



LOCAL GOVERNMENT AND COMMUNITIES COMMITTEE

AGENDA

27th Meeting, 2018 (Session 5)

Wednesday 3 October 2018

The Committee will meet at 10.00 am in the James Clerk Maxwell Room (CR4).

1. **Decision on taking business in private:** The Committee will decide whether to take item 3 in private.
2. **Pre-Budget Scrutiny: housing adaptations:** The Committee will take evidence, in a roundtable format, as part of its Pre-Budget Scrutiny from—

Jenny Laing, Senior Community Occupational Therapist, Aberdeen City Health and Social Care Partnership;

Tony Cain, Policy Manager, Association of Local Authority Chief Housing Officers;

Nora Uhrig, Senior Associate - Programmes Scotland, Equality and Human Rights Commission Scotland;

Lisa Innes, Housing Adviser, Glasgow Centre for Inclusive Living;

Mark Farey, Director of Asset Management, Hanover (Scotland) Housing Association;

Moir Bayne, Chief Executive, Housing Options Scotland;

Fiona King, National Campaigns and Policy Manager, Shelter Scotland.

3. **Pre-Budget Scrutiny: housing adaptations:** The Committee will consider the evidence heard earlier in the meeting.

LGC/S5/18/27/A

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The papers for this meeting are as follows—

Agenda item 2

Note by the Clerk

LGC/S5/18/27/1

PRIVATE PAPER

LGC/S5/18/27/2
(P)

Agenda item 3

PRIVATE PAPER

LGC/S5/18/27/3
(P)

Local Government and Communities Committee

27th Meeting 2018 (Session 5), Wednesday 3 October 2018

Pre-Budget Scrutiny 2019-20: Housing Adaptations: Note by the Clerk

Purpose

1. This paper provides background information on the Committee's roundtable evidence session on Housing Adaptations as part of its pre-budget scrutiny 2019-20. The Committee has invited seven organisations to discuss the wider context on housing for the disabled, elderly, veterans and others with a need for adaptations on their home, and how well they are served by the current system.

Background

2. Following the report of the [Budget Process Review Group](#), the current financial year is the first in which the revised process set out in the report will be used by Parliamentary Committees. The Convener of the Finance and Constitution Committee [wrote to all Conveners of Parliamentary Committees](#) providing further advice about the new process on 22 May 2018. A "full-year" approach to budget scrutiny is envisaged under the new process. Committees are expected to incorporate budget scrutiny, including public engagement, into their work prior to the Scottish Government publishing firm and detailed spending proposals towards the end of the calendar year (by way of the annual Budget Bill), and, overall, to be more strategic and outcome-focussed in their scrutiny. The revised process envisages committees publishing reports following that scrutiny in November of each calendar year, so that the Scottish Government can take note of any recommendations before publishing the Budget Bill.

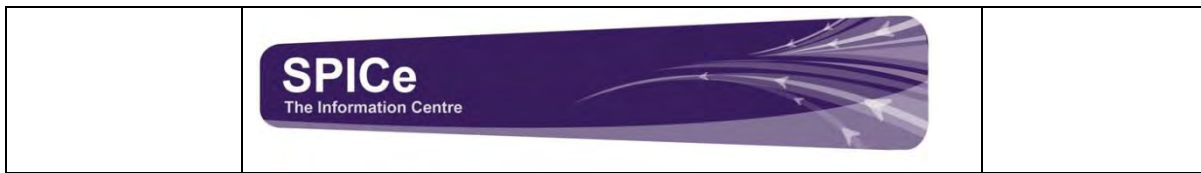
Local Government and Communities Committee consideration

3. The Committee has already factored budget scrutiny into parts of various evidence sessions held this year. For example, during its [oral evidence session on Greenspaces](#), the Committee explored the impact on communities of reduced funding for parks and green space. Also, as part of its [evidence session on Alcohol licensing boards](#), the Committee explored issues around budgets for licensing forums.
4. A common theme across the Committee's work this year and last year and which also featured in the Committee's report on the [draft Budget scrutiny 2018/19](#) is adaptation in housing. In the report, published 22 January 2018, the Accounts Commission reported that an ageing population means there are increasing number of pensioners living alone. This places requirements for adaptations to allow people to stay independently at home. A large number of dwellings have

already been adapted; however, there is a constant need with differing requirements.¹

5. The Committee agreed to hold a roundtable evidence session on Housing Adaptations as part of its budget scrutiny and on 3 October will hear from—
 - Aberdeen City Health and Social Care Partnership
 - Association of Local Authority Chief Housing Officers Scotland (ALACHO)
 - Equality and Human Rights Commission Scotland
In May 2018, Equality and Human Rights Commission in Scotland published a report [Housing and Disabled People Scotland's Hidden Crisis](#)
 - Glasgow Council for Independent Living
 - Hanover Housing Association
 - Housing Options Scotland
 - Shelter Scotland
In February 2018, Shelter Scotland prepared a report with the Equalities and Human Rights Commission in Scotland and Scottish Federations of Housing Associations entitled [Review of Strategic Investment Plans for Affordable Housing](#)
6. Further information on this evidence session is provided by the Scottish Parliament Information Centre (SPICe) in **Annexe A**. Written submissions from ALACHO (p11), Housing Options Scotland (p14), and Shelter Scotland (p16) are attached at **Annexe B**.

¹ Accounts Commission. (2017, November). Supplement 3: Housing Revenue Account 2016/ 17. Retrieved from http://www.audit-scotland.gov.uk/uploads/docs/report/2017/nr_171128_local_government_finance_supp3.pdf [accessed 3 January 2018]



Local Government and Communities Committee

Pre-budget scrutiny – Housing

1. Introduction

At its meeting on 27 June 2018, the Committee agreed to focus its pre-budget scrutiny on housing, in particular on housing adaptations. The Scottish Government states that Housing adaptations contribute to supporting older people and disabled people to live safely, comfortably and independently at home.

It highlights major examples of housing adaptations as including:

- replacing a bath with a level access shower
- improving access to the home by widening doors or constructing a ramp
- fitting lower work surfaces to make the kitchen easier to use

The Government states that these preventative measures help reduce the number of emergency hospital admissions through falls and other accidents, and also reduce the need for home care or long-term admission to a care home.²

2. Funding adaptations

There are different arrangements in place for funding adaptations in council, private sector and RSL accommodation.

The Scottish Government's budget for adaptations, which has been £10m over the past few years, funds Registered Social Landlord 'Stage 3 adaptations.'

In Edinburgh and Glasgow City Council areas, RSL adaptations are funded through the Transfer of Management of Development Funding (TMDF) arrangements. This means that these councils receive an amount from the Scottish Government which is used for their affordable housing development programmes and RSL adaptations in their areas. The decision on how much funding is allocated to adaptations is a matter for these councils to decide.

The Public Bodies (Joint Working) (Scotland) Act 2014 (the 2014 Act) delegated powers, responsibilities and budgets for adaptations to integration joint boards. IJBs

² <https://beta.gov.scot/policies/housing-and-independent-living/housing-adaptations/>

have to produce a housing contribution statement as part of their strategic plans. The joint boards are responsible for funding and planning adaptations in local authority and the private sector. Funding for private sector adaptations comes from local authorities' general funds including from the local government settlement from the Scottish Government. Adaptations for local authority housing is mainly funded from local authorities' Housing Revenue Account.³

In practice, delivery arrangements are determined by the local authority.

While the process of funding adaptations is different, generally across tenures adaptations will only be funded where they are recommended by an Occupational Therapist and are considered essential to meet the needs of the individual. Housing adaptations for those living in private sector accommodation is governed by the Housing (Scotland) Act 2006.

3. Expenditure on Adaptations

The Scottish Government lodges information on annual spend on RSL adaptations with SPICe, as part of a commitment made in response to Parliamentary Questions on the matter (S4W-28622 and S5W-01638).

The following tables show the spend over the last three years and the number of adaptations by client group. In 2017-18, spend was around £13.4m. Just over 6,000 adaptations were funded, around 52% of which were for older people.

Table 1: Adaptation Spend by RSLs 105-16 to 2017-18

Year	2015-16 £m	2016-17 £m	2017-18 £m
Spend	13.221	13.207	13.401

Table 2: RSL adaptations: breakdown of spend

	2015-16 £m	2016-17 £m	2017-18 £m
National programme*	10.001	10.002	10.001
City of Edinburgh	0.540	0.500	0.602
Glasgow City	2.680	2.705	2.798

*This related to the Scottish Government £10m Stage 3 adaptation budget

³ S5W-10889

Table 3: RSL Adaptations: Number of adaptations by client group 2015-16 to 2017-18

	2015-16	2016-17	2017-18
Disabled person	3,049	3,575	3,131
Older person	2,863	2,920	2,672
Not reported	120	46	222
Total number of adaptations	6,032	6,541	6,025

Data on expenditure on adaptations for council tenants and those living in private sector properties by the IJBs was provided by the Minister for Local Government and Housing, Kevin Stewart, in a [letter to the Committee on 3 April 2018](#).

At that point, 23 IJBs had provided expenditure data. Methods used to collect data varied so a detailed breakdown could not be given and some IJBs could not provide data for 2015/16.

Total expenditure for the 23 IJBs that did respond was around £38.4m in 2016-17. Furthermore, a small number of partnerships (4 out of 23) did indicate that, in addition to budgets delegated under the 2014 Act, elements of other budgets had been used to deliver adaptations.

4. Adaptations Working Group

The Adaptations Working Group (AWG) was set up by the Scottish Government in 2011. Its remit was to explore ways to achieve the best possible outcomes for older people and disabled people from investment in housing adaptations. It made a number of recommendations in these reports:

- [Adapting for Change](#)
- [Planning Ahead: Living at Home](#)

The group was critical of the tenure specific approach to funding adaptations. It recommended a move to a single funding pot rather than funding arrangements based on tenure (please note this report was prepared before the 2014 Act delegated responsibilities for council and private adaptations to health and social care partnership). The group also outlined a **set of core principles** when developing adaptations services for the future, including:

- The person and their carer(s) should be placed at the centre of service provision and be in control.
- Support for adaptations should have a prevention focus.
- Adaptations should promote enablement.

The Scottish Government's response to the group's report, prepared in 2013, welcomed the Group's recommendations.⁴

Following the report, five test sites piloted different approaches to test the viability of the working group's recommendations. An [independent evaluation](#) of the test sites was published in September 2017. The evaluation included a number of learning points.

In response to the Committee's [2018-19 budget report](#) (see more below), the Scottish Government [responded](#) that,

"Ministers have asked Partnership Chief Officers to consider the learning points from the evaluation and to provide them with details of their plans to review and improve arrangements for the delivery and funding of housing adaptations.."

5. Previous Committee evidence about funding housing adaptations

During the past couple of years, the Committee has heard evidence about the funding of **housing** to meet the needs of older people and those with particular housing needs, including the provision of adaptations. Witnesses have suggested that the situation could be improved.

Draft Budget 2018/19

The Committee issued a call for evidence to support its scrutiny of the Draft Budget 2018/19 in autumn 2017. A SPICe paper⁵ summarising the evidence on the housing budget was prepared. In relation to adaptations this summary was provided:

Adaptations

There are different arrangements in place for funding adaptations depending on who the social landlord is. SFHA's response said, that:

"Under the current regime, housing associations must apply for funding from the Scottish Government. This leads to delays in providing the adaptation and anxiety around funding running out before the end of the financial year."

ALACHO also suggested that there is anecdotal evidence that RSL tenants are receiving a less effective service in relation to adaptations and there is anecdotal

⁴ <https://beta.gov.scot/publications/adaptations-working-group-scottish-governments-response/>

⁵ http://www.parliament.scot/S5_Local_Gov/Inquiries/20171130_SPICeHousingBudgetSummary.pdf, prepared 30 November 2017

evidence that RSL tenants have to wait months, rather than weeks for some adaptations.

ALACHO raised a concern that with the transfer of council adaptations budgets to the integrated joint boards there is no longer any clarity on strategic leadership and the adaptations programme is run wholly separately from other adaptations processes.

Both ALACHO and SFHA acknowledged the work that the Scottish Government has been undertaking in relation to adaptations, including the Adapting for Change pilots, which tested changes recommended by the Adaptations Working Group. The changes focussed on a tenure neutral approach to funding adaptations. The SFHA said it was in discussion with the Scottish Government about such an approach. ALACHO said that given there is a role for Integrated Joint Boards, and that the Adapting for Change pilots are now five years old, there is scope to look again at where strategic leadership for adaptations should rest.”

During the evidence session on 6 December 2017,⁶ the witnesses were asked about adaptations. Witnesses repeated the above points and noted that the RSL budget has remained static despite increasing demand from an ageing population. Furthermore, it was suggested that some RSLs spend their budget in the first few months of the year then have to wait for additional money.

During the Committee’s evidence session on 20 December 2017,⁷ the Minister of Local Government and Housing, Kevin Stewart MSP, indicated that the Scottish Government were committed to implementing the recommendations of the adaptations working group.

The Minister appeared before a committee evidence session on [16 May 2018](#) which included an update about the housing budget and progress towards housing supply targets.

Again, the Convenor questioned the Minister on adaptations, and on the Scottish Government response indicating that there was not a comprehensive picture on the amount IJBs were spending on adaptations. The Minister responded that:

“I agree that the information that I have provided to the committee is patchy: I am not particularly happy with that situation. We will go back to the HSCPs and ask them to have a hard look at what they are doing in that area..” (Col 21)

⁶ Witnesses included: Tony Cain, Policy Manager, Association of Local Authority Chief Housing Officers; David Stewart, Policy Lead, SFHA; Douglas Black, Secretary, Local Government Service Group, and Mark Ferguson, Chair, Local Government Committee, UNISON Scotland

⁷ <http://www.parliament.scot/parliamentarybusiness/report.aspx?r=11279&mode=pdf>

6. Wider Housing Supply budget

Stage 3 funding adaptations have previously been part of the Housing Support budget line of the housing budget.

The main part of the wider housing budget is devoted to the Affordable Housing Supply Programme (ASHP). Through the AHSP the Scottish Government is seeking to deliver at least 50,000 affordable homes, of which 35,000 will be for affordable rent.

Funding for the ASHP has increased in recent years. In 2018/19 the budget was around £756m, an increase of 28% from the previous year.⁸ Recent [statistics](#) suggest that the Scottish Government is on course to meet this target.

The Committee has previously heard evidence that is supportive of the resources the Scottish Government has dedicated to affordable housing funding.

In addition to adapting existing property, the Committee has heard about some issues related to the delivery of new build specialist housing, such as housing to meet the needs of wheelchair users and the difficulties of funding this type of housing through the AHSP.

The report [Review of Strategic Investment Plans for Affordable Housing, commissioned by Shelter, SFHA and the Equality and Human Rights Commission in Scotland](#), highlighted some of these concerns about specialist housing. Regarding the difficulties in developing such housing its said:

“Reasons are complex but include variable progress in developing effective joined up working between health and social care partnerships and the lack of a clear and stable revenue funding framework. “

Recently [published research](#),⁹ commissioned by Horizon Housing Association and the Chartered Institute of Housing (Scotland), found that over 17,200 wheelchair users in Scotland do not have a suitable home and this unmet need is set to increase by 80% by 2024.

The report makes recommendations for a three-tier approach to addressing need, which includes; the design and supply of new homes, adaptations and effective allocation of adapted rented housing. The research makes suggestions as to how local authorities can better assess housing need among wheelchair users in their area, and

⁸ For an overview see SPICe briefing [Affordable Housing Supply Programme](#)

⁹ North Star Consulting and Research., Horizon Housing, & CIH Scotland, . (2018). Still minding the step? a new estimation of the housing needs of wheelchair users in Scotland. from <https://www.horizonhousing.org/media/1522/still-minding-the-step-full-report.pdf>

recommends that the Scottish Government sets a national guideline target that would see 10% of new homes built to wheelchair accessible standards.

In May 2018, the Equality and Human Rights Commission published a report [Housing and Disabled People Scotland's Hidden Crisis](#). The report found that:

- disabled people are too often demoralised and frustrated by the housing system
- there is a significant shortage of accessible homes
- installing home adaptations involves unacceptable bureaucracy and delay

The report made a number of recommendations for improving the situation, including that the Scottish Government should increase resources available for adaptations across tenures to meet increasing demand.

In a response to a PQ in June 2018, the Minister set out the action the Scottish Government is taking to increase the supply of houses that meet the needs of disabled people:

“Question S5W-16880: Monica Lennon, Central Scotland, Scottish Labour, Date Lodged: 24/05/2018

To ask the Scottish Government what action it is taking to increase the supply of houses that meet the needs of disabled people.

Answered by Kevin Stewart (05/06/2018):

Access to good quality housing is a priority for this Government. We firmly believe that everyone should have a home that meets their needs. Living in the right home with the right support can be the key to enabling people to live safely and independently at home.

Local authorities as strategic housing authority have the responsibility for assessing housing requirements in their area & setting out in their Local Housing Strategy & Strategic Housing Investment Plans how these requirements will be met. Our A Fairer Scotland for Disabled People Delivery Plan sets out a number of housing related actions that support this ambition, including ensuring each local authority sets a realistic target for delivery of wheelchair accessible housing, and reports annually on progress. We are currently refreshing the Local Housing Strategy guidance and will include this commitment within the revised guidance which we expect to publish later this year.

Most of the homes provided through the Affordable Housing Supply Programme will be delivered by housing associations and councils and will be sufficiently flexible to meet people's varying needs. Latest available statistics show that 91% of homes built by housing associations and councils in 2016-17 met Housing for Varying Needs Standards. We will ensure that the grant subsidy arrangements for the Affordable Housing Supply Programme help provide specialist housing identified by local authorities as a priority.

The Scottish Government is also working with health and social care partnerships, disabled people's organisations and the housing sector, to improve planning and delivery of adaptation services to ensure that people who would benefit from adaptations to their home can access these services when needed.

Current Status: Answered by Kevin Stewart on 05/06/2018"

Kate Berry
Senior Researcher (SPICe)

Annexe B

Written Submission from Association of Local Authority Chief Housing Officers Scotland (ALACHO)

In our submission to the Local Government and Communities Committee as part of its budget deliberations in 2017 we made the following statement:

“To this extent there is clearly a role for the IJBs and given that the Adapting for Change report is now five years old there is scope to look again at where strategic leadership should rest. As things stand however, the Scottish Government is presiding over a service that is declining in effectiveness, is inadequately linked to other related activities through the IJBs and Local Housing Authorities and is increasingly underfunded.¹⁰

In responding to this and other evidence the Minister for Local Government and Housing advised the Committee that:

“As the committee is probably aware, we set up an adaptations working group that looked at what was going on in a number of areas across the country. The recommendations from that working group have crossed my desk just recently, and I intend to meet my officials in the new year to see how we can ensure that they are acted on. That will include working with senior staff in health and social care partnerships on the preventative benefits of investing in a well-functioning and well-resourced adaptations service. Integration joint boards must recognise their responsibilities.¹¹

The report that the Minister is referring to is now six years old and whilst we are pleased that the issue of strategic leadership is now clear, little further progress has been made in implementing its recommendations or improving the outcomes from the adaptations system.

That is not to say that there has been no progress, some IJBs have improved joint working locally and there is evidence that some of the recommendations from the “Adapting for Change” report and the four pilot “tests of change” have been progressed in some areas.

But progress remains slow and uneven, the funding for adaptations and outcomes from the service varies by tenure and tenants of some Housing Associations are still waiting too long for adaptations to their homes to be completed. Our view remains that the size of the “stage three adaptations budget” provided by the Scottish

¹⁰ ALACHO submission to the Local Government and Communities Committee, October 2017

¹¹ <http://www.parliament.scot/parliamentarybusiness/report.aspx?r=11279&c=2051865>

Government and the fact that it is held and operated entirely separately from the rest of adaptations process is a factor in this.

In advance of the Committee's "round table" discussion on 3 October we would offer the following observations and concerns for discussion:

- There is evidence of significant unmet need for adaptations and adapted housing. This is best demonstrated through the Equalities and Human Rights Commissions recent report "Housing and Disabled People: Scotland's hidden crisis"¹².
- Little progress has been made in improving the adaptations process or the experience of disabled people of that process. The EHRC report cited above concludes that:

"While person-centred policy making is now built into the mandate of IJBs, there has been little progress to address some of the long-standing issues that disabled people face within the adaptations process. Changes to funding arrangements for adaptations, together the implementation of common parts regulations, is urgently required to ensure that disabled people are able to get the adaptations they need to live independently in their own homes."
- Local Authority tenants remain the only group required to pay for the whole of the cost of adaptations to their homes themselves. The Scottish Government funds (at least in part) adaptations to the homes of Housing Association Tenants, local authorities make grants available to assist both owner occupiers and private tenants as part of their statutory "scheme of assistance". The cost of adaptations to Council owned homes is funded from rents charged to all tenants. Our work with Local Authorities suggests that this amounts to around £1-£1.50 a week for every Council tenant;
- The Stage Three Adaptations budget has remained at £10m for the past ten years. It is managed separately from other the other funding streams and some Housing Associations are reluctant to commit their own resources to ensure that adaptations are carried out. As a result Housing Association tenants are more likely to face a long wait for work to be carried out than those in other tenures; and
- The supply of new fully accessible or adaptable homes is inadequate to meet the needs of an ageing population and many older owners of lower value homes that cannot be adapted to meet their needs find it difficult to find and afford more suitable homes in owner occupation. This is particularly problematic given that 72% of owner occupier heads of household are over 60.¹³

¹² <https://www.equalityhumanrights.com/en/publication-download/housing-and-disabled-people-scotlands-hidden-crisis>

¹³ <https://www.gov.scot/Publications/2017/09/9979/345322#Table3.3>

We hope that Committee members find these observations helpful and we look forward to discussing these and other related matters in more detail on 3 October.

Tony Cain
Policy Manager
ALACHO

Written Submission from Housing Options Scotland

Housing Options Scotland is absolutely delighted to have this opportunity to give evidence to the Local Government and Communities Committee. We are speaking on behalf of our clients, our volunteers and our staff team.

We do not feel that we are able to comment on the adequacy of adaptations budgets however we have some suggestions about how existing funding can be stretched and enhanced in order to provide better outcomes.

Last year we directly helped over 550 clients in all tenures. Our clients range from asset wealthy owner occupiers to homeless families living in temporary accommodation.

We also have an outreach programme which includes a summer tour of Scotland, visits to all the MoD bases and one-off talks to carers' groups, OTs and anyone with an interest in housing options.

Most of our clients requesting adaptations are either owner occupiers or private renters. In general, social renters find that their landlord is willing to provide adaptations. Sometimes we are approached by tenants who are unhappy with the landlord's decision and we can become involved in brokering a solution. This may involve using our OT or our architect or simply getting all parties round the table to either agree a solution or look at other housing options.

In the owner-occupied sector we find many common issues. Firstly, people do not know who to contact to request help with an adaptation. This builds frustration and anxiety and often resentment. With very high workloads our clients often experience long wait times for an assessment and are often disappointed with the eventual decision.

If each LA had an "inclusivity champion " (along the same lines as the Armed Forces Champion) this would give people a single point of initial contact.

In general clients approach us because there is a funding gap between what the LA can provide and the work that the client feels is needed. We can help bridge this gap in a variety of ways.

We can look at alternative housing options.

We can broker meetings with the extended family and the LA.

We can recommend an IFA who specialises in benefits-based borrowing.

We can help with self-funding campaigns.

We can help with applications to grant giving charities.

We can refer to Access Ownership *

* Access Ownership is a shared ownership scheme in partnership with the Link Group. So far 20 families have been helped to either adapt their current property or purchase a new home. They own a share of the property and pay "rent" on the share owned by the HA. We feel this scheme could be offered by other RSLs.

We also have a pilot scheme called Ownership Angels where wealthy individuals can lend money on a long-term basis to help our clients adapt/ purchase.

We have recently had successful experiences with 2 LAs becoming the long term "lender of last resort" and helping to fund adaptations once the family had maximised their own contribution.

With regards to our veteran clients we feel the veterans charitable sector is a potential area of untapped funding. We feel that there is scope for SSAFA, who already fund a PRS rent deposits to be asked to fund adaptations.

Finally, we feel there is significant scope for people to move out with their local authority areas. We recently helped a wheelchair user move from a 3rd floor PRS flat in Highland to an accessible property in Inverclyde. We are frequently approached by RSLs with adapted /accessible properties for which there is no local demand.

Thank you very much for your time.

Moir Bayne
CEO
Housing Options Scotland

Written Submission from Shelter Scotland

Introduction

At Shelter Scotland we work to alleviate the distress caused by homelessness and bad housing. We do this by giving advice, information and advocacy to people in housing need, and by campaigning for lasting change to end the housing crisis for good.

We strive every day to give people the help they need and we campaign relentlessly to achieve our vision of a safe, secure and affordable home for everyone. In 2017/18 Shelter Scotland helped 21,290 people through our housing advice and support services. Across all those we helped, the top three issues were: struggling to pay or afford housing costs; housing conditions and issues with their landlord.

Summary

- The supply of adapted and adaptable housing in Scotland is currently insufficient and should be increased across all tenures.
- Scotland is in a housing crisis with insufficient housing across all tenures but particularly in the supply of affordable and socially rented homes. This puts pressure on all parts of the housing system, especially high needs groups including those who are homeless and those who have specific accessibility requirements due to a disability.
- Shelter Scotland works frequently with people who are stuck in housing that does not meet their needs, often rendering them house-bound and cut off from social networks, or forced to make significant and inappropriate changes to their lives including sleeping on sofas, washing at a sink or being carried up multiple flights of stairs.
- The right to adequate housing is enshrined in the Universal Declaration of Human Rights, but access to a safe, secure, affordable home is currently denied to those for whom suitable accommodation is not available. The Scottish Government and all other duty bearers in Scotland should ensure that there is a supply of adequate housing which meets everyone's needs.

Housing crisis

Scotland is in a housing crisis, with a chronic lack of housing across all tenures but especially affordable and socially rented housing. There are currently 131,900 people on local authority housing waiting lists and a further 25,900 on transfer lists¹⁴, and in 2017/18 34,972 households applied as homeless¹⁵, the first increase for 9 years. At

¹⁴ Housing Statistics for Scotland - Housing lists (Scottish Government, September 2018)
<https://www.gov.scot/Topics/Statistics/Browse/Housing-Regeneration/HSfS/HousingLists>

¹⁵ Homelessness in Scotland: 2017-18 (Scottish Government, June 2018)
<https://www.gov.scot/Publications/2018/06/9554/downloads>

the last count on 31st March 2018, 10,933 households were living in temporary accommodation. The number of children in temporary accommodation has risen for the fourth consecutive year to 6,615 and households with families spend longer in temporary accommodation, primarily because there are insufficient affordable housing options for them to move out of temporary accommodation. It is within this wider context that the housing sector is struggling to meet the needs and support the independence of those with physical disabilities. According to Independent Living in Scotland in 2017, only 0.7 per cent of local authority housing stock and 1.5 per cent of housing managed by registered social landlords (RSLs) is accessible to wheelchair users.¹⁶ This is despite the fact that demand for accessible housing is increasing, particularly for wheelchair users. Projections indicate that there will be 80 per cent growth in the number of wheelchair users by 2024.¹⁷

Case study

Kerry and her family including two children and her mother became homeless when their landlord abandoned his property as it was being repossessed. Kerry's daughter has a rare disability which means she uses a wheelchair and requires a number of adaptations and aids fitted in her home. Kerry's mother also suffers from Chronic Obstructive Pulmonary Disease (COPD). They were already overcrowded – her mum has been sleeping on the sofa for years. No suitable temporary accommodation could be found for them so they remained in the flat which was not being managed by anyone. Mistakes were made in their homelessness application resulting in delays and they were restricted in applying for the small number of properties allocated to people with mobility issues. They were given a housing transfer after Shelter Scotland's Law Service got in touch with the local authority and housing associations concerned and their case was reported in a national newspaper. The family's stressful ordeal lasted for more than two years.

Lack of accessible housing

Our advice and support services are often contacted by people who are in housing that does not meet their needs who are struggling to have properties adapted or to find a suitable home to move to and need Shelter Scotland to advocate on their behalf.

¹⁶ Housing and Disabled People: Scotland's hidden crisis (EHRC, May 2018)
<https://www.equalityhumanrights.com/sites/default/files/housing-and-disabled-people-scotland-hidden-crisis-long-summary.pdf>

¹⁷ Housing and Disabled People: Scotland's hidden crisis (EHRC, May 2018)
<https://www.equalityhumanrights.com/sites/default/files/housing-and-disabled-people-scotland-hidden-crisis-long-summary.pdf>

Case study

Carol, a kidney dialysis patient, contacted Shelter Scotland because she faced delays having a shower installed in her housing association home. The delays had a severe impact on her health and wellbeing. Not only did she have to stand at a sink to wash every day, but a complication of her illness is an uncomfortable rash covering her whole body which was being exacerbated by the lack of a shower. After months of delays the housing association acted very quickly once contacted by Shelter Scotland acting on behalf of Carol.

Case study

Linda and her two teenage children became homeless due to marriage breakdown. As a wheelchair user who was also homeless the housing association restricted the homes she could bid on to the small number it allocated for people with mobility problems. However Linda's Occupational Therapist confirmed there were properties suitable for adaptation in the category allocated to people experiencing homelessness which Linda was not allowed to access. Due to the limitations on the properties she could bid for, Linda endured three years in temporary accommodation which was unsuitable for her disability rendering her housebound at times. She was finally offered a suitable home as the result of out of court negotiation between the Housing Association and Shelter Scotland's Law Service.

The lack of suitable accommodation affects people across all tenures – including the private rented sector where a tenant is only permitted to make adaptations with their landlord's permission, though the landlord cannot withhold consent unreasonably. Some physical changes can be more difficult to argue for particularly if there is a lack of security of tenure where tenants are on a short assured tenancy agreement and outwith their initial tenancy period meaning they can be given notice without the need for any grounds, or where the tenant is unsure if they want or will be able to stay in the property long term.

Case study

The mother of a young boy with a severe learning disability needed adaptations in her private let to help her care for him, specifically a wet room because she was struggling to bathe her son. She was reluctant to push for her landlord to adapt the property because she didn't feel it was reasonable for the landlord to make such a major physical change to the property particularly given she did not want to remain in the property permanently. Her Shelter Scotland adviser applied to the community care panel to try to increase her priority rating to help her find a permanent more suitable home in the social rented sector, but this was refused because she had not tried to ask her landlord for permission. An appeal was also refused on the same basis, not taking into account that her reluctance to ask her landlord was based on the fact that

the property on the whole was not suitable for her: she had had to give up work to become a full-time carer for her son and was struggling to pay the rent.

New-build housing

Recent analysis¹⁸ of Strategic Housing Investment Plans and a sample of Affordable Housing Supply Plans on behalf of Shelter Scotland raised several issues relating to accessible housing, including those around funding. The research found that 12% of new homes planned are classed as ‘specialist housing’ but that it is difficult to track what type of specialist housing they are. The Equalities and Human Rights Commission¹⁹ has recommended that local authorities should ensure that a minimum of 10 per cent of new housing is built to a wheelchair-accessible standard. Shelter Scotland would agree that, given the housing crisis and the profile of the ageing population, a serious discussion needs to be had about how we increase the amount of accessible housing to meet current and future needs.

Human rights

Shelter Scotland believes that everyone has the right to a safe, secure and affordable home but access to a safe, secure, affordable home is currently denied to those for whom suitable adapted and adaptable accommodation is not available. Access to an adequate standard of housing is a basic human right as enshrined in the Universal Declaration of Human Rights that the Scottish Government and one which all public agencies and stakeholders should be seeking to achieve.

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¹⁸ Review of Strategic Investment Plans for Affordable Housing (Shelter Scotland, February 2018)
https://scotland.shelter.org.uk/professional_resources/policy_library/policy_library_folder/review_of_strategic_investment_plans_for_affordable_housing

¹⁹ Housing and Disabled People: Scotland’s hidden crisis (EHRC, May 2018)
<https://www.equalityhumanrights.com/sites/default/files/housing-and-disabled-people-scotland-hidden-crisis-long-summary.pdf>