

Review of the Assessment and Allocation Guidelines

Housing Agency - Submission Template

Closing Date for Submissions is **5pm on the 1st of March 2024**

Please note that there is no limit to the Words that can be included but you are requested not to have your answers too long.

Organisation Name:

Citizens Information Board

Address of Organisation:

Ground Floor, George's Quay House, 43 Townsend Street, Dublin 2, D02 VK65.

If applicable, please give detail of who your organisation represents or supports including the category of disability and age profile of the individuals you represent or support:

The Citizens Information Board (CIB) has a particular role in providing information, advice, and advocacy services for people with disabilities and is also the agency responsible for the National Advocacy Service for People with Disabilities (NAS). One of the statutory functions of CIB is to provide policy feedback to Government based on the experience of users and providers of CIB-funded services.

This Submission is informed by *The Right Home*, a CIB/Disability Federation of Ireland social policy report¹ published in 2022. That report identified a range of issues in relation to the social housing needs assessment process in respect of disabled people and people experiencing mental health difficulties. The report highlighted in particular:

- A complex and difficult to navigate application process.
- People being offered unsuitable accommodation with no alternative options provided.
- Failure to take account of the needs of differing individuals and differing disabilities.
- Poor understanding or awareness of disability among some local authorities.
- Little account taken of location, family, and social networks.
- Perceived pressure on individuals to accept an inappropriate offer of accommodation because of fear of being removed from the waiting list.

These issues also informed CIB's submission to the Housing Agency consultation on the Housing Strategy for Disabled People.²

¹ [The Right Home The Housing Needs of People with%20Disabilities.pdf](#)

² [National-Disability-Housing-Strategy-CIB-052020.pdf \(citizensinformationboard.ie\)](#)

Comments on Guideline Standards as listed in Section 4 of the Consultation Paper:

The Guideline Standards as outlined provide a necessary foundation for identifying and addressing the social housing needs of disabled people. The categories of people who are listed as being entitled to an assessment of housing need is comprehensive and inclusive of all those groups potentially in need of social housing. However, CIB believes that there should be some reference to the proactive targeting of people living in the community who may have a social housing need and require support and encouragement to apply. This would be different to the current approach where the onus is on the individual to instigate the application process.

The reference to the use of the discretion clause under HAP to facilitate disabled people to access the scheme is an important one – it is assumed that that this refers to discretion *to exceed the HAP rent limits by up to 50% for homeless households if this is necessary to source suitable accommodation.*

The reference to adherence by Local Authorities to the Guiding Principles of the Assisted Decision-making (Capacity) Act 2015 is a very important one. It is suggested that the following text be added;

The Guiding Principles provide that a person shall not be considered as unable to make a decision in respect of the matter concerned unless all practicable steps have been taken, without success, to help him or her to do so.

Any additional standards you would like to forward for consideration.

CIB suggests the following additional standards:

- Local Authorities will advise potential applicants on how to access an independent advocacy service and make a referral to such a service if requested by an applicant.
- Each Local Authority will have available a list of NGOs in their area who provide information and advice on housing.
- Local Authorities shall ensure that information is provided in accessible formats – written and oral and where appropriate through Irish Sign Language.

Comments on existing Key Messages as listed in Section 5 of the Consultation Paper:

The Draft Key Messages are informative and state a number of centrally important points, in particular:

- Taking all practical steps to ensure that the application is as easy as possible – this is critical because of the complexity of the Application Form.
- Acceptance of joint applications from people not sharing a house at the time of the application.
- Eligibility of people who have an interest in/ownership of a property that cannot be reasonably occupied.

- The piloting of an early notification system in conjunction with the HSE (Point 9) is an important initiative and should be expedited.
- The reference to a housing need associated with a worsening condition/disability (Point 11).
- Referring to meeting the specific needs of people transitioning from a congregated setting or nursing home are centrally relevant (Points 12 – 15). It would be useful here to make reference to the need to provide some people in such situations with the decision supports provided for under the Assisted Decision-making (Capacity) Act 2015, in particular, a Decision-Making Assistant and a Co-Decision-Maker.
- Setting out clearly the components of an integrated housing and support infrastructure (Point 15) is particularly important. Without which the move by many individuals from a congregated setting to more independent living in the community cannot realistically happen.

Any new Key Messages you would like to forward for consideration.

There would appear to be scope for a better fit between the National Housing Strategy for Disabled People 2022-2027 Implementation Plan which contains a number of specific actions which could usefully be reconfigured and synthesised for inclusion in the Key Messages, in particular:

Action 1.1.4

Each local authority must ensure that they are aware of the housing need in their area by

(a) Recording the actual housing need of all new applications for social housing support where the basis of need is disability in a consistent way on the LA's housing system.

b) Reviewing their Housing Waiting List to determine the needs of each individual that has a basis of need of disability and record the housing need of the household on the housing system.

Action 1.1.10

Engage with the Irish Council for Social Housing (ICSH) to promote partnerships between the major AHBs and disability service providers (including HSE) or arrangements whereby the housing elements of projects are managed on behalf of smaller disability service providers.

CIB believes that the latter would be particularly important in enabling and expediting the move out of congregated settings.

Action 1.2.4

Monitor offers to ensure that accommodation offered is suitable for a household's needs with specific disabilities through the quarterly reports to the Strategic Policy Committee and the Housing Agency.

Action 1.4.1

Local authorities must carry out an audit of their current social housing waiting list to establish the number of disabled people on the list.

CIB suggests that identifying the waiting times for each individual should be part of this process.

Action 2.1.1

Each local authority is to nominate a representative from their Housing Departments to work closely with a person nominated by each CHO Mental Health and Disability Services.

Action 2.1.2

Extend the Mental Health Tenancy Sustainment Officer role nationally through the AHB sector to work with local authorities and Approved Housing Bodies to support people with mental health related difficulties to sustain their tenancies and prevent homelessness.

It is the view of CIB that a Tenancy Sustainment Officer should also be available to people with an intellectual disability.

Action 2.1.5

The HSE will regularly review levels of need and work with service users to identify accommodation solutions at an early stage. Packages of care support for individuals and families will be reviewed as needed, having regard to budget.

Action 2.1.7

Develop a protocol between the HSE and local authorities to allow for a review of applications to ensure that the needs of disabled people are being met from both housing and support perspectives.

Action 2.1.8

Examine the existing mechanism for households with disabled children that allow for a review of their social housing allocation as their needs change and timely facilitation of appropriate transfers to ensure that it is fit for purpose.

Actions 4.3.2 and 4.3.3

Put in place a central point of contact for disabled people within local authorities.

Put in place a central point of contact for disabled people for housing related supports in each CHO area.

Action 4.4.1

a) Information on housing and related matters will be provided in various formats that are accessible and easily located.

Action 6.2.1

Allow people transitioning from congregated settings to be placed on the transfer list outside of the current transfer rules of the LA requirements if such a move is requested due to a change in the individual's will and preference, where the original will and preference was articulated without full knowledge or understanding.

Action 6.2.4

Local authorities will be positively open to offering transfers to disabled people where the current accommodation including location is no longer appropriate for the disabled person.

Any other issues that you feel need to be considered for inclusion

The National Housing Strategy for Disabled People 2022-2027 and the related Implementation Plan provide a necessary developmental framework for assessing and meeting the housing needs of disabled people and those experiencing mental health difficulties. The Assessment and Allocation Guidelines Standards and related Key Messages are clearly an important component in implementing the Strategy. To be fully meaningful, they need to be focused, comprehensive and implementable. It is suggested that they could be more closely aligned with the Implementation Plan. They also need in their interpretation and implementation to take fully into account the actual realities and the challenges routinely experienced by people with disabilities.

CIB is of the view that there is a need for a stronger alignment between standards and key messages and the lived experiences of disabled people and people with mental health difficulties as set out in *The Right Home* Report (referenced above).

That report included a number of centrally relevant points:

- Disabled people are faced with a system that is complex and difficult to navigate both in terms of establishing their eligibility for social housing support and in moving through the assessment process.
- Individuals can be subjected to repetitive requests for information from the various agencies with whom they must interact. Some Local Authorities are more stringent, demanding, and critical than others in their application of eligibility criteria and in how they deal with individuals with various disabilities.
- Individuals can find that their needs are not being considered in a holistic manner and that they themselves are not treated in an inclusive way by the system.
- Environmental issues such as the need for a noise-free environment, accessibility of important services, proximity to crucial social, family or neighbourhood networks are not considered.
- Individuals can feel pressurised into accepting offers that are inappropriate, inadequate, or unsuitable.
- For some people with disabilities the process is overly demanding, frustrating, and problematic to such a degree that they choose not to engage with it.
- Individuals have evolving and changing needs. These may be gradual and predictable, or sudden and unexpected. Age, health and/or family circumstances can all result in a need for new and/or adapted accommodation and supports. This continuum of need requires a continuum of provision response.
- People who acquire a disability during adulthood can face particular challenges in remaining in their own homes. This is related to difficulties in both getting the required home adaptation and getting the additional in-home supports required as a result of their disability.
- While community group home settings have a part to play in meeting accommodation needs, there is a perception of a reluctance to reallocate staff from congregated settings to locations

that are more integrated into the general community and, therefore, more distant from the staff's original place of work. Problems with mobility of staff can contribute to a continued over-use of the community group home option.

- People continue to be offered accommodation options but without the supports needed for any real degree of independent living. However, some people may not be able to take up the offer because of lack of adequate supports while others may feel that they must accept them or have to endure a long wait for alternatives. In other instances, individuals are offered accommodation with supports, but only in settings such as community group homes.
- Particular difficulties have arisen with regard to personal assistant (PA) provision. Difficulties in accessing assisted living supports, such as PA's, severely restricts the possibility of many individuals moving into sustainable living situations in the community.
- Individuals with disabilities and their families, who may already be apprehensive about the individual moving to a more independent and integrative setting, are discouraged, and demotivated by the absence of adequate support.
- Strong evidence was reported in relation to inadequate coordination and collaboration between Local Authority staff and HSE staff. While there is evidence of examples of good practice and innovation involving Local Authorities, the HSE and the voluntary sector, such cases are often ad hoc and more reliant on individual personalities rather than on a systematic operating framework.
- In some cases, information regarding eligibility criteria for accommodation and related supports for disabled people tends to be poorly presented, complex and very difficult to understand and grasp.
- Referral pathways can vary from region to region and from agency to agency.
- Effective communication between Local Authorities and applicants has proven problematic in many instances. A basic recognition and understanding of the situation of the person with a disability is often lacking. People have been removed from housing lists as a result of them not responding promptly to communications, or in cases where they rejected initial offers of accommodation that they deemed unsuitable.
- Inadequate attention has been given to the challenges that some people with disabilities experience in receiving, understanding, and responding to conventional forms of correspondence. Individuals may have literacy difficulties, may not have ready access to digital technology or may not be able to afford it, or may be inexperienced or poorly informed about how official communications should be managed and responded to.
- There was a perception that many Local Authorities do not have sufficient or adequately trained staff for the roles connected with managing the provision of accommodation for people with disabilities. Staff turnover can result in a breakdown of continuity in dealing with individual cases and in repetitive demands for information. The experience reported by NGOs is that individual Local Authorities operate in widely individual ways in both their approach and in their performance in addressing the accommodation needs of people with disabilities.

- A perception was reported by those consulted for the report that in many cases information regarding eligible accommodation and related supports for disabled people tends to be poorly presented, complex and very difficult to understand and grasp. The options available are rarely presented in a coherent and manageable fashion. Referral pathways can vary from region to region and from agency to agency.
- A basic recognition and understanding of the situation of the person with a disability can often be lacking. People have been removed from housing lists as a result of them not responding promptly to communications, or in cases where they rejected the initial offer.