

Wellbeing and Finance Overview and Scrutiny Panel review of blue badge application process

Draft recommendations
12 May 2021



Reasons for the review

- Cllrs receiving complaints from some residents who felt their blue badge application had been refused unfairly
- Local media article suggested Bracknell Forest has a high disparity between approval rates for visible and non-visible disabilities
- Three previous Ombudsman investigations (one led to improvements, one no fault of the council, one clerical error) created some attention
- Social isolation and loneliness review reinforced the problems caused by not being able to easily leave the home



Approach

The review has heard evidence from:

- The journalist who wrote the original media article
- Assistant Director, Adult Social Care, and Assistant Community Services Manager - Occupational Therapy (lead 'blue badge officer')
- Five residents covering a range of visible and non-visible disabilities, adult and child applicants, refused and accepted outcomes
- Written evidence from The Ark, a local organisation that supports people with disabilities and the disadvantaged
- Written evidence outlining different approaches across seven other councils

Impact

The panel heard from residents that a blue badge has a life changing impact on an applicant.

“It’s about making life as “normal” as possible – being able to go out, go to the shops and trying to integrate into a society that doesn’t always accept people who are a little bit different. That’s the kind of impact it can have on someone’s life.”

Whilst there is no upper limit on badges, if they become widespread they no longer convey a benefit due to pressure on spaces. Evidence from Bracknell and several other councils reflected the government guidance that the threshold for issuing a blue badge is high.

Data

The total number of blue badge applications Bracknell Forest receives is in the lowest 10% nationally (likely reflecting the small population). However, Bracknell Forest had the third highest proportion (12%) of applications for a non-visible disability*. This led the panel to consider whether applicants’ expectations were being well managed.

*for the period Sep 2019 – Aug 2020

Good practice

Adult Social Care are currently carrying out a wide-reaching review into the blue badge process. The panel was pleased to hear this and will feed relevant recommendations of the scrutiny activity into this departmental review for a joined up approach.

The review also heard that, at Bracknell Forest, all refusal decisions are reviewed within the team before final letters are sent out, which the panel recognises as good practice.

The objectives of the review can be summarised as:

Expectation, explanation and fairness

Themes to address

Managing expectations

What more could the council do upfront?

How to provide clear guidance on the sort of evidence required?

Conditions

How to better support applications when conditions cross the criteria?

How to fairly assess 'fluctuating disabilities'?

How to make fair decisions about complex (sometimes rare) medical/neurological conditions without medical training?

Communication

How to best work with language that can be technical and medical?

How to communicate something that is complex so that people can use a process that is simple?

How can assessors demonstrate that they have read and digested all the evidence?

How can technology improve the process?

The following panel recommendations (1 – 5) will be addressed by the current departmental review of the blue badge process:

- 1. That the blue badge process routinely captures the reasons why applications have been accepted to create a knowledge bank for internal reference, training and consistency. Where necessary, and in line with data protection policy, other teams involved in the process (e.g. Customer Services) should have access to this data to improve their knowledge. Implementation by end September 2021.**
- 2. That the blue badge process includes clear and objective scrutiny of refusals before a final decision is made. The scrutiny should ensure that the appropriate medical evidence and expertise has been considered in making the decision. Implementation by end September 2021.**
- 3. That the review of the blue badge application form considers the following:**
 - Some conditions cross the visible/non-visible criteria; the form should remove any barriers to a holistic assessment of an individual.
 - Some conditions ‘fluctuate’ (the impact on a journey isn’t consistent day to day); the form should recognise this and use an appropriate questioning style.
 - Fully consider data protection and ensure it doesn’t create any barriers to swift and simple progress.
 - Use technology to make a complex form smart and simple, e.g:
 - an online form where subsequent questions are tailored depending on responses
 - an online form providing explanatory notes and examples of the sort of evidence required
 - an online process that provide progress notifications to applicants, giving confidence that all their evidence has been reviewed
 - Form must be easy to start, look at, save and return to
 - Ensure sufficient support is provided to complete the form, e.g. by Customer Services

Implementation dependent on ICT capacity; update to be provided by end September 2021

4. That the assessment process includes a greater understanding of medical and neurological conditions with access to expert knowledge for complex, and sometimes rare, conditions. Implementation by end September 2021.
5. That the blue badge team do engagement work with relevant organisations to help manage expectations and increase understanding, both in the community and within the service. By end October (subject to any pandemic restrictions).

The following panel recommendations (6 and 7) are outside of the departmental review and are made to the Executive for future activities:

6. That the Executive reviews rejection letters to ensure they are empathetic and easy to understand so recipients feel they have been listened to and that all of their evidence has been considered. By end November 2021.
7. That the Executive creates local guidelines that fully reflect the approach to assessing blue badges in Bracknell Forest. The local guidance should enhance the government guidelines and will make it clear how Bracknell Forest Council uses its preferred application form, uses its website and considers evidence from a wide range of professionals and trusted organisations. By end December 2021.

Expectation, explanation and fairness