

NAS Cymru response to the Equality, Local Government and Communities Committee on its Consultation on the Blue Badge Scheme in Wales

1 March 2019

1 About the National Autistic Society Cymru

1.1 The National Autistic Society Cymru (NAS Cymru) is the leading charity for autistic people. We are here to transform lives, change attitudes and create a society that works for autistic people.

1.2 Autism is a lifelong disability which affects how people communicate and interact with the world. There are around 34,000 autistic people in Wales.

1.3 We will focus our comments on the current Blue Badge Scheme and how it relates to autistic people in Wales.

2 Impact of extending the eligibility criteria

2.1 NAS Cymru is pleased to be able to respond to the Committee's Consultation on Blue Badges. This follows regular input from us on the eligibility and implementation of the scheme in Wales.

2.2 In May 2013 we were part of the Welsh Government's Blue Badge Eligibility Review Group. It was established to consider whether a discretionary criteria could be established to match the Personal Independent Payment (PIP) criteria when planning or following a journey for people who did not qualify due to their age, or chose not to apply for PIP.

2.3 The Review Group made a number of recommendations to the Welsh Government including that eligibility for a Blue Badge be extended to include people who are unable to plan or follow a journey as a result of a cognitive impairment. This included autism.

2.4 On behalf of our members and supporters, we were delighted that the Welsh Government accepted this recommendation and included this as a criterion under the discretionary method of applying for a Blue Badge. For many autistic people this meant they could qualify for the scheme for the very first time. The change in policy to the eligibility criteria was

underpinned by Welsh Government guidance to local authorities as well as further public information.

2.5 Our members and supporters have told us that being awarded a blue badge can have a significant positive impact on their lives. However, from our research, it is clear that experiences vary across Wales and despite some positive experiences, and there remain issues, for example, with lengthy application processes, repeated attempts and a lack of understanding from Local Authorities.

2.6 In some instances, it is the case that despite recognising the positive impact a blue badge can have, it can often be seen as another battle that autistic people and families are too tired to face. There is a perception that the process is too difficult and will cause additional stress and anxiety. Some report not applying because they didn't know they may be entitled to a Blue Badge.

3 Practical implementation and consistency

3.1 The Blue Badge Scheme is a national arrangement that is administered locally. From our experience, this means that the Blue Badge Scheme is subject to wide variation and interpretation, with different approaches being taken by Local Authorities in implementing the Blue Badge Scheme.

3.2 There is considerable variation in the methods through which people can apply, the guidance provided publically by each local authority and wider public information around eligibility.

3.3 We are concerned that this is leading to significant variation in determinations made across Wales as to whether to issue a Blue Badge under the discretionary criteria. In this regard, we would welcome the publication of any data relating to discretionary Blue Badges in each local authority. If this data is not available, we recommend systems are put in place to collect and monitor this information to ensure a consistent and fair approach is taken across Wales.

3.4 Furthermore, we note that some Local Authorities' online application process directs people to the UK Government [application portal](#). We are concerned that this system does not fully take into account the different

eligibility criteria that exists in different parts of the UK. We would urge further examination into this issue.

3.5 We recommend that the Committee urges the Welsh Government to ensure that Local Authorities are clear and consistent in their implementation of the Blue Badge Scheme.

3.6 This could include, where appropriate, national application and guidance templates, the Welsh Government Blue Badge Guidance to Local Authorities put on a statutory footing or establishing a national body to administer the Blue Badge scheme in Wales.

3.7 Under current arrangements there is currently no way to appeal a decision made by a Local Authority. Given the clear inconsistency throughout the system, we would recommend the introduction of a clear appeals process and we would welcome further investigation to determine whether or not this would be better administered on a national level.

4 Support and Information

4.1 Quite often, the language and the information requested in the application forms is unhelpful to autistic people and could, in some cases, act as a barrier to receiving the support they need.

4.2 This may include asking the applicant to provide a general description of their difficulties and how their condition affects them and their ability to plan and follow a journey. Some autistic people may find this difficult to articulate and may be disadvantaged as a result. It is important that clear and concise language and questions are used to determine specific facts that relate to an individual's ability to plan and follow a journey, rather than open-ended queries.

4.3 Similarly, much of the language used on various council websites and application forms is weighted heavily toward those with physical mobility issues. This can make the application process confusing for autistic people who may not have a physical impairment but who have an equivalent right to a Blue Badge.

4.4 There is anecdotal evidence and reports of those with hidden conditions, such as autism, feeling judged or discriminated against for using a Blue Badge to which they are perfectly entitled. There is a wide public perception that Blue Badges are exclusively for use by those with a physical mobility issue. It is important that all public information issued regarding eligibility for Blue Badges, such as that on Local Authority websites and applications, takes this into consideration and a more balanced approach is adopted.

4.5 It is also worth noting that many autistic people, despite facing difficulties that would entitle to a Blue Badge under the existing criteria, would not recognise themselves as having a cognitive impairment. Autism is a neurodevelopmental condition and, to this end, it could be appropriate to revise the language used.

5 Extension of eligibility criteria

5.1 Whilst we welcome the extension of eligibility for a Blue Badge to include those autistic people who have difficulty in planning and following a familiar journey without support, there are additional barriers that autistic people face that could be overcome by further extending the eligibility criteria.

5.2 We would welcome changes to the eligibility criteria to consider more explicitly issues around safety and the extent to which an individual can perceive dangerous situations. For example, some autistic people may experience a meltdown if they were to get overwhelmed by everything around them. During this time, an autistic person may not have an awareness of where they are and the external risks, such as traffic around them.

5.3 Similarly, autistic people can often find social situations difficult and may struggle to filter out the sounds, smells, sights and information they experience, which can leave them feeling overwhelmed, particularly in busy public places. This may require them to leave their environment quickly without an awareness of their surroundings. A Blue Badge in this instance could help to enable an autistic person to reach a safe place more easily. [Our film](#), produced as part of our Too Much Information awareness campaign, illustrates this issue clearly.

6 Provision of evidence

6.1 We note that the evidence required to support an application under the cognitive impairment discretionary criteria is focussed primarily on the medical needs of the applicant.

6.2 For autistic people or their families, accessing up to date medical evidence can be difficult as they may not necessarily have particular clinical needs at that point. This is exacerbated, in some instances, where there is a requirement to provide medical evidence that has been issued within a given timeframe, for example, the last 12 months.

6.3 More often, autistic people will receive support from non-medical professionals, such as school staff or social care staff. These professionals could often be in a better position to provide the required evidence to support a Blue Badge application.

6.4 It is also important to consider the lack of health professionals in the workforce with the required knowledge and understanding of autism. This means that it can present a significant challenge in getting the evidence needed to support a blue badge application.

6.5 Furthermore, we note restrictions on the evidence that can be provided by a GP. It may be the case that a GP has particular knowledge of an individual's circumstances and would indeed be best placed to support their application and their evidence should not be treated any less favourably than that provided by other professionals. We also note the Welsh Government's intention to establish GP registers to support better care and services for autistic people and, as such, this may enhance a GP's ability to provide relevant and useful information in relation to a Blue Badge application.

6.5 Moreover, some Local Authorities require evidence of a diagnosis of a specific cognitive impairment. Whilst this can, in some cases, be a useful tool in helping to determine eligibility, support should not be withheld on the basis of a lack of a diagnosis of autism. This issue is particularly concerning given lengthy waiting lists for autism diagnostic assessments for children and adults in Wales.

7 Training for decision makers within local authorities

7.1 Decisions on discretionary criteria are made by a Local Authority on the basis of evidence in the application. This means coming to determinations about whether sufficient evidence has been provided to demonstrate that an applicant, as a result of a cognitive impairment, is unable to follow the route of a familiar journey without the assistance of another person.

7.2 We are concerned that these are subjective determinations and will require a more in-depth knowledge of the individual's condition.

7.3 With this in mind, we would recommend that suitable training, to include autism training, be mandated for those making decisions on eligibility for a Blue Badge under the cognitive impairment discretionary criteria.

8 Conclusion

8.1 We welcome the Committee's inquiry into this issue and we are happy to respond in recognition of the fact that the Blue Badge scheme can have a significant positive impact on the lives of autistic people and their families in Wales.

8.2 We commend the Welsh Government for extending the eligibility for Blue Badges to include autistic people who are unable to plan or follow a journey without support.

8.3 Despite the good policy intention however, it is clear that implementation of the scheme throughout Wales has been inconsistent in relation to discretionary criteria and we are concerned that some autistic people who should be eligible for a blue badge are being turned away.

8.4 We know that where autistic people and their families have applied and been successful in getting a Blue Badge, it has had a hugely positive impact on their lives, allowing them to access their communities and be more independent. A Blue Badge is a relatively small intervention but it can make a big difference to someone's life.

8.5 This inquiry provides a welcome opportunity not only to improve implementation of the scheme but to also look at others who would significantly benefit from a blue badge and how the scheme could be extended to ensure that no one misses out.