

## EQUALITY IMPACT ASSESSMENT - RESULTS

<b>Title of Policy</b>	Additional passporting arrangements to the Blue Badge Scheme in Scotland following the introduction of Personal Independence Payment (PIP)
<b>Summary of aims and desired outcomes of Policy</b>	To support those expected to lose passporting entitlement to the blue badge scheme as a result of being transferred from DLA to PIP, building upon the passporting arrangements as introduced by the Welfare Reform (Consequential Amendments) (Scotland) Regulation 2013
<b>Directorate: Division: team</b>	Blue Badge Team Transport Policy Directorate, Transport Scotland

### Executive summary

The blue badge scheme provides valuable parking concessions, allowing disabled people to park closer to where they want to go.

Eligible Individuals can receive a blue badge by 'passporting' from the UK welfare benefit system. This includes those in receipt of Higher Rate Mobility Component of Disability Living Allowance (HRMC DLA), and those in receipt of the mobility component of Personal Independence Payment (PIP) awarded either at 12 points under the "planning and following journeys" component, or at 8 points or more for the "moving around" component.

The Welfare Reform (Consequential Amendments) (Scotland) Regulations 2013 ensured arrangements were in place for passporting to the blue badge scheme when Personal Independence Payment (PIP) started to replace Disability Living Allowance (DLA) from April 2013, following UK Government's reforms of the welfare system. PIP replaces DLA for people

of working age (16-64). DLA is still available to under 16s and those aged 64 and over where they had already been in receipt of DLA prior to turning 65.

The 2013 Regulations were designed to maintain equivalency between DLA and PIP in terms of the threshold for passporting to the blue badge scheme. This was largely achieved by using the PIP Mobility Component activity descriptors which provide the closest match to the criteria for passporting from HRMC DLA.

Whilst equivalency in passporting entitlement was maintained as far as possible, the Department of Work and Pensions indicated that they expected over 20% of all DLA claimants to lose passporting entitlement following assessment for PIP. In response, the 2013 Regulations included an arrangement to support those who did not receive PIP at a rate to passport, by allowing for the retention of their blue badge until its original expiry.

Scottish Ministers have further agreed that the eligibility criteria in the Disabled Persons (Badges for Motor Vehicles) (Scotland) Regulation 2000 be extended to provide additional passporting arrangements for:

- those who were in receipt of a fixed term HRMC DLA award when invited to claim for PIP, who were not awarded PIP at a rate that would enable them to passport, and challenge that decision by requesting that DWP review the PIP award.
- those who were in receipt of a lifetime or indefinite HRMC DLA award at the time of assessment for PIP.

In addition, delays in the PIP assessment process are likely to result in current HRMC DLA recipients, who are being reassessed for PIP, not receiving the PIP decision before the DLA award ends. In this situation, DWP are to provide extensions to DLA awards.

Furthermore, Ministers have agreed to amend the 2000 Regulations so that a badge can be awarded where an application for a blue badge is made with an extended HRMC DLA award.

## **Background**

In June 2012, the Scottish Government published a consultation paper entitled "Scottish Passported Benefits: consultation on changes required as  
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a result of the UK Government's introduction of Universal Credit and PIP". The consultation ran until the end of September 2012 with respondents invited to submit their opinions and views on a number of issues and proposals in relation to passported benefits, including the Blue Badge Scheme.

The Scottish Government received 84 responses to this consultation; 74 from organisations (anti poverty groups: 8; disability groups: 18; Local Authorities: 20; other public bodies: 12, welfare rights groups: 14, others: 2) and 10 from individuals.

There was strong support for continuing the passporting arrangements from PIP. As a result, the Welfare Reform (Consequential Amendments) (Scotland) Regulations 2013 extended the eligibility criteria for individuals to qualify automatically for a blue badge.

Further passporting arrangements are being introduced to support those losing entitlement as a result of being assessed for PIP and safeguard entitlement for those who are currently in receipt of a lifetime or indefinite HRMC DLA who would have reasonably expected to retain passporting entitlement to a blue badge had it not been for the introduction of PIP.

## **The Scope of the EQIA**

There were 245,035 blue badges on issue in Scotland as of 31 March 2013. 118,848 (49%) of these badges were awarded through the passporting arrangements without further assessment. This figure includes those in receipt of HRMC DLA and PIP at a qualifying rate.

The policy change will impact on those disabled people

- of working age who previously passported to a blue badge from HRMC DLA and subsequently underwent assessment for PIP, who end up not receiving PIP at the qualifying rate to passport to a blue badge; and
- those who are awaiting a PIP decision at the time their DLA award expires

It is estimated that between October 2013 and 2018, DWP will assess approximately 100,000 people in Scotland who are currently in receipt of HRMC DLA for the new welfare reform benefit, PIP. Current estimates are that around 60% (60,000) of those in receipt of HRMC DLA take up their entitlement to a blue badge.

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For the 60,000 HRMC DLA recipients we are unable to provide detailed breakdowns by the length of their award (lifetime, indefinite or fixed term).

This information is relevant as lifetime or indefinite HRMC DLA award holders will retain passporting entitlement regardless of their PIP decision. The fixed term HRMC DLA recipients will receive one year blue badge entitlement should they challenge a PIP decision that leaves them without the sufficient number of points to passport to a blue badge.

Due to uncertainty surrounding the length of the delays to the PIP assessment process, it is unclear how many claimants will be able to receive an extension to their current HRMC DLA award as they await their PIP decision. Current estimates from DWP are that the PIP assessment process is taking up to 26 weeks to complete, and they have advised that this period may increase further.

## **Key Findings**

The policy impacts on disability, age and gender equality groups but has no impact on people because of gender reassignment, sexual orientation, race, religion and belief.

The policy aims to support the estimated 20% of disabled persons expected to lose passporting entitlement to the blue badge scheme in Scotland as they are transferred from DLA to PIP. As a result, the measures introduced by the Disabled Persons (Badges for Motor Vehicles) (Scotland) Amendment Regulations 2014 apply only to disabled persons aged 16-64 who are in receipt of HRMC DLA prior to assessment for PIP. These regulations have no direct impact on disabled persons who are not subject to PIP, and therefore any consideration of age impact is limited to those within the working age group.

The 2014 Regulations provide:

- support to disabled persons of working age (16-64) who were in receipt of HRMC DLA where they do not receive PIP at a level to passport automatically and they have challenged the PIP decision
- protection for passporting entitlement for disabled persons of working age (16-64) who were in receipt of a lifetime or indefinite HRMC DLA award immediately before being assessed for PIP

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- passporting entitlement for disabled persons of working age (16-64) who receive an extended HRMC DLA award by reason of delays to the PIP assessment process

These measures seek to redress the impact on the estimated 20% who are expected to lose passporting entitlement by reason of transferring onto PIP. The passporting entitlement for those remaining on DLA is not affected by PIP and their eligibility will continue to be considered against the established DLA passporting arrangements. As a result, there is no significant impact on the equitable nature of passporting arrangements between DLA and PIP as a whole.

There is no indication that this policy will impact on men and women in different ways. DWP will assess men and women for PIP in the same way. However, 62% of working age blue badge holders are female. For this reason only, the policy will benefit more women than men. There is no evidence of any direct barriers to men when applying for a blue badge.

These additional passporting arrangements are a positive policy development in terms of impacts on age, disability and gender by virtue of supporting the period of transition from DLA to PIP with regards to passporting entitlement to the blue badge scheme.

## **Recommendations and Conclusion**

The aim of the policy is to reduce the impact on the estimated 20% of disabled persons who are expected to lose passporting entitlement to the blue badge scheme in Scotland as they are transferred from DLA to PIP. The policy will impact positively on disabled people of working age who are subject to UK Government welfare reforms.

This is being achieved by providing passporting entitlement during the period of transition from DLA to PIP, and by respecting the expectation of lifetime or indefinite HRMC DLA recipients of continued blue badge entitlement as there is no equivalent 'lifetime' or 'indefinite' period of issue under PIP.

We will monitor the changes by seeking feedback from stakeholder groups on the effects of the new passporting arrangements. We will also work

with operational colleagues to determine how best to monitor any effect the policy change may have on local authority front line staff.

Information will be added to our website to raise public awareness of the changes and the information booklet issued to blue badge applicants will be updated accordingly.