

Notes for workshop on Adaptations & disability rights.

The three government papers that are relevant are:

The Supporting People Objectives (April 2004)

- A programme that delivers quality of life and promotes independence.
- Services that are of a high quality, strategically planned, cost effective and complement existing care services.
- The planning and development of services is needs-led.
- A working partnership of local government, probation, health, voluntary sector organisations, housing associations, support agencies and service users.

Independence, Well Being & Choice (March 2005) which says –

The Government's programme of reform of public services provides us with an opportunity to create a framework for social care which meets the requirements of the 21st century.

This includes **PUTTING PEOPLE IN CONTROL: IMPROVING ASSESSMENT, DIRECT PAYMENTS AND INDIVIDUAL BUDGETS**

Homes for All - January 2006 a five year plan for LA based on sustainable communities

Homes for All offers everyone – owner occupiers, first time buyers, social tenants, key workers and people who rent privately – the opportunity of a decent home at a price they can afford. It is based on promoting choice, fairness and the opportunity to own or rent a good quality home that meets your needs. It aims to increase the supply of housing in a responsible way, by offering thousands of tenants the chance to buy a stake in their home – narrowing the wealth gap between those with housing assets and those without.

Let's find out what you already know about adaptations: Divide into three groups.

Adaptations:

By adaptations I am not just meaning ramps.

If we look at the needs of visually impaired people we need to be aware of not having clutter i.e. fixed installations in the kitchen,

Indoors

- Increasing the amount of natural light entering into the home.
- Improving the control and level of **artificial lighting**.
- Fixing any hazards such as loose carpeting or broken handrails on a staircase.
- Putting up continuous handrails on either side of the staircase to hold on to.
- Changing the colour scheme in your home so that you can see things more easily.
- Putting raised markings on appliance controls.
- Having non-slip flooring in the bathroom.
- Increasing the amount of heat insulation so that you can keep warm without paying higher bills.

cookers must have Braille fittings and guards round cookers to avoid burns – very good resource is: **Adapting Homes Guide**

A guide to adapting existing homes for people with sight loss.

Adapting Homes is a best practice guide to adapting homes for people with sight loss. It offers practical advice and suggestions and is accompanied by a photocopyable checklist. The guide is aimed at anyone with a wish or duty to provide adaptations for people with sight loss.

Author/s: Linda Rees and Caroline Lewis

Publisher: RNIB Cymru

Hearing impaired – need flashing lights instead of doorbells eg Portable flashing door chime, Vibrating doorbell with chime, A flashing device to alert you to a knock at the door, Smoke alarm system with vibration and flashing light alert if communal property fire alarms need to be visual, instead of intercoms would need to be vibrating pager

Physically impaired people are more obvious with regard to adaptations, level access, with regard to bathrooms this can be very personal to the individual....., light switches, handrails, kitchens requirements, fuse boxes need to be at right height, having regard to height of windows. It is essential to involve the disabled person in any adaptations you may make. Having a level playing ground to begin with. Having an awareness about the outside access and garden area. Which applies to all impairment groups. Now speaking from my personal experience storage space is always an issue when you have to house one or more wheelchairs or other aids. Mobility scooters, manual wheelchair etc need sheds etc

Disability Law - Rights

The DDA says:

It is unlawful for a person managing any premises to discriminate against a disabled person occupying those premises:

The DRC have commissioned Habinteq to produce guidance on the rights and duties relating to the DDA as amended in April 2005 to include the disability equality duty. This will take effect from Dec 2006

The first section of this guidance outlines the duties of landlords to make reasonable adjustments. These duties apply to all landlords, private and social.

The second section of the guidance outlines the Disability Equality Duties which apply to public sector landlords (councils).

The third section offers a strategic approach to improving housing services for disabled people, and complying with these new duties under the (DDA 05)

Increasingly, the Disability Equality Duty will become a core element of the framework within which housing organisation's performance is assessed:

Why new laws were needed

We all want to live in communities where we can participate fully and equally. Many indicators show that for disabled people this hasn't yet happened and there remains considerable work to be done, particularly in relation to housing:

Historically, the way in which houses have been built, and housing services have been run has failed to address the needs of disabled people as part of the wider community. Because buildings and programmes have been designed in a way which excludes disabled people, they are instead catered for by 'special' services. Too often this has resulted in disabled people finding themselves trapped in poor housing conditions, completely unsuitable to their needs. Work by the Joseph Rowntree Foundation found that 4 out of 10 families with disabled children experienced homes which were cold, damp and/or in poor repair. According to the English House Conditions Survey 25% of all households in non decent homes include someone who is long term ill or disabled.

There is a huge shortfall in accessible homes. The English Housing survey 2003/04 showed 1.5 million people were in need of accessible accommodation, with 329,000 living in completely unsuitable housing. With the population aging this need is growing.

There is also a significant problem of homelessness for disabled people. Between 1997 and 2004 the overall numbers of households accepted to be priority homeless (by local authorities) due to physical disabilities increased by 24 per cent, whereas those accepted as in priority need due to mental health problems rose by 65%. It should be stressed that these figures under-estimate the problem since many disabled people are not recorded as homeless by local authorities. Disabled people who want to leave institutions, or move out of the parental home in the same way as their non disabled peers, form an uncharted pool of hidden homelessness.

Section 1: Part 3 of the Disability Discrimination Act

Landlords' duties to make adjustments for individuals

From December 2006 landlords, both private and social, will have new duties to make reasonable adjustments for disabled people, as will those who control or manage rented property. These new duties are explained further in Statutory Code of Practice [LINK].

The new duties will mean that landlords will have to make reasonable adjustments to their:

- 1 Policies practices and procedures;
- 2 Provide auxiliary aids and services;
- 3 Change a term of a letting

when requested to by a disabled person.

The law requires landlords to respond reasonably to the requests of disabled occupiers or would be tenants. In order to do this it will often be necessary for (especially larger) landlords to prepare in advance by making arrangements to respond to requests – whether for extra assistance or alternative formats – or simply providing training for staff so that they know to implement rules flexibly where there is a disability issues.

Examples of the types of adjustments which could be made by landlords are:

- 1 Providing tenancy agreements in alternative formats, large print, Braille, audio tape, easy read;
- 2 Providing a British Sign Language interpreter during meetings with tenants who use British Sign Language;
- 3 Waiving a no pets policy for a disabled person with an assistance dog;
- 4 Spending extra time with tenants who have learning difficulties to ensure that they understand about their tenancy agreement and general rules etc.;
- 5 A temporary ramp could be provided for a wheelchair user who has a small step up into their flat.

Below are some examples of reasonable adjustments from the Code of Practice:

Local authorities will also have the DDA extended to cover the functions which they carry out like the process of applying for Disabled facilities Grants.

DISABLED FACILITIES GRANTS

What is disabled facilities grant available for?

If you are disabled, grant is mandatory for essential adaptations to give you better freedom of movement into and around your home and to access essential facilities within it. Where necessary it can also provide the essential facilities themselves. The types of work are:

to make it easier to get into and out of the dwelling by, for example, widening doors and installing ramps;

ensuring the safety of the disabled person and other occupants by, for example, providing a specially adapted room in which it would be safe to leave a disabled person unattended or improved lighting to ensure better visibility;

to make access easier to the living room;

by providing or improving access to the bedroom, and kitchen, toilet, washbasin and bath (and/or shower) facilities; for example, by installing a stair lift or providing a downstairs bathroom;
to improve or provide a heating system in your home which is suitable to the needs of the disabled person;
to adapt heating or lighting controls to make them easier to use; and
to improve access and movement around the home to enable the disabled person to care for another person who lives in the property, such as a spouse, child or another person for whom the disabled person cares.

Do the council have to give a grant?

When you apply to the council for a disabled facilities grant, they will need to check that the proposed works are:

necessary and appropriate to meet the disabled person's needs. Usually, they will consult an occupational therapist from the local social services department to make the assessment; and
reasonable and practicable depending on the age and condition of the property.

How will the grant be calculated?

The maximum grant that can be paid is £25,000 per application in England and £30,000 in Wales.

The grant is means tested

It will look at the income and capital of the disabled person and their spouse or partner. Where the application is for a disabled child or young person under the age of 19 there is no means test.

If the disabled person's resources are less than £25,000 there is nothing to pay. If the disabled person is on income support, income-based jobseeker's allowance or in receipt of guaranteed state pension credit, they will not normally have to make a contribution. If the disabled person's resources are more than the assessment, then a contribution will be required from them towards the cost of the works

Personal experience of 42 years in sheltered accommodation.

23 yrs – present time

Any Questions?

Thanks