



Blue Badge Report Summary of Evidence

A Healthwatch Devon Independent Inquiry

November 2016

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Introduction

What we do at Healthwatch Devon

[Healthwatch Devon](#) is the local, independent consumer champion for health and social care services.

One of the key functions of Healthwatch Devon is to obtain the views of local people regarding their needs for, and experiences of, local care services and importantly to make these views known.

Since Healthwatch Devon was introduced in 2013, thousands of people have shared their views and experiences with us in relation to their local health and social care services.

The experiences we gather are entered (anonymously) into our [evidence bank](#). A summary of this information is then shared with those who commission, provide, regulate and monitor healthcare services in Devon.

About this report

This report contains 13 experiences that have been shared with Healthwatch Devon by Healthwatch Champions who are based in Citizens Advice Centres across the County.

Individuals had contacted Citizens Advice because they were worried about the outcome of a recent Blue Badge assessment. Assessments had resulted in them not being eligible for a Blue Badge award, even though in some cases they had been eligible before.

As we were collecting these experiences, we also wrote to Devon County Council to request information about the assessment process and to find out if they too had received concerns similar to those that we had heard. Devon County Council informed us that the feedback they have received about the service focussed on the same issues that we were hearing about, which are:

1. Applicant disagrees with information contained in the assessment
2. Applicant who was recently eligible for a Blue Badge, assessed as no longer eligible
3. Attitude of the assessor.

We also contacted Healthwatch England to find out if other Local Healthwatch had received concerns from people about Blue Badge assessments and they told us that Healthwatch Bath and North East Somerset had indeed received similar issues and took further action as follows:

Healthwatch Bath NES heard from members of a community group that the Blue Badge assessment process can be a negative experience, with patients feeling 'talked down to', particularly if their application was refused. This information was shared with B&NES Council's Community Transport Liaison Group, of which Healthwatch is a member. These comments were reiterated by another organisation and the council undertook a review of the process. In October, Healthwatch heard that the assessment process has been amended to take into consideration people's movement over different surfaces, their overall health and wellbeing, i.e. if they are having a good or bad day, and more clarity if a Blue Badge is refused. This information was shared with the community group that raised it and Healthwatch will continue to gather feedback in order to monitor the impact these changes have.

This report brings together all the information we gathered whilst exploring these concerns further and sets out two recommendations for Devon County Council to consider as a call to action.

Key findings

Based on the experiences presented within this report, we found that the main issues to be:

- An inconsistency in the quality of blue badge assessments.
- Concerns regarding how the assessment criteria is applied and its consistency with the national guidelines.
- A lack of privacy, resulting in the process being uncomfortable and intimidating.
- Staff attitudes; a lack of dignity and respect. Individuals did not feel that their voice had been heard and that their needs had not been fully considered.
- The negative impact that being refused a Blue Badge can have on an individual's health and wellbeing.

Recommendations

1. We recommend that Devon County Council and Devon Health and Wellbeing Scrutiny Committee review this report alongside any other the evidence Devon County Council holds in relation to people's experiences of the Blue Badge assessment service.
2. We recommend that Devon County Council considers carrying out a review of the blue badge assessment process to identify what steps can be taken to improve the quality of the service for applicants.

Timeline of events

March 2016 - Healthwatch Devon and Healthwatch Champion at Citizens Advice identifies an emerging theme in the feedback it was receiving in blue badge assessments.

11 April 2016 - Healthwatch Devon submits a formal request for information to Information Governance Team at Devon County Council (appendix 1).

06 May 2016 - Devon County Council responds to request for information received (appendix 2).

07 June 2016 - Meeting at Healthwatch Devon offices to discuss potential issues around the assessment, appeal process and/or the eligibility criteria for the Blue Badge scheme. In Attendance: Miles Sibley (Chief Exec, HWD), Claire Tarr (Information officer, HWD), Sarah Kendall (Living Options) Tessa Blight (CAB and Healthwatch Champion).

13 June 2016 - Healthwatch Devon follow up request for information from Information Governance Team at Devon County Council (appendix 3).

11 July 2016 - Devon County Council respond to 2nd request for information received (appendix 4).

08 September 2016 - Request for information sent to Healthwatch England to find out if other local Healthwatch organisations had raised the issue around blue badge assessments and eligibility criteria.

9th September 2016 - Healthwatch England responds to advise that Healthwatch Bath and North East Somerset have carried out work on this topic and heard of similar experiences

13 September 2016 - Email from Healthwatch Champion to Devon County Council raising areas of concern around changes in eligibility criteria and assessment process.

Case Studies

Several people have contacted Healthwatch Devon to share their experiences with us and to seek assistance. The experiences set out over the next few pages have been shared with us by Healthwatch Champions, with the permission of the individuals involved and directly from individuals themselves.

Experience of an individual in East Devon

Individual called for a blue badge assessment in connection with a renewal after 18 years. In April 2015 the individual went for the assessment and was never given the opportunity to demonstrate their symptoms which manifest themselves on slopes and inclines. They mentioned this to the assessor, but were not given the opportunity. They immediately complained to DCC saying that the assessment was not carried out in accordance with the department of transport guidelines. Individual has obtained the guidelines and they state it is 'important' that the assessment should include slopes and inclines. The individual's doctor has sent a letter to DCC saying that the assessment should be carried out on slopes and inclines. The individual has now been declined from using their blue badge as they did not pass the 'bogus' assessment (individual's words). DCC have said they can re-apply for the assessment anytime. Individual has raised a complaint with the DCC and as they were not happy with the response they have gone to the Ombudsman.

Experience of a male in South Hams

Individual has been refused a Blue Badge. As he does not have a Blue Badge he cannot get a Bus Pass either. This will result in him becoming isolated and add to his existing depression. Champion suggested he appeal against the decision even though the time limit has expired. He has been invited to re-apply and will contact Champion for help if he needs to challenge a decision in the future.

Experience of a female in Teignbridge

Individual has cerebral palsy, has osteoarthritis in her hips and experiences back pain. She was refused a Blue Badge and as a result is more anxious and stressed as her mobility issues are quite severe. Her Blue Badge assessment was carried out at Newton Abbot Hospital and she has appealed against the decision to refuse a Blue Badge. Healthwatch Champion will support her if this appeal is rejected.

Experience of individual in Exeter

I recently had an assessment to see if I was eligible for a blue badge so that my carer could take me out in the car. I was asked to do many different things to see what I can and can't do. I found this very difficult and it made me feel uncomfortable and embarrassed.

Experience of a female in East Devon

Individual has a 15-year-old son with Downs Syndrome who is awaiting a scan to confirm scoliosis. Healthwatch Champion is giving advice and support to this individual. He has had a Blue Badge since he was 3 years old but was refused one when the family moved to Devon. The effect of this is that it is increasingly difficult to go out at all as her son has to be held by the hand and managed at all times as he has no road sense and wanders off. He is getting stronger and she is getting less strong so is very worried about their future and getting out and about. Their application was supported by the Downs Syndrome Society who were appalled that he was refused a badge. The assessment and eligibility process by DCC needs to be questioned. Refusal of a Blue Badge can have dire consequences for individuals.

Experience of a young male in East Devon

Individual has a son age 20 who has Downs Syndrome. He is doubly incontinent and needs a Blue Badge so his carers can attend to his needs quickly. He was refused a Blue Badge on walking criteria. On appeal the individual was told that her son would be awarded a Blue Badge under their special criteria. Champion had offered to support further complaints/action but when she rang the individual they had just received a letter confirming the award of a Blue Badge.

Experience of female in North Devon

Individual provided her concerns for when she attended the Blue Badge assessment. She felt the premises for the assessment were not adequate; it was at the Library in Barnstaple in a computer training room which was a large room and the assessor sat behind a desk. The individual explained that she had pain in her shoulder and so that was why she used the hand she used. The assessor shouted '*why did you not get your shoulder seen to?*' This upset the individual as she wasn't happy with the way the assessor spoke she thought this was very unprofessional. The individual had to complete her walking assessment outside the library she found this very intimidating as there were people sitting on the wall and hanging about looking at her, there was no privacy. She was also asked about her daily activities and told the assessor she never took a bath, however she stepped into her bath to shower. When the individual came to appeal the assessment the assessor had written down that the individual had a walk in shower and the individual then had to explain this wasn't correct. When the paperwork was finalised the report from the assessment had been altered and there was no mention of the shower. Are they allowed to make changes to the assessment?

Experience of Individual in North Devon

Individual was invited to Barnstaple Library in May for her blue badge assessment. She felt the venue was not fit for purpose. The stairs, where part of the assessment was conducted, did not reflect a real domestic situation as they were very wide, only one banister available and members of the public were using them at the same time as her assessment. The room where the assessment started was an empty computer room and the individual was made to sit the other side of the desk from the assessor, all of which felt too authoritarian. The outside walking assessment was conducted in full view and earshot of the public and the individual felt intimidated and embarrassed by the experience.

Experience of male in South Hams

Individual was refused a badge in January 2015. Individual's wife said that she rang to request an application, but as soon as she said that her husband has COPD the person on the phone said 'we have lots of people applying who have COPD - he won't get it' and put the phone down, without allowing the individual to say what other problems her husband has or how his mobility is affected. She told me that she herself trips/falls a lot and she and her husband are struggling more and more to get out and about. She recently hurt her neck and has been unable to drive temporarily. Her husband has had a stroke, has reduced mobility one side, has double vision and there are many things he cannot do that she does for him.

Experience of an individual in East Devon

Individual who has mild learning difficulties has support from his brother for paperwork. His Blue Badge expired in April 2016 and he was refused a badge on re-application as he could 'walk too far'.

Experience of Individual from East Devon

Individual was turned down for a Blue Badge renewal in August 2015. He has multiple health problems including 'farmer's lung', a right hip replacement and a left hip awaiting replacement, osteoarthritis in his knees, ankles and hips and urinary frequency. He is restricted in his walking ability. His PA drives him as his wife is unable to due to her own ill health. He is in pain with every step and cannot climb stairs or carry weight. He has had several falls recently due to his mobility issues. He had a face to face assessment in Ivybridge during which the assessor did not look at letters from his GP and Consultant, but asked him questions he considered to be irrelevant such as 'could he boil an egg or heat baked beans'. He was asked to climb stairs, which he did with huge difficulty and ended up in crippling pain afterwards. The whole assessment was 'rushed'. He said that he knew that if he was in receipt of Personal Independence Payment (PERSONAL INDEPENDENCE PAYMENT (PIP)) he could be eligible for a Blue Badge but he feels he does not need financial help and thinks he should be eligible on medical grounds alone. He appealed against the refusal decision and this took longer than it should have done to be addressed. The Healthwatch Champion made numerous phone calls on his behalf to the Blue Badge Team to try and hurry the process along as well as writing to them when nothing had happened. The Champion encouraged the individual to re-apply for a Blue Badge and accompanied him to a face to face

assessment in Ivybridge. This assessment was excellent. During the course of the assessment the assessor told the individual that he was going to recommend him for a Blue Badge - which he did receive. The stress of the nine months it took for this case to be resolved had a further detrimental effect on the individual's health.

Experience of a female in North Devon

Individual is currently being supported by a Healthwatch Champion. Individual experiences problems with her shoulder, curvature of the spine, hip replacement and pain in her hands. Her Blue Badge application was refused in August 2016, as was her appeal against this decision. She lives alone, has no-one else to drive her and needs to park close to shops and facilities as she has difficulty in walking distances. She now feels that she will be unable to get out and about at all and will become isolated. A Healthwatch Champion met with her at Bideford to discuss her case and she said she wished to complain about the assessment (mainly the venue but also the assessor) and the refusal, as she does struggle to walk distances on a bad day. Individual has suffered with arthritis in the spine since she was 25 years old. She has recently had a spinal decompression and a new hip. Individual has just been referred to a spinal consultant at RD&E as the spinal problems are ongoing. However, during her Blue Badge assessment earlier this year the individual felt the assessor was negative towards her from the moment she walked in and sat the other side of a desk, making individual feel like a child. The assessor also commented on the length of individual's walking stick, telling her it was too short, when in fact it had been cut to size by the individual's own physiotherapist. The assessor also noted that the individual was holding the stick in "the wrong hand", but individual has suffered from a torn rotator cuff in her left shoulder and cannot put any pressure on it. She explained this to the assessor but she still made reference to it in her final assessment notes. Individual felt that the venue was "not fit for purpose" as the assessment on the stairs did not reflect a domestic situation as the Library stairs (venue was Barnstaple Library) were much wider and were being used at the time by members of the public. Individual was then taken outside of the venue for a walking assessment and felt very intimidated and embarrassed as she was in full view of the public, both inside and outside of the Library, while the assessor gave her instructions in what to do. The Champion helped her to compile a complaint letter to the local authority Customer Relations Team and told them all of the above. The individual is awaiting a response to this letter.

Experience of a male in South Hams

Individual was refused a Blue Badge on renewal after what he described as a 'rushed assessment' (face to face assessment). His appeal was also refused. He works at a desk-based job and needs a Blue Badge to be allowed to park close enough to his job to be able to get to work. He was extremely stressed and worried about not being able to keep his job. He was born with spina bifida and has always had mobility problems. He has a twisted pelvis, fused and curved spine and reduced strength in both legs. He also has peripheral neuropathy that causes problems with his legs and feet. He recently had a toe amputated. He has had an ankle fused as well. Walking is very tiring and painful for the individual and this affects his balance. His GP wrote to the Blue Badge Team supporting the individual's need for a Blue Badge, but without success. The Healthwatch Champion suggested the individual could apply for PERSONAL INDEPENDENCE PAYMENT (PIP). He did not need the money, but agreed that this might help him get the badge. He had a Home Visit assessment for PERSONAL INDEPENDENCE PAYMENT (PIP) and was awarded 10 points for mobility, which is 2 points more than required for a Blue Badge. He re-applied for a Blue Badge and was awarded one immediately with no assessment needed. This would suggest that the assessments carried out may not be of a good enough standard since he was awarded a Blue Badge once he matched the eligibility criteria in relation to a PERSONAL INDEPENDENCE PAYMENT (PIP) award.

Key findings

Based on the experiences presented within this report, we found that the main issues relate to:

- An inconsistency in the quality of blue badge assessments.
- Concerns regarding how the assessment criteria are applied and its consistency with the national guidelines.
- A lack of privacy, resulting in the process being uncomfortable and intimidating.
- Staff attitudes; a lack of dignity and respect. Individuals did not feel that their voice had been heard and that their needs had not been fully considered.
- The negative impact that being refused a Blue Badge can have on an individual's health and wellbeing.

Recommendations

3. We recommend that Devon County Council and Devon Health and Wellbeing Scrutiny Committee review this report alongside any other the evidence Devon County Council holds in relation to people's experiences of the Blue Badge assessment service.
4. We recommend that Devon County Council considers carrying out a review of the blue badge assessment process to identify what steps can be taken to improve the quality of the service for applicants.

Next Steps

This report will be shared with the following stakeholders for their consideration and response:

- Devon County Council

Other key audiences include:

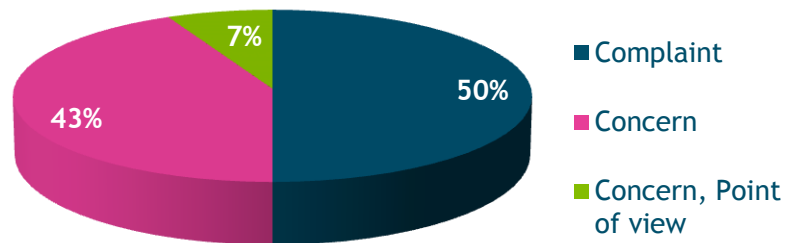
- North, East and West Devon Clinical Commissioning Group
- South Devon and Torbay Clinical Commissioning Group
- NHS England
- Devon Public Health Intelligence Team
- Devon Health and Wellbeing Board
- Devon Health and Wellbeing Scrutiny Committee
- Care Quality Committee
- Healthwatch England

Experience Data Analysis

Breakdown of experience feedback received

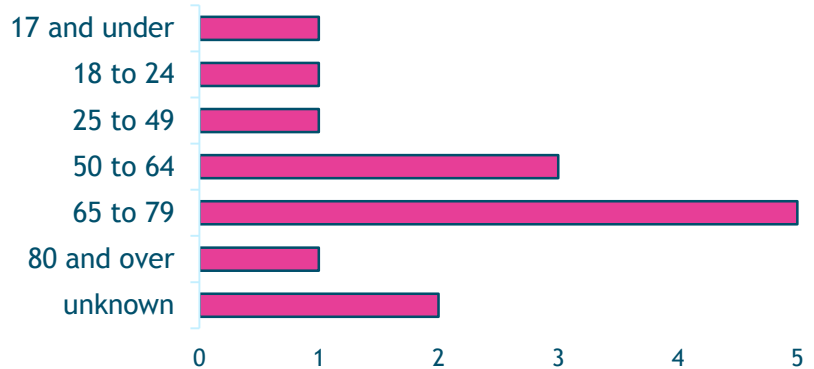
Nature of Feedback

Nature of feedback	Number
Complaint	7
Concern	6
Concern, point of view	1



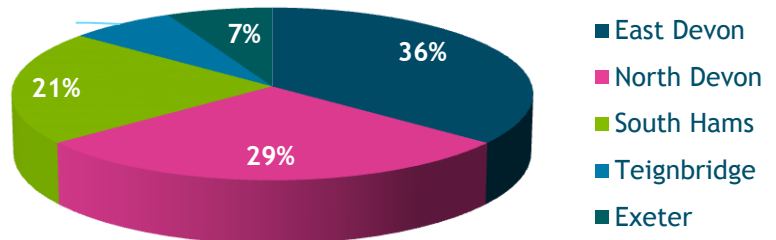
Age Range

Age Band	Number
17 and under	1
18 to 24	1
25 to 49	1
50 to 64	3
65 to 79	5
80 and over	1
Unknown	2



Location

Location	Number
East Devon	5
North Devon	4
South Hams	3
Teignbridge	1
Exeter	1



Appendix 1

Healthwatch Devon Formal Request for Information from Information Governance Team at Devon County Council

healthwatch

Devon
Better Services Through Public Involvement

0800 520 0640

info@healthwatchdevon.co.uk

www.healthwatchdevon.co.uk

Information Governance Team,
Devon County Council
County Hall, Topsham Rd,
Exeter, EX2 4QD

Monday, 11 April 2016

Dear Information Governance Team,

REF: RFIDCC_110416_ Blue Badge Scheme in Devon
Healthwatch Devon Formal Request for Information

Healthwatch Devon has received correspondence that relates to concerns about the eligibility criteria for Blue Badge awards. Individuals have reported that although they have previously been eligible for an award, recent reassessments have resulted in them no longer meeting the criteria for an award.

So that we, Healthwatch Devon, can look further into this matter, we are submitting this formal request for information to you, Devon County Council, in line with Healthwatch Devon's statutory remit, to provide us with a response to the following questions:

1. Do you have management information about the criteria, process and administration of the Blue Badge disabled drivers scheme in Devon that you can share with us?
2. Can you specify what changes have been made to the eligibility criteria since 2010?
3. Has any change in assessment criteria resulted in less people being assessed as in need for a Blue Badge?
4. How many people who were previously awarded a Blue Badge have been turned down in subsequent years?
5. Since 2010 can you provide us with:
 - The total number of enquiries received by Care Direct about Blue Badges
 - The total number of applications
 - The total number of rejections
6. How many instances of feedback, concerns or complaints have been recorded by Devon County Council that relate to Blue Badge Assessments?
7. Are there any emerging themes from the feedback that people have shared with DCC in relation to the Blue Badge assessment process?

We look forward to receiving your response to our request for information within the next 20 working days.

Kind regards

Lorna

Lorna Davis
Information Officer
Healthwatch Devon

Appendix 2

Devon County Council response to request for information received



Freedom of Information Act 2000

Information Request: 4601896

Date of Request: 11 April 2016

Date of Disclosure: 06 May 2016

Request and Response

Please find Devon County Council's response to each of your questions below;

1. Do you have management information about the criteria, process and administration of the Blue Badge disabled drivers scheme in Devon that you can share with us?

Process & Administration:

Application: The process for applying for Blue Badges was centralised into the "My Devon" Customer Service Centre at the beginning of February 2007.

The application procedure was streamlined; rather than asking the customer to fill out a paper application form the application is completed verbally over the telephone

A national online application portal was made available from January 2012 for anyone who would prefer to use this method. <https://www.gov.uk/apply-blue-badge>

Paper application forms are available on request in accordance with Equalities legislation.

The customer is required to satisfy specific criteria in accordance with DfT guidance before a Blue Badge may be issued. So that we may evaluate the "Considerable difficulty in walking" issue and in order to minimise subjectivity the decision is based on the applicant's response to carefully worded questions which are based on recommendation from the DfT. The applicant must be able to illustrate that, as a result of a physical disability; they are unable to walk very far without experiencing severe discomfort.

Decision: A number of factors are taken into account when deciding whether or not someone meets the required criterion. For example: discomfort can mean either pain or breathlessness. Extreme fatigue and stress may also be taken into account as well as the distance over which the applicant can walk without experiencing severe discomfort; the speed and the length of time for which they are able to walk; as well as the manner in which they can walk.

If the advisor feels that not enough information has been offered they are required to ask further appropriate probing questions in order to obtain more detail.

The applicant is informed of the decision by post within 5 working days; successful applicants are provided with clear guidance in respect of concluding

the process. An Appeals form together with guidance is enclosed for unsuccessful applicants.

Independent Mobility Assessments (IMAs): Legislation prescribes that from April 2012 when considering the eligibility of those applying under the subject to further assessment category if the decision is not self-evident from information provided the decision must be confirmed by an independent mobility assessor. DCC commenced an exhaustive procurement process to select a third party supplier of professional medical assessors to undertake our mobility assessments accordingly.

Where an applicant is required to attend an independent mobility assessment they will be informed that the provider of mobility assessments will contact them within 10 working days to arrange an appointment at their nearest venue.

Dispatch: Badges are ordered via the national data base (BBIS) within 4 working days from receipt of payment of fee and required documents. Badges are delivered within 5 working days from the date order is submitted.

Renewal reminders: Local Authorities are not obliged to issue reminder where a Blue Badge is due to expire; Devon County Council sends a renewal letter to each Badge holder in advance of the Badge expiry date to provide an enhanced level of service.

2. Can you specify what changes have been made to the eligibility criteria since 2010?

The regulations surrounding the eligibility criteria and issue of the badges lies with the Department for Transport (DfT) and Devon County Council are bound by their legislation. Full details of this criteria can be found:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/368304/blue-badge-scheme-local-authority-guidance-paper.pdf

The following changes were introduced in 2011:

(SI 2011/1307) amendments extend eligibility to include disabled children between the ages of 2 and 3 years with certain medical conditions ("under 3's"); and certain service personnel and war veterans assessed by the Secretary of State as having a permanent and substantial disability which causes inability to walk or very considerable difficulty in walking ("SPWV").

(SI 2011/2675) amends the grounds on which a local authority may refuse to issue, or may withdraw, a disabled person's badge (known as a Blue Badge); raises the fee which a local authority may charge for the issue of a badge; prescribes the form of a badge; and provides that a local authority should carry out an independent mobility assessment when an applicant's eligibility is in doubt.

On January 1st, 2012 the Blue Badge scheme was reformed in the biggest change since its launch in 1971. These changes did not materially alter the eligibility criteria but made the application and assessment process more robust. These changes included:

- The introduction of a secure national database; holding information about anyone who is issued with a Blue Badge after 31st December 2011.
- Newly designed, improved, high quality Badges produced centrally by a professional print company; featuring anti-fraud features with embossed letters and photos with text bonded into the badge.
- Requirement for Local Authorities to undertake an increased proportion of mobility assessments.

Further information in respect of these changes can be found in the Blue Badge Scheme local Authority Guidance document.

3. Has any change in assessment criteria resulted in less people being assessed as in need for a Blue Badge?

Marginally – this has been partly counteracted by an increase in applications under the automatic eligibility criteria.

4. How many people who were previously awarded a Blue Badge have been turned down in subsequent years?

Devon County Council does not currently record this type of information in a way that would give us the information in an understandable format.

In order to retrieve this information we would have to manually search each file of everyone who has been turned down for a blue badge to ascertain where they had previously been awarded a blue badge. We estimate that it would take 5 mins to identify this information in each file. For 2011 it is estimated that this would take approximately 150 hours, far in excess of the 18 hours we are obliged to spend answering a Freedom of Information request. For this reason we feel that Section 12 of the Freedom of Information Act (Cost of compliance exceeds the appropriate limit) applies. Therefore Devon County Council are unable to provide this information.

5. Since 20 10 can you provide us with:

The total number of enquiries received by Care Direct about Blue Badges -

We currently don't record whether a call has been received by Care Direct about Blue Badges. Therefore the information requested is not held by Devon County Council, in accordance with the terms set out in section 3(2) of the Act.

The total number of applications:

2010	2011	2012	2013	2014	2015
17041	17982	17680	18005	17036	17049

Includes both automatic and assessed applications which fully completed the process. (i.e. not those which withdrew or abandoned)

The total number of rejections:

2010*	2011	2012	2013	2014	2015
831	1899	1849	1702	1947	1883

6. How many instances of feedback, concerns or complaints have been recorded by Devon County Council that relate to Blue Badge Assessments?

	2012/13	2013/14	2014/15	2015/16
Appeal feedback	31	352	377	655
Reps and MPs	23	21	39	74
Complaints	29	22	48	26
Compliments	15	22	6	9

7. Are there any emerging themes from the feedback that people have shared with DCC in relation to the Blue Badge assessment process?

Emerging themes from the feedback received by DCC are as follows:

- Applicant dissatisfied that previously accepted applicants are being now being refused (following changing guidelines)
- Applicant disagrees with findings/information presented following professional assessment
- Complaints about the attitude of the assessor.

<p>If you wish to speak with someone regarding the above request, please contact the Information Governance Team on 01392 384678 or email accesstoinformationsecure-mailbox@devon.qcsx.gov.uk</p>
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Appendix 3

Healthwatch Devon follow-up Request for Information from Information Governance Team at Devon County Council



0800 520 0640

info@healthwatchdevon.co.uk

www.healthwatchdevon.co.uk

Information Governance Team,
Devon County Council
County Hall, Topsham Rd,
Exeter, EX2 4QD

Monday, 13 June 2016

Dear Information Governance Team,

REF: RFIDCC_130616_Blue Badge Scheme in Devon2
Healthwatch Devon Formal Request for Information

Thank you for your response to our formal request for information Ref: RFIDCC_110416_Blue Badge scheme in Devon.

There are a few points that we wish to clarify with additional information and would be grateful if you could provide a response to the following:

6. There appears to have been a significant increase in appeal feedback.
 - 6.1 Could you clarify the appeal process?
 - 6.2 Have there been changes in the process of how applicants can provide feedback?
 - 6.3 How are applicants informed about their right to challenge the decision?
 - 6.4 Have you identified the reason(s) for the increase in appeal feedback?
 - 6.5 Can you provide a breakdown of the nature of feedback i.e. how many of the feedback comments received are positive and compliments and how many are raising concerns / complaints?
7. You have identified as an emerging theme complaints about the attitude of the assessor
 - 7.1 How are assessors recruited?
 - 7.2 Has there been a recent influx of new assessors?
 - 7.3 What training do assessors receive in order to carry out the Blue badge assessment?
 - 7.4 Has the training provided to them changed in recent years?
8. In relation to the figures provided, what percentage of rejections was appealed?
9. What percentage of appeals was successful and a blue badge subsequently awarded?

We look forward to receiving your response to our request for information within the next 20 working days.

Kind regards

Lorna

Lorna Davis
Information Officer
Healthwatch Devon

Appendix 4

Devon County Council response to 2nd request for information received



Freedom of Information Act 2000

Information Request: 4883397

Date of Request: 13/06/2016

Date of Disclosure: 11/07/2016

Request and Response

Please find Devon County Council's response to each of your questions below;

Thank you for your response to our formal request for information Ref: RFIDDC_110416_Blue Badge scheme in Devon.

There are a few points that we wish to clarify with additional information and would be grateful if you could provide a response to the following:

6. There appears to have been a significant increase in appeal feedback.

6.1. Could you clarify the appeal process?

The Appeals Process Flow Chart is enclosed to show the process.

6.2. Have there been changes in the process of how applicants can provide feedback:

There have been no changes to how applicants can provide feedback. Applicants have always been given the opportunity to provide feedback by telephone, post or by email. These contact methods are clearly documented on all correspondence sent by the Blue Badge team. In addition the Council publicises its' customer feedback procedure on its website and through leaflets.

6.3. Are applicants informed about their right to challenge the decision?

Yes. Guidance on the Appeals process is automatically enclosed with the letter advising unsuccessful applicants of a decision.

6.4. Have you identified the reason(s) for the increase in appeal feedback?

Devon County Council considers that increases in appeal feedback are largely the result of Department for Transport led changes to the application and renewal process over the last 10 years.

6.5. Can you provide a breakdown of the nature of feedback i.e. how many of the feedback comments received are positive and compliments and how many are raising concerns / complaints?

The Council can confirm that we hold records of compliments which have been logged against the blue badge process. We would consider this to represent positive feedback.

We also hold details of complaints which have been recorded against the blue badge process. These are separate to blue badge appeals which are handled separately.

Before we are able to answer this question we would appreciate it if you could clarify whether you are interested in receiving details of feedback from the blue badge appeals process or whether you would like to details of compliments and complaints received about the blue badge service.

It would also be of assistance if you could clarify the time period in which you would like to receive this information. Once you have provided this feedback we will be happy to revisit this question again.

7. You have identified as an emerging theme complaints about the attitude of the assessor

The Council has received complaints of this nature previously and these have been investigated thoroughly in accordance with our Customer Feedback Policy.

7.1 How are assessors recruited?

Please note that Devon County Council commissions blue badge assessments from a third party provider called Dependability and as such our answers below reflect the processes of this company.

Devon County Council is not responsible for the recruitment of assessors and therefore we do not hold this information in documented form.

7.2 Has there been a recent influx of new assessors?

Devon County Council is not responsible for the recruitment of assessors and therefore we do not hold this information in documented form

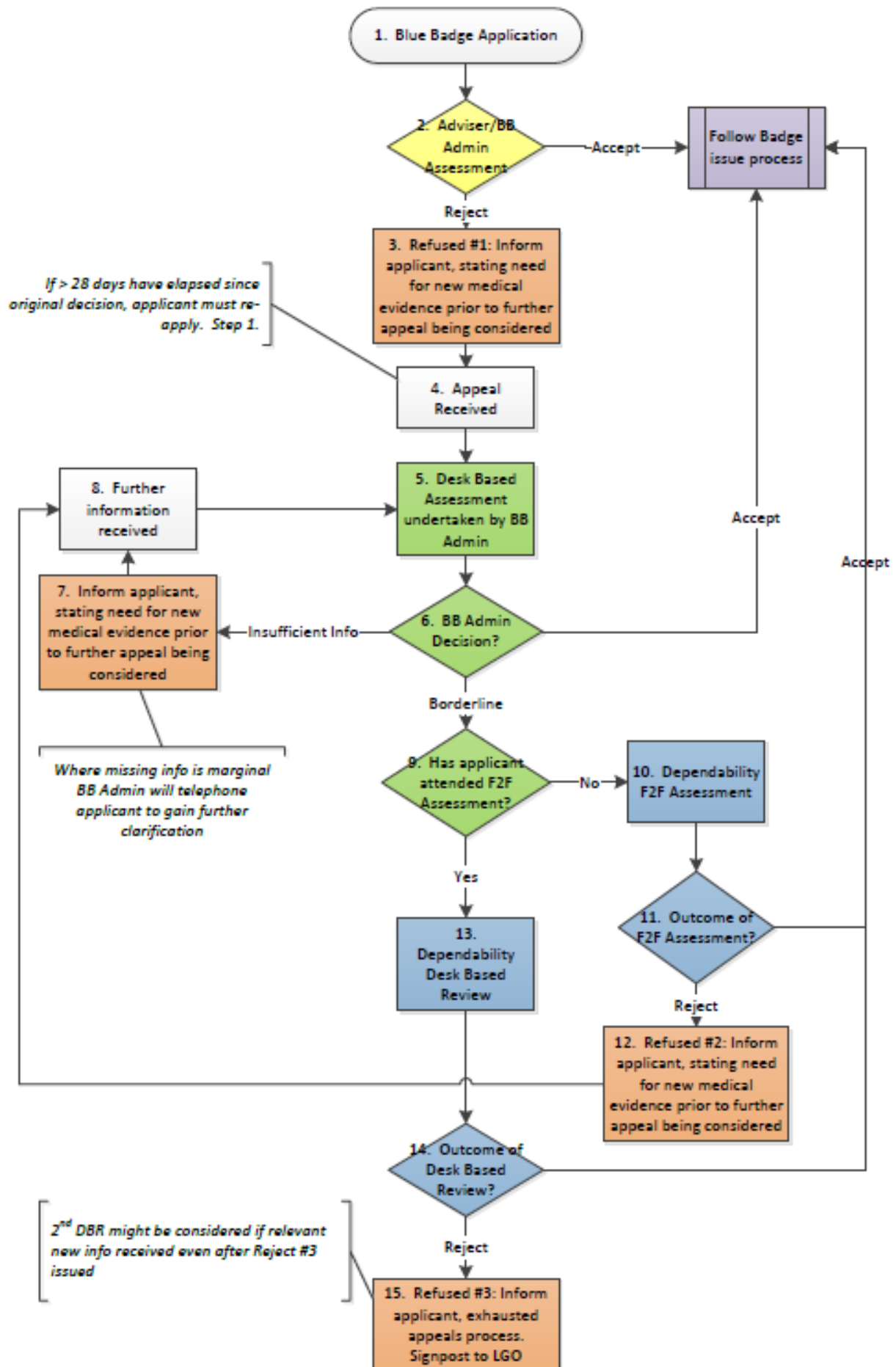
7.3 What training do assessors receive in order to carry out the Blue badge assessment?

Devon County Council is not responsible for the recruitment of assessors and therefore we do not hold this information in documented form

7.4 Has the training provided to them changed in recent years?

No

<p>If you wish to speak with someone regarding the above request, please contact the Information Governance Team on 01392 384678 or email accesstoinformation-mailbox@devon.gov.uk</p>
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Appendix 5

Response to the report and recommendations from Devon County Council



I write to formally respond to the recent Healthwatch Devon report raising some concerns in regard to the experiences of thirteen people within Devon when attempting to apply for or renew their Blue Badge.

Devon County Council issues around 15,500 Blue Badges annually and has around 45,000 active blue badges at any one time.

In the last year (1st October 2015 - 30th September 2016) the council received 20 complaints and 13 Letters from MPs on behalf of constituents in relation to the blue badge scheme.

In addition, in this same period, the council received 306 Appeals from customers whose application or renewal had been turned down, of these appeals 88 were upheld and a blue badge awarded. Furthermore 22 people escalated their complaint or appeal to the Local Government Ombudsman and of those 22 complaints only 3 were upheld.

Although the number of people who are unhappy about their experience in relation to the blue badge process is very small in comparison to the number of badges awarded, the council takes all the concerns it receives seriously and looks into and responds in an appropriate manner either via its' own complaints procedure or via the Local Government Ombudsman when a customer has escalated their complaint. Whenever there has been proven to be a fault the Council has apologised and taken actions to rectify this and to either award a blue badge or to reassess the application or undertake an appeal.

The introduction of the revised Blue Badge Scheme and associated guidance issued by the Department for Transport (DfT) in 2012 did, understandably, generate increased concerns from applicants as previously their blue badges had been able to be renewed on the strength of an assessment process undertaken by their GP or a medical professional directly involved in their care and this is no longer possible. In addition it no longer follows that a letter from a GP or other medical professional supporting an application for a blue badge will result in the award of a badge. The council has made every attempt to provide an explanation to all applicants regarding the changes to eligibility criteria but this is has not always been well received.

The County Council continually reviews the performance of all its services and as part of that performance review some concerns were raised over the Blue Badge process. As a result I took the decision to transfer the responsibility and management of the Blue Badge scheme to the Customer Relations Manager in April 2016. This manager was asked to undertake a review of the scheme with a view to making improvements taking into consideration the main areas of dissatisfaction that were being expressed, These were mostly in line with the areas Healthwatch Devon has identified:

- Applicants disagreeing with information contained in the assessment
- Applicants who were previously eligible for a blue badge being assessed as no longer eligible
- The attitude of the assessor

This comprehensive review identified areas where the process could be improved in order to minimise the possibility of errors being made in regard to eligibility for a Blue Badge and ensuring that applicants are given every opportunity to both understand the revised DfT guidelines for eligibility for a Blue Badge and to provide us with all the evidence they have to support their application. The main changes are:

- Customer Service Centre (CSC) advisors can no longer reject applications and can only approve automatic renewals (those who can prove they have Higher level DLA, a PERSONAL INDEPENDENCE PAYMENT (PIP), are registered blind etc.)

- If the Blue Badge (BB) team are in any doubt over eligibility from the information they have from the applicant they refer for an IMA (Independent Mobility Assessment) or a DBA (Desk Based Assessment) rather than accept or reject.
- CSC advisors and BB Team ask all applicants if they have additional medical evidence to support their application at first point of contact or send a letter inviting applicant to provide this before making any decision - this prevents unnecessary IMAs or attendance at IMA without all relevant evidence
- The provider commissioned to undertake IMA's has been asked to make alterations to the process for inviting applicants to IMA to reduce the instances of non-attendance due to short notice.
- A revised suite of letters to ensure our process is more "customer friendly"

These changes, which have been implemented over the course of the last quarter have resulted in a reduction in the number of complaints received by 50% when compared to previous quarters, a reduction in the number of applicants making appeals and in the last quarter the council has started to receive compliments about the service it is providing in relation to the blue badge process.

Devon County Council commissions an external provider to undertake IMAs and DBAs and has been working with this provider in regard to concerns over the attitude of a particular assessor and consistency of decisions and has seen an improvement. However, I would like to share with you that this contract has very recently been retendered and awarded to a different provider, who already operates in the South West providing similar services and the council is confident that the new provider will bring further improvements to the whole process around IMAs and Appeals. These improvements also include the use of their existing venues for clinics and the council providing additional, but different venues in the Barnstaple and Exeter areas.

Finally I would like to refer to the specific key findings from within the Healthwatch Report and reassure you as to how the changes we have recently implemented will address these.

1. An inconsistency in the quality of assessments

- CSC advisors can no longer approve or reject applications or renewals unless an automatic renewal
- Each applicant is given every opportunity to provide additional medical evidence to support their application before any decision is taken.
- The contract for provision of IMAs and DBAs has been retendered and the council is working closely with the new provider to ensure consistency of approach and application of the DfT guidelines regarding eligibility

2. Concerns regarding how the assessment criteria is applied and its consistency with the national guidelines

- The new provider undertaking IMAs is experienced in this area and will be both using a small cohort of experienced assessors and undertaking quality assurance peer checking of assessments.
- The revised DfT criteria have been in place for over 3 years now and any initial problems around inconsistent interpretation and application of these guidelines will have been addressed.
- Full training has been provided to the small Blue Badge Team within the council in relation to the DfT guidelines and the team has been in place since the implementation of this new criteria.

3. A lack of privacy, resulting in the process being uncomfortable and intimidating

- The current venue in Barnstaple is looking to be substituted for a more suitable, less public venue
- The concerns raised have been shared with the current provider and will be shared with the new provider so that we can ensure that assessments are conducted in an appropriate manner and in a suitable environment.

4. Staff attitudes; a lack of dignity and respect. Individuals did not feel that their voice had been heard and that their needs had not been fully considered

- All concerns raised regarding attitude, dignity, respect and applicants feeling that their voice had not been heard are referred back to the provider with a request that this is looked into and a report sent back to the council as well as training and supervision being undertaken for the individuals concerned

- The new provider has been informed that the expectation is that all applicants are treated sensitively, that their dignity is respected and that all of their views are recorded. Decisions will take into consideration these views and that the guidance is consistently applied with explanations of decisions being clearly documented within the assessment, which the council will be sharing, in full with all applicants whose application is declined.

I trust that the content of this letter serve to reassure Healthwatch that the council has already acted upon the concerns that it has been aware of in relation to the blue badge scheme and that the review that has been undertaken will serve to improve the service it provides moving forward and satisfy the recommendations within your report.