

ABERDEEN CITY COUNCIL

COMMITTEE	Enterprise, Planning and Infrastructure
DATE	13th September 2011
DIRECTOR	Gordon McIntosh
TITLE OF REPORT	Blue Badge Reform
REPORT NUMBER	EPI/11/ 205

1. PURPOSE OF REPORT

- 1.1 This report provides information to members of the Committee on the Blue Badge reform programme which consists of a national online application service and production and distribution of badges. The report also advises members of the staffing considerations and need to review the Green Badge status.

2. RECOMMENDATION(S)

- 2.1 It is recommended that the Committee:
1. Note the contents of the report and reforms to the Blue Badge scheme.
 2. Approve the signing, by nominated officers, of a Service Level Agreement with Northgate for the provision of an online Blue Badge application and badge production service
 3. Instruct officers to review the possible impact on the City Council's Green Badge scheme and to report back to a future committee following consultation with interested parties.
 4. Instruct officers to review the staffing and resources necessary to support the Blue Badge Scheme following the implementation of reforms in January 2012.

3. FINANCIAL IMPLICATIONS

- 3.1 The cost of the provision of the on line Blue Badge scheme will be £4.60 for each application approved and will be a cost that is to be met by this council from fees generated through the application submissions. It is anticipated the annual cost for the new on line service will be in the order of £14000 and will be met from the annual income of fees that is estimated

at £60000. The new online scheme will provide savings that will to some degree offset the fees to be paid to the online service provided and may assist in the efficiency of the service.

4. OTHER IMPLICATIONS

- 4.1 The integration of the new online service will require modification to current IT arrangements and be progressed by early November to allow the Blue Badge application to be processed and issued by the beginning of January.
- 4.2 As part of a review of the Green Badge scheme it will be necessary to liaise and consult with a number of internal and external parties particularly the Disability Action Group, prior to reporting back to committee.

5. BACKGROUND / MAIN ISSUES

5.1 Considerations

- 5.1.1 The Scottish Government have over the last 12 months been progressing a programme of reforms to the existing Blue Badge scheme that has implications for all authorities particularly in the administration of applications and issue of badges. The reforms that are to be introduced over the coming months are supported by secondary legislation that aims to provide clarification and a level of consistency across all authorities in the application of the Blue Badge Scheme that it is felt currently does not exist and to ensure the scheme is able to deal with the future demands of a modern society..
- 5.1.2 At present some 274,000 blue badges have been issued by local authorities and represents over 5% of the population. This figure is a substantial increase over the 1997 figure of 134000 and reflects the mobility needs of society with an increasing number of older people, rising use of vehicles and expectations for mobility and independent living.

The current practice and delivery of the scheme nationally by local authorities has evolved over time with many of the adopted practices unrelated to legislation and resulting in a lack of consistency of application and administration of the scheme across the different authorities.

The reforms that have been brought forward by the Scottish Government are related to Eligibility and the Administration of the scheme and are discussed further below.

5.2 Eligibility

5.2.1 In firstly considering eligibility a principal concern of the Scottish Government was that the scheme be sustainable in the long term for those who are dependant on the use of a blue badge. The following reforms are to be implemented and relate to the definitions of those eligible for a blue badge.

Reform measure
Extend eligibility to more disabled children under the age of 3 with specific medical conditions.
Replacing “is unable to walk or has considerable difficulty walking” with “is unable to walk or virtually unable to walk” A similar change is required for those with a temporary disability.
Removing the word “congenital” from the criteria “a person who drives a vehicle regularly, has a severe congenital impairment in both arms” thereby also allowing those who have acquired upper limb impairment in both arms, to apply for a badge.

Reform measure
Extending the descriptions of bulky medical equipment to include children with casts and associated medical equipment for the correction of hip dysplasia.
Providing automatic entitlement to severely disabled service personnel and veterans.

Appendix A provides further detail and background on the above reform measures and is an extracted from a news letter from the Scottish Government.

5.3 Administration

5.3.1 Significant changes are to be made in the administration of the blue badge scheme and from the 1st January 2012 all application and badge issues will be delivered through a national online data base to be administered by an independent company, Northgate, on behalf of the Scottish Government

5.3.2 At present each individual authority operates independently with all applications lodged directly with the authority for consideration and the issue of a badge where the applicant meets the necessary eligibility criteria. As noted earlier the current administrative system has evolved and the various authorities have developed their own systems and data bases with the scheme delivered by a range of services ie Social Work, Roads, Environmental Services etc. This disparity between the ways in which the blue badge scheme has been administered at a local level has

lead to inconsistencies nationally and is a principal driver in the reform of the system.

5.3.3 The new administration process to be introduced towards the end of 2011 will centralise the submission of all applications through a national online data base and the issue of badges on approval by the local authority.

5.3.4 Whilst applications are to be held and registered within a national data base the local authority will continue to consider and assess all of the applications and approve the issue of blue badges to those meeting the revised eligibility criteria. It is important to note that under the new administrative regime applicants will be able to submit applications on-line or alternatively submit hard copies to their local authority as at present. Hard copy applications will then be entered into the national data base by council officers before consideration and assessment.

5.3.5 Where an application is approved by the local authority an instruction will be given to the service provider Northgate to print and send the badge directly to the applicant or alternatively the local authority for distribution. There are obligations and unavoidable costs associated with the work to be carried out by Northgate and these are discussed later in this report.

5.3.6 The current form of the Blue Badge has been revised through the reform of the scheme and the following changes are to be implemented.

Reform measure	
Replacement badges to include the date of issue in addition to the expiry date.	
Establish with local authorities a common service improvement project which will deliver operational efficiency savings. This project will be self-funding and should deliver efficiency savings.	End 2011.
Scottish Government to publish a "Code of Practice" for local authorities.	Summer 2011
Update the "Blue Badge Scheme" leaflet on the Scottish Government's Blue Badge website.	April 2011
Development of new "Can I Get A Blue Badge?" and "Rights and Responsibilities of a Blue Badge Holder" leaflets.	Autumn 2011

5.3.7 The new badge that will be produced centrally by Northgate for all authorities has been redesigned to improve security both in terms of forgery and use by the applicant and enforcement officers. A recent newsletter providing further information on the badges is given in Appendix B to this report.

5.3.8 A code of practice is to be issued by the Government in the autumn and will provide clarity and guidance for all of the authorities and will assist in the achievement of consistency of application.

5.4 Northgate – Financial Implication

5.4.1 Northgate has been commissioned to provide an online application service, data base and to produce and issue blue badges on the approval of applications by the various authorities. Whilst the Government has commissioned Northgate to provide this service it will be necessary for the City Council to enter into a Service Level Agreement with Northgate for the local delivery of this service. Members will note that the services that are being delivered by Northgate cannot be carried out independently by this authority and that only Northgate will have the ability to provide the online service and production of blue badges from January 2012.

5.4.2 The provision of this service will deliver some benefits and savings in respect to the staff time involved in the production of badges and those applications that are submitted online. At this time it is difficult to estimate the savings in staff time that will be realised and will to a degree depend on the percentage of application submissions made on line. It is anticipated that initially the majority of applications will be submitted in hard copy with a progressive move to online applications taking a number of years before significant benefits are realised from this element of the service provided by Northgate.

5.4.3 However immediate savings in officer time will be realised for the manufacture of the blue badges and will go some way to relieving some of the pressure on officers to meet the rising level of demand for badges. Within Aberdeen approximately 3000 applications are approved annually with each badge / pack taking an estimated 15 minutes to produce. The provision of this service by Northgate represents a time saving of some 102 working days. The blue badge service within the council is currently under extreme pressure with applications taking significantly longer than desired through the seasonality of applications and the available staff resource. Additional resources have been committed to assist in the progression of the applications but cannot be sustained without detriment to other important service areas or increased finances to fund additional posts at different times of the year.

Although the new system will not resolve the current seasonal peaks and subsequent staffing problems, it will shift the responsibility for part of the process to Northgate to achieve the delivery targets.

5.4.4 The staffing levels allocated for the current delivery of the blue badge service for Aberdeen City do need to be reviewed to improve service delivery. However it is felt that it would be prudent to carry out the review in the Spring 2012 following the implementation of the national online service.

- 5.4.5 The services to be provided by Northgate do attract charges and these are noted below together with the primary functions.
- 5.4.6 The Data Sharing System will include 24hour service to a fully functional data base. It will have the ability to take payments for approved applications, to validate applications and to undertake initial eligibility checks, with fast tracking where applicable, requesting badge printing and to reject applications. The cost of a single approved application will be £4.60 and includes the making and distribution of badges. A five year contract with Northgate has been agreed by the various Government bodies across the UK and there will be no cost increase over the contract period.
- 5.4.7 However, as noted earlier, whilst the national data base provides an online service it will be the responsibility of the City Council to input all hard copy applications, verify and review all applications, as at present, and carry out all of the checks required in the processing and consideration of application.
- 5.4.8 Optional services are available from Northgate and include the input of data for hard copy applications at an indicative cost of £4.96 per application and the updating of application details at an indicative cost of £2.68. It is felt that the City council would not wish to take up the optional services at this time.
- 5.4.9 A fee of £20 is presently charged for the provision of a blue badge and it will be noted that only those applications that are approved attract the payment. Members will note that the £20 fee is the maximum that can be charged under current legislation.
- 5.4.10 The payment for the services that are to be provided by Northgate will impact on the fee income to this council but will be offset by the cost savings associated with the production of the badges and savings in officer time. The saving in officer time in particular should allow applications to be dealt with more efficiently allowing the officers to reprioritise duties for the service delivery.

5.5 Green Badges – Implications

- 5.5.1 Aberdeen City Council is the only authority within Scotland to operate a Green Badge or similar scheme for those with higher levels of mobility difficulty. The provision of Green badges does not align with the Blue Badge scheme. The Scottish Government has expressed serious concern that the Green Badge initiative does not comply with the underlying principles of the national scheme and have strongly indicated that with the reforms that are to be applied the Green Badge scheme should be withdrawn.

- 5.5.2 In light of the changes to the Blue Badge scheme and the concerns that have been raised at a national level it is felt that it would be prudent to review the Green Badge initiative in its current form. It is therefore suggested that a report reviewing the Green Badge scheme be submitted to a future meeting of the committee following consultation with interested parties.

6 IMPACT

- 6.1 Under recent legislative changes the production and distribution of Blue Badges can only be carried out by Northgate on behalf of the Scottish Government and together with other reforms be seen to ensure consistency of approach at a national level and assist in the efficiency of the service.
- 6.2 The content of the report meets with the local Community Plan objectives to continually improve road safety and maximize accessibility for pedestrians and all modes of transport.

7. BACKGROUND PAPERS

The Disabled Persons (Badge for Motor Vehicles) (Scotland) Regulations 2000

The Disabled Persons (Badge for Motor Vehicles) (Scotland) Regulations 2007

The Disabled Persons (Badge for Motor Vehicles) (Scotland) Regulations 2011

8. REPORT AUTHOR DETAILS

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Appendix A
Extract from Scottish Executive News letter
Blue Badge Awareness - Eligibility

1. These changes are mainly about fairness. The first extends to children, between the ages of 2 and 3, the provision that currently exists for children up to and including the date of their second birthday who need to be accompanied by medical equipment which cannot easily be transported, or who are affected by unstable medical conditions and may require emergency treatment. Once these children reach the age of 3, they should then be able to apply under the other existing eligibility criteria.
2. It may be necessary to make transitional arrangements for children under the age of 2 who have been issued with a Blue Badge before the new Regulations enter into force. This also applies to children between the ages of 2 and 3 who held a badge which has already expired. Provided that they continue to meet the eligibility criteria on account of their condition, they will become, under the transitional arrangements, eligible for a Blue Badge until their third birthday.
3. For example the badge belonging to an eligible child born on 15 February 2009 would have expired on 16 February 2011. Under the amended legislation the parent of that child, if still deemed eligible, would be able to obtain a new badge that would run from 1 April 2011 until 15 February 2012.
4. This cannot be addressed by legislation, because Blue Badges must be issued with an expiry date. Instead it will be necessary for the local authority to re-issue a Blue Badge, on application, to an eligible child to cover the period between the new Regulations entering into force and their third birthday. This may in some cases lead to badges being issued for very short periods of time. It will be for local authorities to decide whether or not to make a charge for the issue of this badge, in line with the regulations which govern the scheme.
5. Local authorities assess Blue Badge applications using one of two routes:
 - “eligible without further assessment” (sometimes referred to as “automatic”); and
 - “eligible subject to further assessment” (sometimes referred to as “discretionary”).
6. Where an applicant is assessed using the discretionary criteria, the main criterion used is “unable to walk or has considerable difficulty walking”. However, we believe this is too vague - while the term “unable to walk” is unambiguous, the term “considerable difficulty walking” is less so. Currently, Blue Badge legislation does not expand on the meaning of “considerable difficulty walking”. Staff assessing applications must use their own judgement as to what this means, which unsurprisingly, has led to a lack of consistency across local authorities.

7. In order to create consistency across local authorities, we are changing the legislative definition of “unable to walk or has considerable difficulty walking” to “unable to walk or virtually unable to walk”. The latter is used by the Department for Work and Pensions (DWP) when assessing applications for the Higher Rate of the Mobility Component of Disability Living Allowance (HRMCDLA).
8. As an award of HRMCDLA enables applicants to obtain a Blue Badge without further assessment, using the DWP criterion will foster consistency in three ways:
 - all local authorities will have a much tighter definition to work within;
 - all Blue Badges which are awarded on the basis that the applicant is unable to walk or virtually unable to walk will be consistent with all automatic awards of HRMCDLA where a Blue Badge holder is unable or virtually unable to walk; and
 - the majority of occupational therapists who will potentially carry out independent medical assessments are familiar with the DWP definitions.
9. We are removing the word “congenital” from the criteria “a person who drives a vehicle regularly, has a severe congenital impairment in both arms” thereby also allowing those who have acquired upper limb impairment in both arms, to apply for a badge.
10. We are extending the descriptions of bulky medical equipment to include children with casts and associated medical equipment for the correction of hip dysplasia. In most cases, these applicants should be issued with a temporary badge for one year, with a facility to extend at no extra cost to the applicant where required, as it is unlikely that they will have a cast on for longer than 12 months.
11. Another measure we will introduce shortly is that we will ensure that severely disabled service personnel and veterans who are compensated under the new Armed Forces Compensation Scheme (AFCS) and meet certain qualifying criteria will receive the same automatic entitlement to a badge as those veterans who were compensated under the War Pensioner’s Mobility Supplement.
12. The Scottish Government has therefore agreed with the Ministry of Defence (MoD) that eligibility should automatically be extended to service personnel and veterans who have been both: awarded a lump sum at AFCS tariffs 1-8; and assessed by the Service Personnel and Veterans Agency (SPVA) as being unable or virtually unable to walk. Based on figures supplied by the MoD, we estimate that there will be very few applicants per year under AFCS tariffs 1-8.
13. The SPVA will issue an applicant who meets these conditions with a letter confirming both their level of award under the AFCS and that they are unable or virtually unable to walk. The applicant will then present that letter to their

local authority when applying for a Blue Badge. Local authorities need to verify this letter with the SPVA on receipt.

14. These applicants are in effect eligible under the “unable to walk or virtually unable to walk” criteria. The only difference is that their eligibility assessment is carried out by MoD and a further assessment is not required.
15. It is important to reiterate that in order to be eligible for a badge; an applicant has to meet the criteria laid down in legislation. We have been made aware that some local authorities appear to be issuing badges to people who do not meet the eligibility criteria, e.g. on the sole basis of age, for disabilities and conditions which are not covered in the legislation, or to blue badge holders from outside the EU while visiting Scotland.
16. Local authorities must remember that they only have legal power to issue Blue Badges to disabled people who meet the specific descriptions prescribed in legislation and must continue to adhere to the current statutory criteria until new eligibility extensions come into force on 1 April 2011.
17. All staff involved in advising applicants or determining eligibility should ensure that they have up to date information on the eligibility criteria. Local authorities should also strive to provide their residents with up to date Blue Badge information on their websites to reflect changes as and when they come into force.

Appendix B
Administration / Badge design
Blue Badge reform News Letter June 2011

Blue Badge Reform Programme

Newsletter



Welcome to our second e-newsletter on the reform of the Blue Badge scheme in Scotland. This newsletter sets out details of forthcoming changes in the administration of the scheme, relating in particular to the Code of Practice, Service Personnel and War Veterans, and the appointment of Northgate Information Solutions to deliver a Blue Badge Improvement Service.

The Disabled Persons (Badges for Motor Vehicles) (Scotland) Amendment Regulations 2011

The above regulations came into effect on 1 April 2011 and have been reflected in the new [Guidance for Badge Holders](#) leaflet. Further information about the amended regulations can be found in our March 2011 e-newsletter, available from the [Scottish Government's Blue Badge website](#).

Blue Badge Improvement Service (BBIS)

In addition to the above regulations, it was agreed by Ministers that the Department for Transport (DfT), the Scottish Government and the Welsh Assembly Government would work together to deliver a Blue Badge Improvement Service (BBIS) to carry out various administration functions relating to the Blue Badge schemes across Great Britain. Following a competitive procurement the contract was awarded to Northgate Information Solutions.

Northgate Information Solutions will develop this new service so that it is available to all local authorities in Scotland, England and Wales. They will:

- design and maintain an on-line eligibility checklist and an on-line application form that will be available from the Scottish Government's Blue Badge website;
- design a central database of all Blue Badges on issue including key information on those badge holders;

- enable local authorities to transfer their historic records onto the system; and
- design, securely print, personalise and distribute a new, more secure and robust badge.

We believe that a central database, an on-line applications system and a single secure print service for the badge will provide numerous benefits to local authorities.

Database

A single supplier for the badge will allow a common numbering system to be used, enabling a more effective control of badges, particularly for those that are reported as lost or stolen. We also anticipate that the BBIS will result in quicker, easier renewals as reminders can be distributed centrally.

BBIS will enable quick and easy enforcement checks by officers from anywhere in the country on badges issued by any authority, either using a desktop PC, a handheld device or a SMARTphone.

Support Services

Northgate will provide an initial enquiry support service to handle general enquiries from members of the public which, in line with the Service Level Agreement (SLA), will be available 24 hours a day, 7 days per week, 365 days a year, except for scheduled maintenance. In addition, a helpdesk and managed service administration and support service will be available 08:30–18:00 Monday–Friday, excluding public holidays.

Newsletter

New Badge Design & Supply

One of the most significant changes we are making is to the design of the Blue Badge itself so that it is harder to copy, forge and alter. The new badge will be made of PVC and include elements such as complex printing patterns; a holographic feature that can't be photocopied or scanned; use of security inks that are only available from a restricted list of providers; raised features and Braille; a 2D barcode, and a digital photograph. Some features will be clearly visible through a windscreen while other hidden features will only be evident on physical inspection.

The quality and durability of the badges being issued will also be improved so that they remain legible for throughout the 3 year lifespan of the badge and the details do not fade in the sun. The use of sophisticated anti-fraud technologies on the new badge and more security in the storage and distribution should cut down on fraud.

We will use secondary legislation to specify the form of the new Blue Badge design and remove the requirement for a signature on the badge. From 1 January 2012 authorities will only legally be able to issue or replace an old-style badge with a Blue Badge that complies with this legislation.

It is important to note that although Northgate will run this service, local authorities will remain responsible for final decisions on whether or not an applicant is eligible for a badge, for referrals for mobility assessments and for other checks on an applicant's residency and identity.

On-line Application

The application process will include automated checks to help prevent inaccurate, multiple or fraudulent applications from being made. These checks will reduce the need for time-consuming, paper-based checks ordinarily carried out by individual authorities. The data obtained from the on-line application form will feed into the central database.

Contract Arrangements

On behalf of the 3 administrations, the Department for Transport has agreed a standard contract that forms the Terms and Conditions for BBIS. A Service Level Agreement (SLA) has also been drawn up. A common Access Agreement has been prepared as part of the contract.

The contract will run for 5 years, with the option for a further 2 years.

Next Steps

A management group consisting of DfT and the Scottish and Welsh Governments will oversee the programme with the following underlying management structure:

- an executive strategy group – this will be made up of the DfT, the Scottish and Welsh Governments, Northgate, and senior local authority representatives. This group's role will be to lead on strategy and oversee build/roll out of BBIS, deal with escalated issues and ensure delivery is kept on track. We would envisage it meeting three times in 2011, and then twice yearly after that.
- Northgate and local authority representatives group– this will act as the active decision-making group that oversees detailed development and delivery of the project. This group will meet every 2 months.
- Special interest groups – these groups will focus on particular aspects of BBIS, for example, enforcement and fraud prevention, administration and processes, and technical aspects of the system. These will be virtual groups, using web-based forums for communication.

We would be grateful for your active involvement in the aforementioned groups to ensure that the roll-out of BBIS is successful. If you would like to participate in any of the 3 groups please email BBES@dft.gsi.gov.uk.

Newsletter

Events

The engagement and communications programme begins now. Three initial workshops have been arranged for local authority representatives on 15 June in York, 20 June in London, and on 29 June in Glasgow. The Glasgow event will be held in the Radisson Blu Hotel in Argyle Street and will run from 11:00 to 16:00.

At the workshops we will explain in more detail the scope of BBIS and the high level requirements that have already been agreed; discuss what is needed over the next few months by way of preparations and change management; and show an initial demonstration of how the system and the new badge might look. Northgate may also seek views on some of detailed functional requirements for the system.

Further detailed information on BBIS is available by emailing bbis@northgate-is.com or by telephoning 0800 804 6326.

Showcase Events

In preparation for BBIS going live on **1 January 2012** the workshops will be followed up by some showcase events to demonstrate the prototype BBIS. The showcase events will be held in August throughout the UK and will demonstrate how the system can be accessed by local

authorities, and will also provide the opportunity to see samples of the new badges. Dates have yet to be arranged for these events.

Severely Disabled Service Personnel and War Veterans

From 9 May 2011 severely disabled service personnel and war veterans that receive the Armed Forces Compensation Scheme (AFCS) award under tariffs 1 to 8, and are assessed by the Service Personnel and Veterans Agency (SPVA) as having a permanent and substantial disability which causes the person to be unable or virtually unable to walk, may be automatically eligible for a Blue Badge. The AFCS covers injuries sustained in service on or after 6 April 2005 and operates a tariff system.

Code of Practice

We are currently developing a 'Code of Practice'. The Code will be guidance for local authorities that will include sections on the application process, assessing eligibility, administration, organisational badges and enforcement as well as various checklists, case studies, a model application form and Frequently Asked Questions. We hope to issue a draft 'Code of Practice' to local authorities in June for general comments on the overall document and its content.

CONTACT US

Further information about the reform programme can be found on the Scottish Government's Blue Badge Scheme website at www.transportscotland.gov.uk/road/blue-badge-scheme/review.

Alternatively, if you have any additional queries, please get in touch with the Blue Badge Team at BlueBadge@transportscotland.gsi.gov.uk or by telephone on 0131 244 1525.
