

**TRUST BOARD**  
**29<sup>th</sup> May 2014**

<b>TITLE</b>	<b>Blue badge holder car parking</b>
<b>EXECUTIVE SUMMARY</b>	<p>The purpose of this paper is to brief the Trust Board on the recent improvements made to the car parking facilities for disabled users at both our hospitals and to recommend the reintroduction of blue badge holder charging in all barrier car parks which was suspended in 2012 to allow for a disability access review of Trust car parks and subsequent works that have now been completed.</p> <p>The paper also recommends combining the first one hour charges into a new combined two hourly charge to address equality concerns and other issues associated with overrunning clinics impacting on the users of our public car parks.</p>
<b>BOARD ASSURANCE (RISK)/ IMPLICATIONS</b>	<p>The Trust exceeds Building Design best practice guidance that recommends 5% accessible and 5% enlarged spaces</p> <p>There are in place concessionary parking charges available to patients with illnesses or serious conditions needing long-term treatment and patients on low income benefits can claim their travel expenses back through the patients fare scheme.</p>
<b>LINK TO STRATEGIC OBJECTIVE / BAF</b>	Encompasses links to all objectives.
<b>STAKEHOLDER/ PATIENT IMPACT AND VIEWS</b>	There have been regular Car Park Steering Group meetings throughout the year, this group comprises of patient, governors, and staff representatives. Feedback has also been sought from the Patients Panel and Disability Access Group.
<b>EQUALITY AND DIVERSITY ISSUES</b>	Disabled groups make the case that those with a disability take longer to access clinics because of their disability, therefore may not be treated equally under the Equality Act 2010 in that our current car parking charges increase hourly which will result in the disabled being more likely to pay the 2 <sup>nd</sup> hour charges than someone more abled bodied.
<b>LEGAL ISSUES</b>	Possible claim under the Equality Act 2010.
<b>The Trust Board is asked to:</b>	Review the paper and approve the recommendations within it.
<b>Submitted by:</b>	Valerie Bartlett, Deputy Chief Executive.
<b>Date:</b>	21 <sup>st</sup> May 2014
<b>Decision:</b>	For Approval

## Blue badge holder car parking

### 1. Purpose of Paper

The purpose of this paper is to brief the Trust Board on the recent improvements made to the car parking facilities for disabled users at both our hospitals and to recommend the reintroduction of blue badge holder charging in all barrier car parks, which was suspended in 2012 to allow for a disability access review of Trust car parks and subsequent works that have now been completed.

### 2. Introduction

The Trust introduced a Travel and Car Park policy in April 2012, which included charging blue badge holders who parked within all the Trust barrier car parks. The disability element was suspended by the Executive team in order to allow for a disability access review of the main Outpatients car park and allow for subsequent works to take place. The works were completed in 2013 at a cost of £265k. Further disabled car parking improvement works were also completed outside A&E and at the front of Ashford Hospital at a cost of £46k in 2013.

### 3. Background

The Trust undertook a disability access review of its car parks in 2012. The review was mainly focused around the main public Outpatient's car park at St Peters as this was the largest car park and the main entrance to the hospital and Outpatient clinics.

This area was in poor condition, not user friendly and required modernisation as it is one of the Trust's main access points. The disabled car parking spaces did not comply with current standards and did not provide suitable safe exit for vehicles which are fitted with rear ramps. The improvement works addressed these issues and provides new spaces in the main out patients which are compliant with modern standards.

Other improvements were also made to the car parks at Ashford Hospital in relocating all the disabled spaces to the front entrance car park and providing 15 accessible and enlarged spaces out of the 92 available which also exceeds the best practice guidance.

### 4. Concessions

The Trust has attempted to mitigate the impact of car parking fees on patients and their families by offering car parking concessions for a number of patient groups, in accordance with Department of Health best practice guidelines for Oncology, NICU, and Cardiac Rehab patients.

The Trust also has reduced weekly long term charges for all visitors.

The Trust operates the hospital travel costs scheme which provides financial assistance to those patients who do not have a medical need for ambulance transport, but who require assistance with their travel costs. Under the scheme, patients on low incomes or in receipt of specific qualifying benefits or allowances are reimbursed in part, or in full, for cost incurred travelling to and from their appointment.

#### Future Concessions

As part of the proposed changes it will be necessary to review and develop the frequent user car park passes such as monthly, quarterly and yearly season cards in order to support regular patient visitors to the Trust. The review will seek to engage disabled drivers and establish not only if there

are unforeseen difficulties that the proposals may introduce that could be managed better, but also how the season tickets can be managed in a way that supports our patients in terms of convenience and access.

The engagement will use the established groups such as Car Park Steering Group, Patients Panel and the Disability Access Group as well as an open meeting as per section 11.

## 5. Current onsite parking situation

The Trust in total has nine visitor car parks across the hospital sites, seven at St Peters and two at Ashford. **Appendix 1** (*List of public car parks and disabled spaces*)

### St Peters Hospital

The Main Outpatients car park is the only barrier car park to have enlarged disabled spaces within it. Blue badge holders can exit this car park for free by collecting a one shot exit ticket from the Departmental Block Main Reception. On any given weekday there are approximately 100 free car parking tickets issued by the Receptionists and appears to be consistent when benchmarked with other neighbouring Trusts.

The other four barrier car parks have disabled spaces outside of them.

### Ashford Hospital

The hospital has two barrier car parks with 15 disabled spaces on the outside of the front entrance barriers. Should the recommendation be approved these will be enclosed within the barriers.

## 6. Review of visitor car parking

The Trust car park steering group comprising of staff, patient and Governor representatives met on the 19<sup>th</sup> January 2014 and as part of a wider Travel and Car Park policy review discussed the temporary suspension of blue badge holder charging within barrier car parks. A number of options were tabled including the reintroduction of blue badge holder charging, which was felt by the group to be the favoured option. This was also discussed by the Patient Panel group in January 2014, and the feedback was that they supported this proposal.

On the 15<sup>th</sup> April 2014 the Associate Director of Estates and Facilities and Head of Facilities Support Services met with the Trust Disability Access Group (DAG). The feedback from DAG was mixed as some of the members felt that blue badges were in some instances abused and that the issue should not be about affordability as there are low income concessions available to those on benefits.

However, some of the patient representatives on the group stated that the disability groups they represent and attend have a strong view that disabled drivers should not pay car parking charges, as they have enough difficulties with their disability without having to worry about paying, and they are more likely to have to travel by motor car than someone more able bodied.

The recommendation of this group if the Trust should introduce charging was:

- To have a 2 hour charge of £3 and remove the 1hr charge as some disabled drivers take longer to park and access clinics than someone more abled bodied.
- Publicise the income that is lost in not charging the disabled drivers and that this money would go towards hospital services.
- Hold further public meetings to communicate and engage with disabled groups the proposal to charge.
- Enhance the current frequent users discounted ticket charges

## 7. Equality Act 2010

The public sector equality duty, in the Equality Act 2010, explicitly recognises that disabled people's needs may be different from those of non-disabled people and says public bodies must "take account of disabled people's impairments when making decisions about policies or services". The act - which applies in England, Scotland and Wales - suggests that this might mean treating disabled people differently in order to meet their needs.

A claim under this Act was brought by Unity Law against Medway NHS Foundation Trust who introduced fees for blue badge holders in July 2012, The challenge was that their current sliding scale of incremental car parking charges meant the longer you parked the more you paid disadvantaged patients and visitors in that they would take longer to access the hospital due to their disability. An out of court agreement was reached by the Trust in removing the one hour charge and starting with the minimum two hour charge - **Appendix 2** media release.

## 8. Other NHS Trusts

Nationally it is reported that there are 37 NHS Trusts who charge disabled drivers to park, with some stating that the reason was that all drivers should be treated equally. The Trusts that do charge mainly focus on their barrier car parks and allow for free parking in pay and display car parks which is consistent with the approach that is proposed in this paper.

Locally, Epsom and St Helier and Surrey and Sussex Healthcare NHS Trust (SASH) operate their disabled parking in a similar way to the proposal in this paper, in that they have free parking around the site but barriered parking is charged for (although the majority of spaces are free). West Middlesex Hospital NHS Trust charge for all disabled car parking. Frimley Park Hospital NHS Foundation Trust offer the same arrangement as our Trust currently provides and Royal Surrey County Hospital NHS Foundation Trust have no barriered visitor car parking and do not charge disabled parking.

## 9. Finance

All revenue generated from Trust car parks is directed at maintaining the facilities, including the lighting, security patrols, hopper buses, travel plan initiatives, CCTV and the management of staff who support the service through administration, and cash handling. Any additional income supports clinical services.

The additional income from blue badge holder charging within all barrier car parks is estimated to be:

Location	Issued daily weekdays free one slot tickets	Total annual value
<b>St Peters</b>	100	£75,600
<b>Ashford</b>	40 (predicted)	£30,240
<b>Grand total</b>		<b><u>£105,840 per annum</u></b>

There will be some enabling costs that will be required including parameter changes at Ashford Hospital, and signage. The costs range between £10k and £25k depending on whether an additional exit barrier needs to be added and this will not be known until trialled without one.

## 10. Options

Two options were considered:

- 1) Maintain current blue badge holder arrangements and amend the Trust policy accordingly; and
- 2) Reintroduce blue badge holder charges as per the current Trust Travel and Car Park policy as well as the removing the one hour charge and starting with the minimum two hour charge.

The latter option was selected as the preferred option as the disability access review works have now been completed, which has rectified safety issues and provides easier access to the hospital for patients, visitors and staff.

This proposal has been discussed and developed in conjunction with the Trust Car Park Steering Group and views gathered from the Patients Panel and Disability Access Group.

## 11. Communication and Engagement Plan

Reflecting feedback from stakeholders and from our Disability Access Group in particular, the Trust will communicate and engage stakeholders on these proposals and subsequent Board decision in an open and transparent way. Engagement will focus on the rationale for this proposal on re-introducing car parking charges for blue badge holders and other ways we can ensure our policy reflects 'fairness to all' and other access issues.

The outline plan is set out below:

- 1) Ensure key stakeholders/individuals are notified in advance that this proposal is coming to the Board for a decision, and that the subsequent decision is also communicated to them in a timely way;
- 2) Media handling: work proactively with local media by:
  - a. Issuing a press release after the Board meeting detailing the Board's decision being clear about the reasons for that decision;
  - b. Ensuring the Trust is responsive to any subsequent media bids/enquiries (including radio) with a relevant spokesperson.
- 3) Draft an engagement paper, describing the key proposals and timeline, which will be sent out to local stakeholders in advance of the public Board meeting; this will include members of the Disability Access Group, representatives from local community and access groups, Healthwatch and other stakeholders. The paper will:
  - a. Describe the rationale for re-introducing this proposal;
  - b. Describe specific improvements the Trust has made on disability access over the past two years;
  - c. Invite readers to attend an open meeting (see below) to discuss these issues more widely.
- 4) Set up an open meeting (Friday 20<sup>th</sup> June) where the Trust will have the opportunity to discuss issues with stakeholders in more detail, again being open and transparent about the rationale for the proposal to re-introduce car parking charges for blue badge holders. The meeting will be widely advertised on the Trust website, via local media and by direct invitation.

- 5) Further engagement will take place through the Trust's Car Parking Steering Group, Patient Panel and the Disability Access Group.

**12. Recommendation:**

It is recommended that the Trust Board approve the lifting of the temporary suspension of blue badge holder parking charges as set out in the Trust Travel and Car Park policy and combine the one and two hour charges.

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Appendix 1 - Visitor/patient Car Parks at St Peter's Hospital

Appendix 2 - Medway NHS Foundation Trust media release

**Visitor/patient Car Parks at St Peter's Hospital**

Location of car park	Standard bays	Disabled bays	Total bays
Abbey Lower	47	Nil	47
Abbey Wing Upper	51	Nil	51
Abbey Wing Side	7	11	18
Main outpatients	260	18	278
Outpatients-Undercroft	Nil	14	14
A&E/RBU	52	Nil	52
Hazel	38	Nil	38
Rear of DOK	11	10	21
<b>Total</b>	<b><u>466</u></b>	<b><u>53</u></b>	<b><u>519</u></b>

**Short Stay Visitor/ patient car parks – drop off car parks at St Peter's Hospital**

Location of car park	Standard bays	Disabled bays	Total bays
Stephanie Marks Centre	Nil	5	5
Dept. Block – front entrance	2	2	4
Front of A&E	Nil	7	7
First Steps Nursery	7	2	9
DOK – front entrance	Nil	2	2
Appliance workshop	Nil	3	3
<b>Total</b>	<b><u>9</u></b>	<b><u>21</u></b>	<b><u>30</u></b>

**Visitor/patient car parks at Ashford Hospital**

Location of car park	Standard bays	Disabled bays	Total bays
Front of main building CP1	42 + 4 short stay	19	65
Front of main building CP2	73	1	74
Creche	7	2	9
<b>Total</b>	<b><u>126</u></b>	<b><u>22</u></b>	<b><u>148</u></b>

## **Parking charges go up at Medway Hospital**

01 October 2013 by Jenni Horn

Increased parking charges come into force at Medway Maritime Hospital today (Tuesday).

The minimum charge period has been extended from one to two hours but drivers will have to pay a minimum of £2.

The charges had previously been £1.50 to park for one hour, £2 for two hours, £2.50 for three hours, £3 for four hours, £4 for up to six hours and £5 for 24 hours.

Now motorists will pay £2 for two hours, £3 for up to three hours, £4 for up to four hours and £5 for four to 24 hours.

The move comes after the hospital was accused of discriminating against disabled patients and visitors.

Campaigner Sue Groves took legal action against the Trust at the end of last year after it introduced charges for blue badge holders in July. Disabled drivers had previously been able to park at the hospital for free.

Mrs Groves, of Hampshire Close, Chatham, said the fees were unfair because disabled people take longer to get to their appointments than other patients, so were likely to be paying more to park.

Following Mrs Groves' case, the hospital trust agreed to extend the minimum charge period from one to two hours for all users but said the move was specifically targeted to help the disabled.

A hospital spokesman said of the changes: "We offer a range of concessions to make car parking accessible for all our patients and visitors and these remain unaffected.

"Any surplus income, after running costs of the car park have been met, is put directly back into patient care."

A Department of Health spokesman said: "Patients who need to go to hospital often or for long periods of time have a fundamental right to fair and appropriate car parking concessions, and we expect hospital trusts to provide them.

"All NHS organisations should support equality and ensure that there is no unlawful discrimination."