

P-06-1380 Make Blue Badge applications lifelong for individuals who have a lifelong diagnosis

Y Pwyllgor Deisebau | 11 December 2023
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Reference: SR23/7337-1

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Petition title: Make Blue badge applications lifelong for individuals who have a lifelong diagnosis

Text of petition: Not all disabilities are the same, some are life long, meaning they do not change over time.

Unfortunately, current guidelines require individuals with lifelong diagnoses, which include learning disabilities or profound and complex needs, to reapply for a blue badge every three years. This process can be very frustrating and time consuming for both individuals and their caregivers and focus heavily on the negative aspects of an individual's abilities

The Equality Act 2010, states, a disability is a physical or mental condition that has a substantial and long-term impact on a person's ability to do normal day-to-day activities, it states it allows for the better or more favourable treatment of people with impairments based on the evidence given, to provide equality of opportunity.

We believe that the process should be updated to better support those with disabilities by making life easier for those with lifelong conditions.



We are therefore proposing a change, we are calling for the Welsh Government to change their current process when applying for blue badges, to give what's right and to support disabled people.

The change would be, that if a person applies for a blue badge due to a lifelong medical condition that is not expected to change, and their supporting health notes confirm this, then a blue badge should be granted for their lifetime.

1. Background

The Blue Badge (Disabled Persons' Parking) scheme was introduced in 1971 under section 21 of the Chronically Sick and Disabled Persons Act 1970. In 2000 the Disabled Persons (Badges for Motor Vehicles) (Wales) Regulations 2000 introduced the Blue Badges scheme for disabled people in Wales.

The Blue Badge scheme provides a national arrangement of parking concessions for people who meet the eligibility criteria and operates throughout the UK. Blue Badges are free in Wales. The Welsh Government is responsible for the scheme, while local authorities are responsible for the day-to-day administration and enforcement of the scheme.

According to Blue Badge scheme guidance, an individual in Wales can qualify for a Blue Badge in one of the following categories:

- **Automatic qualification** – an individual may be eligible for a badge without the need for an assessment if they receive a listed disability benefit or have sight impairment.
- **Discretionary qualification** – certain circumstances might make an individual eligible even though they do not receive the benefits listed.
- **Temporary qualification** – an individual can apply for a temporary 12 month badge if they are recovering from, or awaiting treatment for, serious illness or injury.

Blue Badges are valid for up to 3 years. Registered holders of a Blue Badge must reapply up to 12 weeks before their Blue Badge expires. This application process is

administered by local authorities, or applicants can apply online through the **Blue Badge Digital Service (BBDS)**. BBDS has been available since February 2019.

2. Welsh Parliament action

In April 2019, the Equality, Local Government and Communities Committee conducted an inquiry into the eligibility and implementation of the Blue Badge Scheme in Wales. The inquiry heard evidence that the renewal process can be ‘very stressful for a person reliant on that badge’ and this is particularly the case for those with life-long or deteriorating health conditions.

In evidence to the Committee, both Disability Wales and Alzheimers Society Cymru highlighted inconsistencies in the reapplication process, with some applicants with life-long health conditions having to undergo a full assessment when applying for a renewal. The Committee’s report recommended that:

The Welsh Government works with the Welsh Local Government Association to develop a process to enable those suffering with a life-long or deteriorating condition to renew their blue badge automatically, without further assessment.

The Welsh Government rejected this recommendation. The Minister for Economy and Transport accepted that a full-reapplication process for eligible badge holders is a ‘burden’ but argued that BBDS has developed ‘a function where local authorities can flag on the system if a Blue Badge is awarded for life and therefore will not require reassessment.’ The Minister said that the Welsh Government would ‘remind local authorities of this function.’

3. Welsh Government action

Since 2002, the Blue Badge scheme has been subject to a number of reviews, consultations, and reports, which have looked at various aspects of the scheme. Most recently, the Welsh Government has undertaken the following work to review and update the administration of the Blue Badge scheme in Wales:

- Public consultations on changes to the scheme were carried out in 2008, 2010, 2011, 2012, 2013 and 2016.
- Two expert groups were set up in 2013 and 2015 to consider ways to improve the scheme.
- The eligibility criteria were last amended in 2017, when cognitive and temporary impairment criteria were included.

In correspondence to the Committee, the Deputy Minister for Climate Change, Lee Waters, said 'statutory eligibility criteria are based on challenges to mobility in line with the social model of disability as adopted by Welsh Government.' He said that 'Wales has one of the widest eligibilities in the UK.'

Since the introduction of the BBDS, when a local authority is satisfied that an applicant will permanently meet the eligibility criteria, a mark can be added to their digital record to flag that a Blue Badge has been awarded for life and to shorten the renewal process. Those who are subject to this streamlined process still need to reapply for a Blue Badge every 3 years, but do not need to go through a full reassessment.

In his letter to the Committee, the Deputy Minister for Climate Change described this reapplication process as 'essential' to verify applicants' identity and proof of residence and 'to protect against fraudulent applications and abuse of the scheme.' He said:

If badges were valued for a longer period, then there is more opportunity for people to misuse and abuse this scheme, which is a concern Audit Wales have expressed previously.

Audit Wales monitor abuse of the Blue Badge scheme as part of the National Fraud Initiative. The National Fraud Initiative can identify when a Blue Badge is being used or renewed after the registered holder has died. The 2020-21 National Fraud Initiative identified 2,717 cases of fraudulent Blue Badges. Audit Wales estimate that the value of these cases is £1.4 million, based on 'a calculation of the annual estimated cost of lost parking revenue and the likelihood of these blue badges being misused.'

Every effort is made to ensure that the information contained in this briefing is correct at the time of publication. Readers should be aware that

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