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To: Adult Social Services Policy Overview and Scrutiny Committee –  
16 November 2010

Subject: **DISABLED PERSONS' REGISTRATION CARD**

Classification: Unrestricted

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Summary: The purpose of this report is to inform Members of Disabled Registration Card schemes, explore the implications for introducing such a scheme in Kent and consider the way ahead.

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## **Introduction**

1. (1) In 2001 the Audit Commission carried out surveys of British public toilet provision which showed it was declining rapidly. Since then the British Toilet Association has estimated that public toilet provision has been reduced by 40 percent.

(2) One consequence of this reduction has been a greater need for people to use toilets that are clearly designated for use by disabled people, whether they are public or those provided by high street businesses. In particular some people with disabilities that are less obvious have complained about being challenged for using or attempting to use disabled toilets. In response to this situation, several disabled card schemes have been developed in other parts of the country in recent years.

## **Disabled Card Schemes**

### Disabled Persons' Registration Card

2. (1) Launched by Nottinghamshire County Council in May 2008, the Disabled Persons' Registration Card is a passport size card containing the photograph of the holder and stating that the person is a disabled person. It was designed to be used as a quick and easy way to confirm that the holder:

- has a significant disability
- needs to use toilet facilities provided for disabled people

(2) The card is issued free of charge and is not proof of entitlement to any benefits, goods or services. It is renewable after 3 years.

(3) Nottingham City Council considered introducing a similar scheme when the city's RADAR toilets were threatened. It did not proceed after an Equality Impact Assessment revealed the project could fall foul of its equalities policy.

### DANSAC Toilet Cards

3. (1) These 'credit card' sized cards provided by the company DANSAC, are designed as a discreet way for people who have a Stoma or Catheter to request the use of toilet facilities in places such as retail outlets, restaurants, bars or leisure facilities etc. where there is no public facility available.

(2) Issued free of charge the card is obtained by contacting the company's Patient Services Department. Like the Nottinghamshire Disabled Persons' Registration card it does not guarantee access to a disabled toilet, but it can be used to demonstrate urgent need to use toilet facilities.

### "Just Can't Wait" Toilet Cards

4. (1) The Bladder and Bowel Foundation, a national charity, issues Just Can't Wait Toilet Cards to people who frequently need to use a toilet when they are out and about. If required to do so the holder can show the card when out shopping or socialising to help them gain access to a toilet, disabled or otherwise. The card costs £5 and states that the holder has a medical condition which requires the urgent need of a toilet. Like the other cards it does not guarantee access to a toilet.

(2) The Bladder and Bowel Foundation is currently working with Nottinghamshire County Council with a view to extending the scheme nationally.

### **Local Initiative**

5. (1) Maidstone Borough Council has partnership agreements with Marks and Spencer, McDonalds and a number of businesses located within the Royal Star Arcade, to make their toilets available during business hours to anyone who urgently require them. The agreement is reviewed annually. There is signage on the High Street informing people of the location of these toilets.

(2) This is a model that may be adopted by other Borough and District Councils and is consistent with the government's emphasis on Localism.

### **Legal position**

6. (1) Under the National Assistance Act 1948 and related directions, anyone whose disability is "substantial and permanent" can register with their local authority. However, registration is entirely voluntary and does not include any duty or requirements on the local authority to issue registration cards.

### **How Nottinghamshire Determines Eligibility**

7. (1) During Community Care Assessments, if a practitioner determines that someone is eligible for registration as disabled and would like to be formally registered, they would refer the person to their Customer Service Centre from where the Disabled Persons' Registration Card is issued.

(2) In addition, a person can qualify for the card if they are in receipt of one of the following benefits:

- Disability Living Allowance (DLA)
  - Attendance Allowances (AA)
  - Industrial Injury Constant Attendance Allowance.
- or
- is registered blind or partially sighted
  - has a valid Blue Badge
  - has a long term Stoma or Catheter

(3) The applicant has to complete a form which can be posted to them or downloaded from the county's website. They then post it along with a passport size colour photograph, to the Customer Service Centre where it is processed by an administrator. If the documents are satisfactory the card is issued.

(4) By May 2009, Nottinghamshire's Customer Service Centre had issued approximately 1,200 applicants with disabled registration cards and was receiving between 30 - 40 applications per week. A small percentage of applicants were refused disabled cards.

### **How KASS Determines Eligibility**

8. (1) In meeting its duty to carry out Community Care assessments, under the NHS and Community Care Act 1990, practitioner staff determines:

- whether or not an individual meets its eligibility criteria for a service
- whether or not an individual is eligible to be registered as a disabled person in accordance with Chronically Sick and Disabled Persons Act
- whether the individual wishes to be formally registered.

(2) If the individual wishes to be registered, the relevant Locality Team Administrator issues them with a green passport size registration card. This is useful when people are in the process of applying for:

- major adaptations to their homes via Disabled Facilities Grants and/or
- purchasing major items of equipment

as these do not attract VAT. However, if a person is eligible to be registered this is sufficient for them to receive the exemption.

(3) These cards are not designed to be used as proof of disability for people wishing to use disabled toilets.

## Cost

9. (1) Based on the above performance data and taking into consideration the size and demography of Kent, the following costs are likely to be incurred by KASS if the Nottinghamshire model is adopted by KCC:

- 1 x full time administrator approximately - £21k.
- recruitment costs
- card production costs
- costs associated with handling appeals, complaint and disputes.

## Options for KASS

10. (1) **Do Nothing**

- There is no duty on Local Authorities to provide Disabled Registration Cards
- There are alternatives available in the community

(2) **Endorse the Nottinghamshire Model for introduction in Kent**

- This will incur additional administrative costs in times of budget cuts.

(3) **Publicise National Initiatives**

- Establish links on Kent's website informing people of Just Cant Wait and DANSAC cards and how people can obtain them.
- publicise in GADFLY (KASS' quarterly magazine which is widely circulated to people with social care needs)

## Recommendations

11. (1) Members are asked to consider the options and to make a recommendation as to the most appropriate means of addressing the needs of people, not just disabled people, who have urgent need to use toilet facilities within the community.

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*Background documents:*  
None