

Consultation on changes to eligibility criteria of Nexus Companion Card scheme

Executive summary

We are consulting on changes to the eligibility criteria for the Companion Card scheme. This change would only affect new applicants to the scheme from April 2019; existing scheme members would not be affected. This document sets out the details of what we are proposing, and our reasons for doing so.

The Companion Card scheme, prior to the introduction of Personal Independence Payment (PIP), used Disability Living Allowance Higher Rate Care Component Allowance as evidencing the need for companion assistance when travelling by public transport.

The PIP regulation set out twelve different 'activities' to be considered in determining entitlement to the benefit; ten relate to the 'daily living' component, and two relate to the 'mobility component'.

With the introduction of PIP the Companion Card scheme was revised and has included one activity from the 'daily component' and one activity from the 'mobility component' as eligibility criteria for the Companion Card since 2013. However, people with physical mobility difficulties have been prevented by these criteria from qualifying for the Companion Card, and have requested that the scheme criteria be altered. This is because one of the activities of the mobility component 'moving around' was not part of the eligibility criteria. Nexus is consulting on the changes we propose to make to address this problem.

The consultation period began on 10 September and will run until 2 December 2018.

You are invited to respond to the short survey at the end of this document. Please ensure you complete this on or before the closing date.

This consultation document is also available in alternative formats, upon request.

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1. Legislative background

From 8 April 2013, the Government introduced a new benefits system called Personal Independence Payment (PIP) to replace Disability Living Allowance (DLA) for eligible working-age people aged 16 to 64.

To reflect the introduction of PIP, and to allow for the passporting of eligibility for concessionary bus travel for disabled people in certain categories, the Department for Transport (DfT) has amended the guidance for local authorities at several points, including:¹

1. Adding specific awards (against specific activity criteria) of PIP to the applicable list of state benefit components, and reflecting this in the guidance for assessing applicants; and
2. Updating the guidance on assessing eligibility for the statutory concession on the basis of ability to walk or to speak, informed by the introduction of PIP.

The Department recommends that, where available, the most robust way of assessing eligibility is likely to be via other relevant state benefits.

Eligibility for a concessionary travel pass may be considered 'automatic' (not requiring further assessment) where a person is in receipt of any of the following state benefits, which link eligibility to receive the benefit to the ability to walk or, in the case of PIP, to communicate orally, provided that the person is of fare-paying age and that the award of the benefit has been for at least 12 months, or is expected to be for at least 12 months:

- a. Higher Rate Mobility Component of Disability Living Allowance (HRMCDLA).
- b. Personal Independence Payment (PIP), where the applicant has been awarded at least 8 points against the PIP 'Moving around' and/or 'Communicating verbally' activities.
- c. War Pensioner's Mobility Supplement (WPMS).
- d. Blue Badge.
Eligibility may also be considered automatic where a disabled person of fare-paying age has been issued with a disabled persons' parking badge ('Blue Badge'). It does not follow that a person who has a concessionary travel pass is necessarily eligible for a Blue Badge.

¹ <https://www.gov.uk/government/publications/guidance-for-local-authorities-on-eligibility-for-disabled-people>

Applicants claiming these benefits will be able to provide documentary evidence of their entitlement. An example of proof of entitlement is proof of payment of the allowance. An applicant receiving the HRMCDLA or PIP will be able to produce an award notice letter from the Department for Work and Pensions (DWP) or, alternatively, an excise duty exemption certificate (given to those who receive HRMCDLA).

e. Disability Registration

For applicants outside the above categories, the Department recommends that the next most robust means of assessment is likely to be via local authority lists of registered blind, partially-sighted, or profoundly or severely deaf people.

f. Independent Medical Assessment

For other applicants, where there is any doubt about eligibility, the Department recommends that local authorities seek independent medical evidence to inform their decision. The cost of this should not be borne by the applicant.

According to the DfT's guidance to local authorities on assessing eligibility of disabled people in England for concessionary bus travel, local authorities which are 'travel concession authorities' must issue a permit free of charge to any applicant who appears to that authority to be an 'elderly or disabled person' residing in its area. An 'elderly person', for the purposes of the 2000 Act (as amended), is a woman of pensionable age, or a man of the pensionable age of a woman born on the same day. The pensionable age for women is due to rise from 60 to 65 by 2018.²

The Act also enables local authorities to continue to be able to offer benefits above the statutory entitlement to their residents such as travel before 09:30am and concessions on other modes like trams, as well as alternative forms of travel schemes, like tokens for use on taxis or community transport. Schemes like Companion Card and TaxiCard are issued as extra to the statutory entitlement, at the discretion of local authorities.

It must be noted that the introduction of PIP is a phased replacement of DLA for working age people; the qualifying eligibility categories in the discretionary Companion Card scheme therefore needed to be amended to maintain equivalence for future participants.

2. What is Companion Card?

Companion Card holders travel free of charge on buses in Tyne and Wear, County Durham, Northumberland and Darlington. The companion of the card holder travels free on buses, and if the card holder also holds a Metro Gold Card, the companion travels free on Metro, the Shields Ferry and Northern Rail services between Newcastle and Sunderland.

² <https://www.gov.uk/government/publications/guidance-for-local-authorities-on-eligibility-for-disabled-people>

3. Who is eligible for a Companion Card?

Companion Cards are for people who cannot travel on their own because they need significant assistance throughout their journey. This means they need helping in boarding, moving around and getting off a vehicle or train.

Under current eligibility criteria, the applicant must have qualified for and received a Concession Travel (CT) pass to be able to apply for a Companion Card and must be in receipt of one of the following benefits:

- High Rate Care Component of Disability Living Allowance
- High Rate Attendance Allowance
- Personal Independence Payment (PIP) - (The decision letter must show that the applicant has scored a minimum of 8 points in either the 'Communicating verbally' or 'Planning and following a journey' section).

4. Nexus Companion Card after the introduction of PIP

Prior to the introduction of PIP, the Companion Card scheme already uses DLA Higher Rate Care Component Allowance as evidencing the need for companion assistance when travelling. Benchmarking identified that using both 'Communicating verbally' and 'Planning and following a journey', each at 8 points, was the best way forward and most closely matched the intentions of Companion Card provision. This principle was agreed by the then Tyne and Wear Integrated Transport Authority on 26 September 2013.

5. Revised eligibility criteria for the Companion Card scheme

Nexus has undertaken a comprehensive review of the scheme and proposes new eligibility criteria, based on PIP's 'mobility component' results. The review has now included the two activities of the 'mobility component' of PIP, which are 'Planning and following a journey' and 'Moving around', as part of the eligibility criteria for the Companion Card. A combined score on these two activities results in either the 'enhanced' or 'standard' rate award of PIP's benefits system. Based on the review undertaken by Nexus and also taking into account practices of other local authorities in the NECA area, a new eligibility criterion for the Companion Card is proposed as follows:

- The applicant must have qualified for and received an English National Concessionary Travel Pass to be able to apply for a Companion Card, and must be in receipt of one of the following benefits:
 - High Rate Care Component of Disability Living Allowance
 - High Rate Attendance Allowance

- Personal Independence Payment (PIP) - (The decision letter must show that the applicant has a total score in the 'mobility component' of PIP of 12 points or more, and has been awarded the **enhanced rate of Mobility component** of PIP.

Under PIP's rules if an applicant's score is between 8 and 11 points, the applicant is awarded the **standard rate** of the 'Mobility component' of the PIP, and if an applicant's score is 12 points or more, the applicant is awarded the **enhanced rate** of the 'Mobility component'. The Department for Work & Pensions does not award any benefit if the score is less than 8 points.

The 'Daily living component' of PIP, 'Communicating verbally' which was part of the previous eligibility criteria of the Companion Card scheme is now dropped from this new eligibility criterion. Therefore, 'Communicating verbally' is no longer an eligibility criterion for the Companion Card scheme. This is because the 'Daily living' components are more to do with daily living activities, and have less to do with the capabilities required to make a journey independently.

The 'Mobility components' of PIP are more to do with mobility, and assess a person's ability to perform two main activities which are:

- Planning and following journeys
- Moving around

The scores awarded for these two activities are added together. The enhanced rate of the 'Mobility component' will be awarded for a score of 12 or more points. The standard rate will be awarded for a score between 8 and 11 points. The mobility component will not be awarded at all for a score of less than 8 points.

The 'Mobility component' descriptors are more relevant to determine the capability to make journeys independently. The 'Mobility components' of the PIP alone are seen as being sufficient to set a criterion for the Companion Card scheme.

This review proposes to use only the 'Mobility components' of PIP to determine the eligibility criteria for Companion Card under PIP's category.

It is essential to note that the 'Mobility component' of the PIP is awarded to people who need help in getting around.

People with cognitive disabilities would be assessed under activity 1 'Planning and following journeys' while people with physical mobility problems would be assessed under activity 2 'Moving around'.

Based on the 'Mobility components' of PIP alone, new eligibility criteria for Companion Card scheme are proposed under this review.

This means that Nexus' new eligibility criteria for the Companion Card entitlement are based on the awards' rates system unlike the previous eligibility criteria that used single scores on activities. If an applicant is awarded the **enhanced rate** of the 'Mobility component' of PIP, they are automatically entitled to a Companion Card, and if the applicant's 'Mobility component' award is **standard rate** the applicant will not be entitled to a Companion Card. This is the major change proposed for the new eligibility criteria, and it entitles people with physical or cognitive problems to a Companion Card as long as they receive the enhanced rate award in the PIP system.

It is essential to note that PIP applies only to individuals who are of 'working age' (16 to 64). People hold Companion Cards outside this range of age via other eligibility criteria categories already in place, namely via High Rate Care Component of DLA and High Rate Attendance Allowance.

6. Regional practices

Nexus has examined the eligibility criteria in place for Companion Card-type products applying within other NECA local authorities, namely those of Durham and Northumberland county councils.

In Northumberland County Council, if the applicant is in receipt of the enhanced rate components of PIP they qualify for a Companion Card pass.

Durham County Council provides 'plus companion' cards. The eligibility criteria adopted are based on the principle of whether a person needs the assistance of a companion in order to board and alight from a bus. On this principle wheelchair users who cannot propel themselves, blind and severely partially-sighted people and people with cognitive disabilities are entitled to 'plus companion' cards.

In summary, the new eligibility criteria proposed by Nexus will concur with regional practices.

7. Consultation questions

Nexus would like to implement the new eligibility criteria from start of the 2019/20 financial year.

However, before implementing any changes, Nexus wishes to consult all stakeholders and receive any views and feedback on potential impacts the new eligibility criteria may have on future applicants to the Companion Card via the PIP category.

Therefore, as a potential user of Companion Card, or an organisation representing disabled people or as a public transport provider, we would appreciate your views on any positive or negative impacts that may result due to these proposed changes to Companion Card scheme eligibility criteria.

Please tell us your views by completing this short questionnaire

<https://www.surveymonkey.co.uk/r/CompanionCard>.