

Shelter Cymru

CELG(4) HA 27

Communities, Equality and Local Government Committee

Inquiry into Home Adaptations

Response from : Shelter Cymru

1. About us

1.1 Shelter Cymru is Wales's people and homes charity. We believe that a decent, secure home is a fundamental right and essential to the health and well-being of people and communities.

1.2 We provide independent, specialist advice, advocacy and legal representation for anyone with housing problems. Last year, our advisers assisted nearly 17,000 people from all over Wales, helping to prevent homelessness in 90 per cent of the cases where it was threatened. Over the same period, there were more than 80,000 unique visitors to the Advice Online section of our website.

1.3 Through our campaigning, research and policy work we aim to improve housing law and services, while our education service helps to prevent homelessness through working directly with young people and providing detailed teaching and learning resources.

2. Introduction

2.1 We welcome the opportunity to contribute to this inquiry. Forty per cent of our clients have a disability and we regularly assist people in applying for Disabled Facilities Grants (DFGs), getting adaptations made to their home and dealing with subsequent issues that may arise. We are concerned about the impact of current waiting times on our clients' physical and mental wellbeing as well as the increased costs that long waiting times bring to health and social care services and a host of other public services.

2.2 This paper summarises our main positions and supplements our oral evidence to the Committee.

3. Disabled Facilities Grants waiting times

3.1 We share the Committee's concern over the continuing lack of consistency in DFG delivery times, as well as the continuing failure to deliver DFGs during statutory time limits. It is a disheartening realisation for applicants who learn that local authorities may breach maximum waiting times that are set in statute without apparently incurring any penalty.

3.2 What we have learned from our casework is that long waiting times often put people off making an application altogether. This is not because people can't be bothered but rather because their present living situation is simply not tenable for that length of time.

3.3 Lengthy waiting times create hidden populations who may desperately need adaptations for quality of life but who are forced to make do by relying on family and friends and enduring considerable day-to-day hardship. Public services may be unaware of the extent of this phenomenon even though in monetary terms it eventually leads to earlier onset of health problems, earlier admissions to hospital and residential care, and increased cost to the public purse.

Case study 1

Julie* from south Wales uses crutches and on bad days uses a wheelchair. She was allocated an adapted house from her council which has ramp access to the front door. However the house was accessible only when she used crutches due to a plastic lip on the front door.

Her condition worsened and she found she was relying on her wheelchair more often, which meant that she could not get into and out of her house without assistance. She is now no longer able to live there and is having to stay with her sister in her non-adapted property.

The local authority has advised her to give up her tenancy so she can apply for a DFG for her sister's house. However, Julie is reluctant to do this due to her lack of security of tenure at her sister's. The only solution for her is to present as homeless, although as there is no suitable temporary accommodation available it is likely that she will have to stay in a hotel.

* Name changed to protect anonymity

3.4 We know that good practice in administering DFGs has existed in Wales. However such good practice is rarely transmitted to other authorities and even within authorities that do make progress, the gains are often temporary and limited.

3.5 In 2008/09 the DFG team in Neath Port Talbot undertook a systems thinking review that was widely cited in the Welsh public sector as an example of good practice, having identified that it would be possible to reduce average waiting times from 675 days to 64 days¹. The review discovered that the existing DFG application process comprised 291 separate steps and had a drop-out rate of 33 per cent. Following system redesign the number of steps was reduced to 34 and the drop-out rate fell to nil. The review also promised that adaptations would be delivered more cheaply since they met applicants' needs more closely.

3.6 It is disappointing to note that despite having gone through this root-and-branch reform process DFGs in Neath Port Talbot remain among the slowest to deliver in the whole of Wales. While there have been some improvements in performance in the last two years, waiting times are still unacceptably long.

3.7 This raises questions about the ability of local authority departments to implement fundamentally different practices while workloads are high. However, in our view it is only right and fair that DFG application numbers should remain high, since they are an important element of preventative spending that saves costs for the NHS and other services while contributing substantially to people's quality of life. Higher numbers of applications are more likely to reflect

¹ Zokaei, K., Elias, S., O'Donovan, B., Samuel, D., Evans, B. and Goodfellow, J. (January 2010) Lean and Systems Thinking in the Public Sector in Wales: Report for the Wales Audit Office. Lean Enterprise Research Centre

actual levels of need. Unless local authorities can come to terms with the reality of high demand, and allocate staff resource accordingly, we may never see widespread compliance with the statutory maximum waiting time.

4. The impact of reduced resources for housing

4.1 The UK Government's programme of spending cuts will impact disproportionately on disabled people, who will bear 29 per cent of all cuts. Disabled people will lose an average of £4,410 per person, compared with an average of £467 for all citizens.²

4.2 The imminent introduction of the Bedroom Tax will affect 46 per cent of households in the social rented sector in Wales. It is estimated by the DWP that two-thirds of affected households will include at least one person with a disability³.

4.3 In Wales, 57 per cent of disabled people in the social rented sector need adaptations to their home⁴. Discretionary Housing Payments are inadequate in size and scope to effectively assist these households on anything other than a temporary basis. The Bedroom Tax will create a wave of housing need where the lack of alternative accommodation will be severely exacerbated for disabled tenants by the limited availability of adapted housing and lengthy waiting periods for adaptations.

4.4 We expect the Bedroom Tax, together with other aspects of welfare reform, to create higher levels of indebtedness and homelessness among disabled people; increased expenditure on adaptations in temporary accommodation and longer accommodation periods; higher demand for smaller properties in the social sector; and higher demand in the private rented sector (PRS).

4.5 Clearly it is more cost-effective to utilise existing adapted housing where possible, and we welcome the Welsh Government's White Paper commitment to ensure that every part of Wales is covered by an accessible housing register (AHR) for social housing. We believe the Government should make implementation of this promise a priority. We also believe the Government should act to improve accessibility within the PRS.

4.6 In the last decade the proportion of housing in the PRS has doubled across Wales while home ownership has declined and access to social housing has remained relatively steady as a proportion of housing overall⁵. For increasing numbers of people the PRS is the only available tenure and yet for disabled people with specific access requirements it can be impossible to find a suitable property or a landlord willing to have adaptations made. Despite this, the impacts of the lack of affordable housing coupled with welfare reform mean that the PRS is likely to be the only option for increasing numbers of disabled people.

4.7 Disabled tenants living in the PRS are less likely to have their adaptations needs met: in 2008, only 39 per cent of households including a disabled person requiring adaptations in the PRS had the adaptations they needed, compared with 48 per cent in social housing and 59 per cent of owner occupier households⁶.

² Duffy, D. (2013) A Fair Society? How the cuts target disabled people. Centre for Welfare Reform

³ <http://1voice.org.uk/lords-fear-bedroom-tax-will-hurt-disabled-tenants/>

⁴ Living in Wales 2008

⁵ Welsh Government Dwelling Stock Estimates 2010/11

⁶ Living in Wales 2008

4.8 Our casework includes frequent examples of disabled private tenants experiencing problems finding an adapted property or getting adaptations carried out. There is a serious lack of adapted properties in the PRS and there is no AHR for this tenure, making it very difficult for would-be tenants to find housing that is already suitably adapted.

4.9 Some of our clients in the PRS have requested that their landlord consent to having adaptations carried out, only for the landlord to issue possession proceedings in response. Even when landlords are willing to consent they may change their mind at any point, evict the tenant and rip out any works already carried out.

Case study 2

John* from north Wales was granted £35,000 by his local authority for adaptations to his privately rented home. Just before the work was about to commence he received a letter from his landlord's mortgage lender advising of court action for possession.

The work was put on hold while legal proceedings took place. The landlord resolved the possession action and John's tenancy remained in place. However, the lender then wrote again to the landlord stating that he is in breach of his tenancy terms as his mortgage is not buy-to-let.

While the landlord has insisted to John that there is no further threat to his security of tenure, the local authority has stopped the work going ahead as they will be unable to grant a further DFG at a new property if the landlord's lender pursues possession.

John is searching for somewhere else to live but has so far been unable to find an adapted property or one where the landlord is prepared to have adaptations made.

* Name changed to protect anonymity

4.10 Local authorities are often reluctant to invest significant resources in getting adaptations done in the PRS. Figures for 2010/11 show that fewer than 5 per cent of completed DFGs in Wales were for PRS properties. Local authority performance was patchy: while some authorities granted up to 20 per cent of their DFGs to people living in the PRS, there were eight authorities where no grants were made for PRS properties at all. It is highly unlikely that these eight authority areas – which collectively account for 30 per cent of Wales' population – have no disabled residents in the PRS in need of adaptations. A more likely reason is that these authorities are unwilling to invest in a sector characterised by such lack of security.

4.11 The economic climate is driving more and more households into the PRS. The implications of this shift for disabled people need to be fully considered by the Welsh Government. In particular, the current tenure reform initiative is well placed to create additional security for disabled people. The promise to ensure every Welsh local authority has an AHR in place could be expanded to include the PRS, with the proposed register of private landlords being an ideal vehicle for this. Local authorities should work with private landlords to raise awareness of disability and adapted properties.

4.12 With 22.7 per cent of the Welsh population reporting a long term health problem or disability⁷ it is important that the housing market reflects the needs of all. It is more cost-effective to create

⁷ Census 2011

accessible housing at design stage and we believe the Welsh Government should work with building contractors to ensure that new builds take account of accessibility requirements for disabled people.

5. What we believe needs to be done

- We need a stronger focus on service improvement in DFG administration. We suggest that this could be achieved in a number of ways: firstly, by ensuring that all local authorities commit to adopting proven best practice; secondly, by encouraging stronger dialogue between local authority DFG departments and service users to build accountability; and thirdly, by reviewing DFG administration across Wales to ascertain whether regional or national administration would be more efficient.
- There is much that could be done to assist disabled people requiring adaptations in the private rented sector. Partners including local authorities, local landlord fora, disability rights groups and the Welsh Government could work together to promote the interests of disabled private tenants, raising awareness among landlords of the benefits of developing positive relationships with disabled tenants. An accessible housing register for the private rented sector is vital, and we suggest this could be developed as part of the Welsh Government's proposed register of private landlords.
- At the same time, disabled people in the private rented sector need greater rights to enable them to access DFGs and get adaptations carried out without fear of eviction. We believe this issue needs to be addressed in the Renting Homes Bill.
- The accessibility of new builds could be improved through joint working between the Welsh Government, construction industry and disability rights groups.

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