

Draft Blue Badge Policy

Buckinghamshire Council

1. Introduction

Buckinghamshire Council is committed to a fair and robust approach to determining the eligibility of applicants for a Blue Badge in Buckinghamshire.

The purpose of the policy is to ensure that the Council is fair, reasonable, and consistent in its approach to administering the Blue Badge Scheme for Buckinghamshire residents.

This policy is implemented with strict adherence to the guidelines set out by the Department for Transport, published in August 2019.

This policy should be read in conjunction with the national guidelines and legislation relating to the national Blue Badge scheme.

The full version of the published national guidelines can be found by clicking on the link below: <https://www.gov.uk/government/publications/the-blue-badge-scheme-local-authority-guidance-england>

2. Scope

This policy applies to all members of staff who administer the Blue Badge Scheme in Buckinghamshire and all residents of Buckinghamshire who are applying for a Blue Badge under the national Blue Badge Scheme.

3. Principles

This policy is based on the following principles:

- A clear and robust procedure is in place to determine the eligibility of applicants for a Blue Badge.
- Clear guidance and ongoing training are provided to all members of the Blue Badge Team.
- The application of the process is objective, fair, reasonable, and consistent.
- All decisions are made with adherence to the guidelines published by the Department for Transport.

- The Local Authority have the right to refuse a Blue Badge application if eligibility cannot be determined.
- An applicant's eligibility cannot be guaranteed until the application has been assessed.
- The applicant has a right to request a review of the Local Authorities decision if they are not happy with the outcome of the application.
- Following a review of the application, the decision made by the Local Authority is final.
- The Authority will look to prosecute any person where it is found that the Blue Badge has been used fraudulently.

4. Applying for a Blue Badge

An application can be made for a Blue Badge if a person is disabled or has a health condition that affects their mobility. The badge enables the person to park closer to the places they need to go and usually lasts for 3 years.

There will be some people who will automatically qualify for a Blue Badge, providing at least one of the following criteria is met:

- The person has a certificate of visual impairment (CVI) showing they are registered blind (severely sight impaired)
- The person receives a [Personal Independence Payment \(PIP\)](#) and has a score of eight point or more under the 'moving around' activity of the mobility component.
- The person receives the mobility component of PIP and have obtained ten points exactly under the 'planning and following a journey' activity (with a descriptor mentioning severe psychological or mental distress)
- The person receives the Disability Living Allowance (DLA) and receive the higher rate of the mobility component or a War Pensioner's Mobility Supplement (WPMS)

Buckinghamshire Council will issue the badge for a maximum of 3 years but also in line with the date of the end of the Personal Independence Payment or Disability Living Allowance. For example:

- If the award is valid for 2 years, the badge will be valid for 2 years.
- If the award is valid for 4 years, the badge will be valid for the maximum 3 years.

For further information about who is automatically eligible for a Blue Badge, click the following link:

[Read more about who can automatically get a Blue Badge \(GOV.UK\).](#)

[Read more about who can get a Blue Badge \(GOV.UK\).](#)

5. Applications requiring further assessment.

A person may be entitled to a badge if they:

- are unable to walk.
- experience considerable difficulty while walking, which may include significant psychological distress.
- are at risk of serious harm when walking.
- pose a risk of serious harm to any other person while walking.

There may be a requirement to conduct a further assessment of an applicant by the Blue Badge Team as part of the application process. This may include:

- A desk-based assessment tool to be completed by the Blue Badge Team
- Consent being obtained to access Health and Social Care information to confirm eligibility.
- An invitation to attend an independent mobility assessment with the Blue Badge Expert Assessor

5.1 Terminal illness

Buckinghamshire Council will prioritise all applications where a person has a terminal illness. To be considered under this criterion, an SR1 medical report form will be required to be submitted with the application. If the applicant does not have a copy of this form, a healthcare professional can complete it. If an SR1 form is not submitted, then further medical evidence will be required.

5.2 Non-visible disability

A non-visible (hidden) disability is a disability or health condition that is not immediately obvious, including:

- Mental health conditions, including anxiety, depression, schizophrenia, personality disorders, obsessive compulsive disorder.
- Autism
- Visual impairments or restricted vision
- Hearing loss
- Sensory and processing difficulties

- Cognitive impairment, including dementia, traumatic brain injury, or learning disabilities.

Buckinghamshire Council recognise that this is not an exhaustive list, and that other disabilities and conditions exist which are not listed above.

5.2.2 Determining eligibility for non-visible disabilities.

Blue Badge eligibility for people with non-visible disabilities is not based on diagnosis. Buckinghamshire Council will consider the severity of the disability or condition, and how the disability or condition affects walking on a regular basis.

A Blue Badge will be issued if the person has an enduring and substantial disability that causes them to:

- be unable to walk.
- experience considerable difficulty whilst walking, including psychological distress.
- be at risk of serious harm to yourself or others when walking.
- The term 'enduring and substantial' is defined as any disability or condition that is not expected to improve within the next 3 years and therefore the applicant meets the eligibility criteria to an extent that means you no longer meet the eligibility criteria.
- The term 'enduring and substantial' is defined as any disability or condition that is not expected to improve within the next 3 years and as such the applicant will meet the eligibility criteria until the Blue Badge expires.
- If an applicant's condition is likely to improve within the next 3 years, they may not meet the eligibility criteria to be issued a blue badge.

5.2.3 Non-visible conditions that impact mobility.

There are a number of non-visible disabilities and conditions that would also fall under the mobility criteria, such as:

- Parkinson's
- Arthritis
- Cardiac or respiratory conditions

Although these are non-visible conditions, they may have a greater impact on mobility. For conditions such as these, the person will be considered under both criteria but will be assessed using the most relevant criteria.

6. Criteria that are deemed to be out of scope of the Blue Badge Scheme

The Blue Badge scheme is focused on risk and identifying a clear benefit of need to the individual. The following criteria will not be considered as part of the assessment process:

- The need for a wider space to allow vehicle doors to open fully.
- Difficulties carrying shopping.
- The need for urgent access to public toilets

7. Temporary badges

Buckinghamshire Council do not issue temporary badges and only badges will be issued for 3 years to a person who meets the eligibility criteria.

8. Required information and documentation for a Blue Badge Application

Photograph

- A passport style colour photograph showing only the person who requires the Blue Badge taken within 6 months of the application.

Proof of identity

The following are acceptable forms of identification.

- Valid passport (photograph page)
- Valid photocard driving licence (the front of the photocard showing name, address, photograph, and signature)
- Marriage or divorce certificate
- Civil partnership or dissolution certificate
- Birth or adoption certificate

Proof of address

- The following are acceptable proof of address:
- Council Tax bill
- Valid photocard driving licence (copy of the front of the photocard showing your name, address, photograph, and signature)
- Benefit letter (with your address shown)
- Any letter from the Pension Service
- Any letter from HMRC

- Bank or building society statement.
- Utility bills dated within the last 3 months.

Supporting evidence

- Recent letters from medical professionals
- Outpatient discharge letters
- Ongoing treatment letters
- Appointment outcome letters
- Patient summary or summary care records
- Education Health and Care Plans (EHCP)
- Care plans from social care teams
- Social housing letters/assessment reports from a local authority
- Letters from other professionals involved in the individual's care.
- Personal independence payment (PIP) decision letters/decision summary pages
- Evidence of receipt of Council Tax discount for severe impairment
- Evidence of any other benefits received.
- Risk assessment plans completed by school or care workers.

How applications can be submitted

An application for a Blue Badge can be made using the following methods:

- Online via the .gov website
- By post using a paper application form
- By telephone
- In person

Fee for a Blue Badge

The administration fee for a Blue Badge is £10. This is the maximum fee for a Blue Badge in England, set by the regulations governing the Blue Badge scheme. Payment is taken by Buckinghamshire Council only if the person is determined to be eligible.

Blue Badge Renewals

Buckinghamshire Council do not have an automatic renewal process and all Blue Badge holders must reapply after 3 years for reassessment, providing up to date documentation to help reassess eligibility.

Return of a Blue Badge

A Blue Badge must be returned if it has expired or if the Badge Holder is deceased. The Badge must not be retained or use for any other purpose other than the reason for issue.

Unsuccessful applications

If a person is unsuccessful in their application for a Blue Badge, Buckinghamshire Council will communicate this decision in writing and explain the reasons for the refusal.

Each person has a right to reapply for a Blue Badge after 6 months of their original application or if their condition has deteriorated during this time. Supporting evidence must be provided.

Request for a review of a decision

A person can request a review of the decision made by Buckinghamshire Council in writing within 28 days of the refusal letter. Details of how to request a review are included in the refusal letter and available on the Buckinghamshire Council website.

Organisational Blue Badges

An organisational badge may be issued to an organisation for use in a motor vehicle or vehicles when the vehicle or vehicles are to be used to carry disabled people who would themselves be eligible for a badge. Buckinghamshire Council will consider the following for each organisation:

- Does the organisation care for and transport disabled people who would themselves meet one or more of the eligibility criteria for an individual Blue Badge?
- Is there a clear need for an organisational badge rather than using the individual Blue Badges of people it is transporting.

Buckinghamshire Council would not consider a taxi or private hire operators to be eligible for an organisational Blue Badge and should use the individual's Blue Badge when carrying that person as a passenger.

To help determine the eligibility of organisations, Buckinghamshire Council will consider the following:

- How many qualifying disabled people is the organisation caring for.
- The type of vehicle that an organisation is using, whether it is adapted and how.

- Why the organisation feels they need an organisational badge rather than using individual Blue Badges of people in their care.
- How often the badge is likely to be used and for what purpose.

Fraudulent use of a Blue Badge

Fraudulent use of a Blue Badge usually takes two forms:

- Misuse of valid badges by friends and family members not permitted to use the badge.
- Drivers using deceased, lost, stolen or counterfeit badges.

Buckinghamshire Council is proactively tackling misuse and will aim to prosecute individuals. A successful prosecution will result in a fine of up to £1000.

Complaints

If a person has a complaint regarding the administration, the processes or customer service of the Blue Badge Team this is dealt with separately to the request for a review of the decision. A complaint can be submitted online by clicking the link below:

<https://www.buckinghamshire.gov.uk/your-council/contact-and-complaints/complain-about-our-services/>

A person may also request an investigation from the Local Government Ombudsman. Details of which can be found online at:

<https://www.lgo.org.uk/>

Blue Badge guidance

All Blue Badge holders are informed of their rights and responsibilities as a Blue Badge holder and issued with a copy of the national guidelines. Copies of the guidelines can be accessed via the links below:

[Find out where you can park with your Blue Badge](#) (Buckinghamshire Council website)

[Find out when you can and cannot use your badge abroad](#) (GOV.UK website).

References

<https://www.gov.uk/government/publications/the-blue-badge-scheme-local-authority-guidance-england/blue-badge>

<https://www.gov.uk/government/publications/the-blue-badge-scheme-rights-and-responsibilities-in-england>

<https://www.buckinghamshire.gov.uk/parking-roads-and-transport/parking/blue-badge-scheme-for-disabled-parking/>