupational Health has been used to develop new guidance and the desk-based assessment. They have directly assisted in sculpting the questions we ask and the weight of the varying responses; this has led to a point-scoring matrix system to ensure robust and consistent approaches to assessments under the guidance. CMHT and OT's will also work closely with the team after the changes go-live, offering support and any relevant training.

User-testing is currently taking place to ensure that the questions and form functions are clear, and to refine the points-scoring to more accurately assess applicants against the relevant criteria. This user testing is being undertaken by officers within the council and a group of Blue Badge applicants, who have recently applied for a Blue Badge.

Engagement took place with Weymouth & Portland Access Group (12/08/19), a local disability led campaign group, officers from Dorset Council attended their meeting to discuss the amendments to the Blue Badge Scheme. Positive feedback was received from members of the group about the scheme extending, however the following concerns were raised by members of the group:

- any extension to the scheme would impact on the number of disabled parking spaces available in Dorset (group members were reminded that the Blue Badge Scheme is for on-street parking). However, there was acknowledgement that there could be an impact and that perhaps a review of disability parking in Dorset needs to be undertaken by Dorset Council. We have acknowledged this concern and this will be raised at the Dorset Council Place Directorate Leadership Meeting in October 2019.
- Concerns about fraud, with more people potentially having access to a Blue Badge

Officers from the council also raised the issue of not producing a paper copy of the amended but applications can be made online at any time, or over the telephone or be completed by a third party such as a carer, friend, partner. Members of the group agreed that a 50-page application form could be impractical and the alternative ways of completing a form were suitable, people present who were eligible for a Blue Badge used the online facility. This fits with national evidence undertaken by the Department for Transport who undertook feedback with Blue Badge Holders that those with internet access were keen to submit applications online (The Blue Badge Scheme Local Authority Guidance (England); 2014).

Due to time constraints imposed by the Department for Transport (announcement to extend the scheme was June 2019 with an implementation date of 30 August 2019) it has not been possible to do further community engagement with other disability groups in Dorset.

Is further information needed to help inform this proposal?

No

How will the outcome of consultation be fed back to those who you consulted with?
Dorset Council are required to implement the amendments to this scheme, the consultation undertaken has been to help with developing new guidance and additional questions on the application form.

Step 3: Assessment

Who does the service, strategy, policy, project or change impact?

- If your strategy, policy, project or service contains options you may wish to consider providing an assessment for each option. Please cut and paste the template accordingly.

For each protected characteristic please choose from the following options:

- Please note in some cases more than one impact may apply – in this case please state all relevant options and explain in the ‘Please provide details’ box.

Positive Impact	<ul style="list-style-type: none"> • Positive impact on a large proportion of protected characteristic groups • Significant positive impact on a small proportion of protect characteristics group
Negative Impact	<ul style="list-style-type: none"> • Disproportionate impact on a large proportion of protected characteristic groups • Significant disproportionate impact on a small proportion of protected characteristic groups.
Neutral Impact	<ul style="list-style-type: none"> • No change/ no assessed significant impact of protected characteristic groups
Unclear	<ul style="list-style-type: none"> • Not enough data/evidence has been collected to make an informed decision.

Age:	<i>Neutral</i>
What age bracket does this affect?	All ages are eligible for a Blue Badge
Please provide details:	Badges are not issued on the basis of age, gender reassignment, race, religion and belief, sex and sexual orientation. Badges are issued on the basis of disability only and in relation to whether a person's condition significantly affects their mobility to travel and who are considered eligible to receive a blue badge.

Disability:	<i>Positive</i>
Does this affect a specific disability group?	All disability groups but only people within those groups that have a physical, mental health or cognitive condition which significantly affects their mobility to travel and who are considered eligible to receive a blue badge.
Please provide details:	<p>The Blue Badge scheme is being extended to include people with hidden disabilities e.g. people who have a mental health or cognitive condition, the effect of which significantly affects their mobility and ability to travel and who are considered eligible to receive a blue badge.</p> <p>Research by the Department for Transport (Equality Analysis, 2018) surveying Blue Badge holders found that 75% would go out less often if they did not have a Blue Badge and 64% would be more reliant on friends and family members. Blue Badge holders will</p>

	<p>benefit from being able to park freely/without a charge on-street parking and in certain carparks thereby reducing their costs of making trips.</p> <p>The use of telephone and online application services help to minimise the need for Blue Badge applicants to physically visit council offices submit application forms.</p>
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Gender Reassignment & Gender Identity:	<i>Positive</i>
Please provide details:	<p>Badges are not issued on the basis of age, gender reassignment, race, religion and belief, sex and sexual orientation. Badges are issued on the basis of disability only and in relation to whether a person's condition significantly affects their mobility to travel and who are considered eligible to receive a blue badge.</p> <p>As part of updating the application process, Dorset Council will be removing the gender identity question, this is in line with Department for Transport guidance for transgender applicants.</p>

Pregnancy and maternity:	<i>Neutral</i>
Please provide details:	<p>Badges are not issued on the basis of age, gender reassignment, race, religion and belief, sex and sexual orientation. Badges are issued on the basis of disability only and in relation to whether a person's condition significantly affects their mobility to travel and who are considered eligible to receive a blue badge.</p>

Race and Ethnicity:	<i>Neutral</i>
Please provide details:	<p>Badges are not issued on the basis of age, gender reassignment, race, religion and belief, sex and sexual orientation. Badges are issued on the basis of disability only and in relation to whether a person's condition significantly affects their mobility to travel and who are considered eligible to receive a blue badge.</p>

Religion or belief:	<i>Neutral</i>
Please provide details:	<p>Badges are not issued on the basis of age, gender reassignment, race, religion and belief, sex and sexual orientation. Badges are issued on the basis of disability only and in relation to whether a person's condition significantly affects their mobility to travel and who are considered eligible to receive a blue badge.</p>

Sexual orientation:	<i>Neutral</i>
Please provide details:	<p>Badges are not issued on the basis of age, gender reassignment, race, religion and belief, sex and sexual orientation. Badges are issued on the basis of disability only and in relation to whether a person's condition significantly affects their mobility to travel and who are considered eligible to receive a blue badge.</p>

Sex:	<i>Neutral</i>
Please provide details:	Badges are not issued on the basis of age, gender reassignment, race, religion and belief, sex and sexual orientation. Badges are issued on the basis of disability only and in relation to whether a person's condition significantly affects their mobility to travel and who are considered eligible to receive a blue badge.
Marriage or civil partnership:	<i>Neutral</i>
Please provide details:	This does not have impact on marriage and civil partnership as due regard is only in relation to the first part of the of the Public Sector Equality Duty (to eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act).
Carers:	<i>Positive</i>
Please provide details:	Carers of people with hidden disabilities who are eligible for a Blue Badge will be able to apply.
Rural isolation:	<i>Neutral and possibly positive</i>
Please provide details:	<p>Blue Badges are not issued because of a person's location. Badges are issued on the basis of disability only and in relation to whether a person's condition significantly affects their mobility to travel and who are considered eligible to receive a blue badge.</p> <p>People in rural areas have less access to public transport and are more likely to either use a vehicle or have access to one, which then enables them to have better access to amenities and services. People with hidden disabilities and their carers who live in rural locations and who are eligible for the Blue Badge Scheme will be able to apply and possibly for some having eligibility could make have a difference between living an independent life to being isolated from family, friends, social activities and work.</p> <p>In addition, the use of telephone and online application services help to minimise the need for Blue Badge applicants to physically visit council offices submit application forms.</p>
Single parent families:	<i>Neutral</i>
Please provide details:	Badges are not issued on the basis of age, gender reassignment, race, religion and belief, sex and sexual orientation, Badges are issued on the basis of disability only and in relation to whether a person's condition significantly affects their mobility to travel and who are considered eligible to receive a blue badge.
Poverty (social & economic deprivation):	<i>Neutral</i>

Please provide details:	For some people who are socio-economically disadvantaged, the charge for a Blue Badge could have an impact. However, as the fee is £10, and it is issued for a 3-year period, which equates to less than 1p a day for the badge-holder, the impact is relatively low. In addition, Blue Badge holders will benefit from being able to park freely/without a charge on-street parking and in certain car parks thereby reducing their costs of making trips.
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Military families/veterans:	<i>Neutral and possibly positive</i>
Please provide details:	<p>Badges are issued on the basis of disability only and in relation to whether a person's condition significantly affects their mobility to travel and who are considered eligible to receive a blue badge.</p> <p>Under the existing scheme service personnel and veterans were eligible for Blue Badge if they received:</p> <ul style="list-style-type: none"> • War Pensioners Mobility Supplement • have been awarded a benefit under the Armed Forces Compensation Scheme and has been certified as have a permanent and substantial disability effecting mobility <p>Dorset Council estimates that there are approximately 80,000 - 100,000 people living in Dorset who have served in the military, this includes approximately 58,000 veterans who are drawing a military pension. Most service and ex-service personnel have relatively good mental health, depression and anxiety are the most common mental health problems for ex-service personnel, along with alcohol misuse and adjustment disorder (Dorset Armed Forces Covenant Programme - Understanding the Armed Forces Community - https://www.dorsetcouncil.gov.uk/your-community/armed-forces-covenant/covenant-training.aspx). Post-Traumatic Stress Disorder (PTSD) rates are comparable to PTSD rates in the non-military community, however, recent national research (Kings College London; 2019) shows that PTSD in the military has increased from 4% in 2004-5 to 6% in 2014-16 and more veterans are seeking support and treatment as awareness of PTSD has increased.</p> <p>Any current armed forces service personnel and veterans with hidden disabilities (mental health or cognitive conditions) could be considered for a Blue Badge.</p>

Step 4: Action Plan

Provide actions for **positive**, **negative** and **unclear** impacts.

If you have identified any **negative** or **unclear** impacts, describe what adjustments will be made to remove or reduce the impacts, or if this is not possible provide justification for continuing with the proposal.

Issue	Action	Person(s) responsible	Deadline	How will it be monitored?
Increased demand for disabled parking spaces	Dorset Council may need to review parking provision to increase the number of spaces, however, this will need to be monitored. This is being raised within the Dorset Council Place Directorate Leadership Team.	Simon Bailey	31 October 2019	This will depend on what is agreed at the Place Directorate Meeting in October 2019.
Updating the Blue Badge application and pages on the website	Dorset Council will update the relevant pages on the Dorset Council website and amend the application form	Customer Services	30 August 2019	This would be monitored through customer feedback and complaints.

Step 5: EqlA Sign Off

Officer completing this EqlA:	Lee Kevern	Date:	27/09/2019
Equality Lead:	Susan Ward-Rice	Date:	29/10/19
Directorate Board Chair:	Pete Bartlett	Date:	29/10/2019