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From: [REDACTED] Integrated Transport Unit
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BLUE BADGE ELIGIBILITY AND UK WELFARE REFORM

Issue

1. To update you on plans for linking automatic entitlement for a Blue Badge to the new Personal Independent Payments (PIP).

Timing

2. Priority. This briefing has been prepared for you to read before the Ministerial Task and Finish Group on Welfare Reform on 28 May 2012.
3. A paper will be presented at the meeting for discussion on the implications of the UK Welfare Reform changes on passported benefits in Wales.

Recommendation

4. To help inform the discussions on the aforementioned paper this briefing sets out for you the options we have considered for linking automatic entitlement for a Blue Badge to the new PIP
5. Please note the briefing paper at doc.2.

Background

6. Under current arrangements, the Blue Badge Scheme uses the receipt of the Higher Rate Mobility Component of the Disability Living Allowance (HRMCDLA) as one of the automatic (passport) eligibility criteria for a Blue Badge.
7. The UK Welfare Reform programme will replace Disability Living Allowance (DLA) with Personal Independence Payments (PIP) from 2013 for people aged 16 - 64. The UK Government has consulted on detailed

proposals for PIP and this closed on 30 April 2012. Welsh Government is working with colleagues in Department of Work and Pensions (DWP) and have contributed to a number of DWP consultation documents.

8. Under the proposals, PIP will retain a mobility component and this will be awarded on the basis of an enhanced or standard rate. Eligibility for the enhanced or standard rate will be assessed against the criteria set out in Activity 10 (planning and following a journey) and Activity 11 (moving around) of the new scheme. (These are described in more detail in doc.1).
9. The UK Government proposes that the qualifying threshold for the enhanced mobility rate will be set at 12 points or more. This means that people who meet the criteria for category E of Activity 10 or categories E, F and G of Activity 11 will receive the enhanced rate. In addition, the enhanced mobility rate may also be awarded to people who meet the qualifying threshold of 12 points or more through a combination of categories in both Activity 10 and 11.
10. Currently, around 78,000 people in Wales are awarded HRMCDLA in the 16 – 64 age group and the majority receive a Blue Badge under the automatic criteria.
11. The Department for Work and Pensions (DWP) estimate that, following the introduction of PIP, around 57,000 people in Wales would qualify for the enhanced mobility rate. This means that around 27% fewer people in Wales would meet the criteria for the enhanced mobility rate and fewer people would benefit from the passported arrangements.
12. Given that there will be fewer people that would automatically qualify for a Blue Badge under PIP your officials have looked at a range of options for linking automatic entitlement for a Blue Badge to PIP. (These are discussed in more detail in Doc.2).

Advice

13. Proposals set out in the Blue Badge Action Plan aim to ensure that a badge is given to those people who experience the most severe difficulty in walking short distances to access services. It also includes plans to look at the case for extending the scheme to people with the most severe cognitive impairments e.g. autistic spectrum disorder.
14. Independent research has evidenced that there is a case for extending the Blue Badge scheme to people with severe cognitive impairments. This is because the presenting behaviours represent a safety risk to the person and other members of the public and can mean that the person is unable to walk very far. Each option has, therefore, been assessed against these broader outcomes.
15. Officials are of the view that option 5 represents the most balanced approach for going forward. Under this option, we would

be able to ensure that the badge is only awarded to people with the most severe difficulty walking whilst also delivering the plans for extending the scheme to people with severe cognitive impairments on a similar basis. This would result in approximately 60,000 people being automatically eligible for a Blue Badge under the new PIP arrangements compared with 78,000 who are currently automatically eligible through the receipt of HRMCDLA. Overall, this approach would mean that the proposals are consistent with our broader aims for modernising the scheme and would retain automatic eligibility for a badge for broadly the same number of people as now.

16. In addition, this option will have the least impact on local authorities, as there will be a small increase in the number of discretionary assessments that will be required.
17. In England, the UK Government intends to link automatic eligibility for a Blue Badge to both the standard and enhanced mobility rates of Activity 11 only. This means that people who reach the qualifying threshold of 8 points or more will be automatically eligible for a Blue Badge and will be broadly consistent with current arrangements.
18. In Scotland, the Scottish Government is still considering options and are looking at the case for extending eligibility to people with cognitive impairments and who meet the qualifying threshold of 15 points under Activity 10.
19. Subject to your views, the next step will be to consult on the plans set out in Option 5 and this will be done as part of a wider consultation exercise on further changes to the Blue Badge scheme later this year. We would also need to make the necessary regulations to implement the proposed changes in due course. We will provide further advice on this to you at the appropriate time.

Press and Publicity Arrangements

20. There are no press or publicity arrangements planned at this stage.

Part 2 – Mobility activities Activity 10 – Planning and following a journey		
<p>This activity considers an individual's ability to work out and follow a route.</p> <p><i>Notes:</i></p> <p><i>A person should only be considered able to journey to an unfamiliar destination if they are capable of using public transport (bus or train).</i></p> <p><i>For those descriptors which refer to overwhelming psychological distress, there must be evidence of an enduring mental health condition, intellectual impairment or cognitive impairment. There must be evidence that overwhelming distress has/would occur, not just that it might.</i></p> <p><i>Safety and reliability are particularly important considerations here if there would be a substantial risk to the individual or others if they went out alone.</i></p>		
A	Can plan and follow a journey unaided.	0
B	Needs prompting for all journeys to avoid overwhelming psychological distress to the individual.	4
<p><i>For example: may apply to individuals who are only able to leave the home when accompanied by another person.</i></p>		
C	Needs either – i. supervision, prompting or a support dog to follow a journey to an unfamiliar destination; or ii. a journey to an unfamiliar destination to have been entirely planned by another person.	8
D	Cannot follow any journey because it would cause overwhelming psychological distress to the individual.	10
<p><i>For example: may apply to individuals who are unable to leave the home at all.</i></p>		
E	Needs either – i. supervision, prompting or a support dog to follow a journey to a familiar destination; or ii. a journey to a familiar destination to have been planned entirely by another person.	15

Activity 11 – Moving around		
<p>This activity considers an individual's physical ability to move around. This includes ability to transfer unaided between two seated positions, to move up to 50 metres, up to 200 metres and over 200 metres.</p> <p><i>Notes:</i> <i>This activity should be judged in relation to a type of surface normally expected out of doors such as pavements and roads on the flat and includes the consideration of kerbs.</i> <i>50 metres is considered to be the distance that an individual is required to be able to walk in order to achieve a basic level of independence such as the ability to get from a car park to the supermarket.</i> <i>50 to 200 metres is considered to be the distance that an individual is required to be able to walk in order to achieve a higher level of independence such as the ability to get around a small supermarket.</i> <i>Aids or appliances that a person uses to support their physical mobility may include walking sticks, crutches and prostheses but do not include manual wheelchairs or any motorised device.</i> <i>As with all activities, the person must be able to perform the activity safely and in a timely fashion - however, for this activity this only refers to the actual act of moving. For example, danger awareness (such as traffic) is considered as part of activity 10.</i></p>		
A	Can move at least 200 metres either – i. unaided; or ii. using an aid or appliance, other than a wheelchair or a motorised device.	0
B	Can move at least 50 metres but not more than 200 metres either – i. unaided; or ii. using an aid or appliance, other than a wheelchair or a motorised device.	4
C	Can move up to 50 metres unaided but no further.	8
<i>For example: identifies individuals who can move up to 50 metres unaided but then require a wheelchair for anything further</i>		
D	Cannot move up to 50 metres without using an aid or appliance, other than a wheelchair or a motorised device.	10
<i>For example: identifies individuals who can use an aid or appliance to move up to 50 metres but then require a wheelchair for anything further.</i>		
E	Cannot move up to 50 metres without using a wheelchair propelled by the individual.	12
F	Cannot move up to 50 metres without using a wheelchair propelled by another person or a motorised device.	15
G	Cannot either – i. move around at all; or ii. transfer unaided from one seated position to another adjacent seated position.	15

Proposals for linking automatic eligibility for a Blue Badge to the award of Personal Independence Payments (PIP).

Option 1: No Automatic Link

Under this option, there would be no link between Personal Independence Payments (PIP) and automatic entitlement to a Blue Badge.

This would mean that:

- there would be no automatic entitlement to a Blue Badge for people who receive PIP;
- this proposal may increase consistency across Wales as most people would have to be assessed by local authorities under the discretionary criteria;
- as the majority of applications for a Blue Badge would have to be assessed by local authorities for eligibility it would increase workloads and costs for local authorities;
- applicants seeking entitlements to different benefits would be subject to repeat assessments by public authorities, and
- some people who currently claim Higher Rate Mobility Component Disability Living Allowance (HRMCDLA) and receive a Blue Badge would not meet the discretionary criteria. (This is because they receive the highest rate of the care component of Disability Living Allowance (DLA) and automatically receive HRMCDLA. This would not happen under PIP).

This proposal would be more bureaucratic and an inefficient use of public sector resources. We also believe that members of the public would find this approach unacceptable due to the additional burdens and intrusive assessments on vulnerable people.

Option 2: Restrict Automatic Eligibility to the Enhanced Rate of Activity 11 (physically moving around) (12 points or above)

Enhanced rate Activity 11 would include people who have been assessed as not being able to move up to 50 metres without using a wheelchair or other device.

This would mean that:

- very restrictive criteria is used for automatic eligibility for a Blue Badge, that highlights the aim of the blue badge to offer support for those people who are unable or virtually unable to walk;
- higher thresholds than currently applicable under HRMCDLA are implemented;

- high numbers of people who meet the Blue Badge eligibility criteria would need to be assessed by local authority;
- assessment workloads within the local authorities will increase;
- available information about a persons mobility is not used in the most effective way;
- some people who currently receive HRMCDLA due to cognitive impairments will fall outside the PIP activity 11 and the discretionary eligibility criteria for a blue badge. In these cases they receive HRMCDLA because they are in receipt of the highest rate of the care component of DLA, and
- it will not include people who can only walk up to 50 meters by using a stick or another appliance (except for a wheelchair).

Under this approach far fewer people would be eligible for a Blue Badge automatically. Based on the estimates from DWP, around 23,000 people would qualify automatically for a Blue Badge compared to around 78,000 people under the current arrangements.

Option 3: Restrict Automatic Eligibility to the enhanced rate for either Activity 10 (planning and following a journey) (15 points) or Activity 11 (moving around) (12 points and above).

This will include people who are unable to move up to 50 metres without a person propelled or motorised wheelchair and people who need supervision, prompting, support or planning for familiar journeys.

This would mean that:

- we would be able to deliver the plans to extend the scheme to people with severe cognitive impairments;
- there will be a significant reduction in the number of people automatically eligible for a badge;
- it does not take account of people who cannot move up to 50 meters without using an aid (other than a wheelchair);
- local authorities will have an increased assessment workload and costs as more people apply to the scheme under the discretionary criteria, and
- there will be an additional burden on people who will face further assessment procedures.

Under this approach far fewer people would be eligible for a Blue Badge automatically. Based on the estimates from DWP, around 51,000 people would qualify automatically for a Blue Badge compared to around 78,000 people under the current arrangements.

Option 4: Restrict automatic eligibility to the enhanced rate of PIP by achieving over 12 points through a combination of Activity 10 and Activity 11

This includes people with differing levels of mobility and requirements for supervision and support to make any type of journey; familiar or unfamiliar.

This would mean that:

- it will extend eligibility beyond the aims of the scheme to include people who may have minor mobility impairments and/or cognitive impairments;
- it will exclude some people who are likely to meet the discretionary criteria with respect to having a substantial mobility impairment and therefore considerable difficulty walking, and
- local authorities will be required to undertake a number of extra assessments for mobility.

Under this approach, around 57,000 would be automatically eligible for a Blue Badge. However, this would exclude from the scheme people who are virtually unable to walk and who would currently be eligible for the scheme through receipt of the HRMCDLA. We believe that this is not consistent with the aims of the scheme and the broader outcomes we are seeking to achieve.

Option 5: Restrict automatic eligibility to those receiving standard rate mobility for Activity 11 (those receiving 8 points or more) and enhanced rate of Activity 10 (15 points).

This will include people who are unable to move more than 50 metres without a person propelled or motorised wheelchair and people who need supervision, prompting, support or planning for familiar journeys.

This would mean that:

- it reflects the current passporting arrangements under HRMCDLA;
- it also includes people with the most severe cognitive barriers to travel who need supervision, prompting, support or planning for familiar journeys in line with our commitment to extend the scheme to people with cognitive impairments, and
- it will help to minimise the assessment work loads of local authorities.

This option provides a balanced approach and uses the information provided by the PIP assessment process to match the aims of the Blue Badge Scheme and Welsh Government Action Plan. It will provide automatic eligibility for around 60,000 people.

Option 6: Restrict automatic eligibility to people claiming the standard or enhanced rate of the PIP mobility component. (8 points or more)

This will include people who are unable to move more than 50 metres without a person propelled or motorised wheelchair and people who need supervision, prompting, support or planning for familiar or unfamiliar journeys.

This would mean that:

- it will provide an easy, straightforward guide to eligibility through the award of the mobility component of PIP;
- a larger number of people than are currently automatically eligible will be included;
- people who fall outside the aims of the Blue Badge Scheme will be included, and
- the scheme may be overwhelmed and brought into disrepute.

Under this approach, around 99,000 would be automatically eligible for a Blue Badge. We believe that this is not consistent with the aims of the scheme and the broader outcomes we are seeking to achieve.