



**Cynulliad Cenedlaethol Cymru  
The National Assembly for Wales**

**Y Pwyllgor Cyfle Cyfartal  
The Committee on Equality of Opportunity**

**Dydd Mawrth, 28 Ebrill 2009  
Tuesday, 28 April 2009**

**Cynnwys**  
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Cofnodir y trafodion hyn yn yr iaith y llefarwyd hwy ynnddi yn y pwyllgor. Yn ogystal, cynhwysir cyfieithiad Saesneg o gyfraniadau yn y Gymraeg. Mae hon yn fersiwn ddrafft o'r cofnod. Cyhoeddir fersiwn derfynol ymhen pum diwrnod gwaith.

These proceedings are reported in the language in which they were spoken in the committee. In addition, an English translation of Welsh speeches is included. This is a draft version of the record. The final version will be published within five working days.

**Aelodau'r pwyllgor yn bresennol**  
**Committee members in attendance**

|                 |   |
|-----------------|---|
| Eleanor Burnham | Democratiaid Rhyddfrydol Cymru<br>Welsh Liberal Democrats |
| Ann Jones       | Llafur (Cadeirydd y Pwyllgor)<br>Labour (Committee Chair) |
| Jonathan Morgan | Ceidwadwyr Cymreig<br>Welsh Conservatives                 |
| Janet Ryder     | Plaid Cymru<br>The Party of Wales                         |
| Joyce Watson    | Llafur<br>Labour  |

**Eraill yn bresennol**  
**Others in attendance**

|                   |   |
|-------------------|---|
| Jeff Childs       | Pennaeth y Gangen Adnewyddu'r Sector Preifat, Llywodraeth<br>Cynulliad Cymru<br>Head of Private Sector Renewal Branch, Welsh Assembly<br>Government |
| Jocelyn Davies    | Aelod Cynulliad, Plaid Cymru (Y Dirprwy Weinidog dros Dai)<br>Assembly Member, Plaid Cymru (The Deputy Minister for<br>Housing)                     |
| Brendon Hilbourne | Pennaeth yr Uned Sector Preifat, Llywodraeth Cynulliad<br>Cymru<br>Head of the Private Sector Unit, Welsh Assembly Government                       |

**Swyddogion Gwasanaeth Seneddol y Cynulliad yn bresennol**  
**Assembly Parliamentary Service officials in attendance**

|               |                               |
|---------------|-------------------------------|
| Rita Phillips | Dirprwy Glerc<br>Deputy Clerk |
| Bethan Webber | Clerc<br>Clerk                |

*Dechreuodd y cyfarfod am 9.34 a.m.*  
*The meeting began at 9.34 a.m.*

**Cyflwyniad, Ymddiheuriadau a Dirprwyon**  
**Introduction, Apologies and Substitutions**

[1] **Ann Jones:** Good morning, everybody. Welcome to the Committee on Equality of Opportunity. I remind everybody around the table to switch off their mobile phones and pagers. We are not expecting a fire alarm drill this morning, so if we hear an alarm we will follow the ushers' instructions.

[2] I invite Members to make any declarations of interest. I see that there are none.

9.34 a.m.

**Cylch Gorchwyl ar gyfer yr Ymchwiliad i'r Gwahaniaethu yn erbyn Pobl Hŷn  
ym myd Cyflogaeth**

## **Terms of Reference for Inquiry into Older People and Employment Discrimination**

[3] **Ann Jones:** While we wait for the Deputy Minister, we will turn to item 3 on our agenda. Paper 4 is before us on this issue. Are there any comments, or are we happy to accept the terms of reference?

[4] **Janet Ryder:** Considering how wide this can be, I think that you have done very well to narrow it down. I think that this would give a very good focused introduction to the review.

[5] **Ann Jones:** Do we agree paper 4, then? I see that the committee is in agreement.

9.35 a.m.

## **Ymchwiliad i'r Gwasanaethau Addasu a Chynnal a Chadw Cartrefi ar gyfer Pobl Hŷn yng Nghymru Inquiry into Home Maintenance and Adaptations Services for Older People in Wales**

[6] **Ann Jones:** Good morning, Deputy Minister. It is a pleasure to welcome the Deputy Minister, Jocelyn Davies, back to the committee. She has with her Brendon Hilbourne and Jeff Childs, so welcome to both of you as well. Thank you for the papers that you have submitted, which were very timely and useful.

[7] We have sets of questions, so if we go straight into questions, is that all right with you?

[8] **The Deputy Minister for Housing (Jocelyn Davies):** Yes, that is fine.

[9] **Ann Jones:** Thank you. Janet, you have the first questions.

[10] **Janet Ryder:** Thank you, Chair, and thank you, Deputy Minister, for coming this morning.

[11] In this review, one thing that has been highlighted by practically every person that has come to give evidence is the crucial role that occupational therapists play in this whole process. A lack of them can cause a delay in the system. Based on the high priority that a number of people have given to this, do you agree with the assessment that occupational therapists play a very crucial role? If so, how do you, working with other Ministers in the Cabinet, intend to ensure that we have enough occupational therapists being trained and coming through, and that they are being employed at a high enough level to be able to influence decisions?

[12] **Jocelyn Davies:** Thank you for that, Janet. Yes, they do play a crucial role, although, as you probably know, it is not essential to always use an occupational therapist for every single one of these. What we say in the legislation is 'suitably qualified', and there are occasions where perhaps you would not need an occupational therapist. We gathered this information for you about which local authority housing departments employ their own occupational therapists. When you compare that with the information about how long it takes from a request being made by an individual to the delivery of the adaptations, I think that the local authorities that perform best are those that employ an occupational therapist within their housing function. When I came to committee last time, I said that I had recently spoken with an occupational therapist who was employed within, I think, the Caerphilly local authority, which performs very well. That does definitely speed things up.

[13] We had to write to the individual local authorities to get this information. We did not hold it and neither did the Welsh Local Government Association. So, we wrote to the individual local authorities to gather this information, so it is new for us to have this in a document. No local authority has raised with me—I do not know if they have raised with officials—the lack of occupational therapists, but I am quite happy to take that up with the Minister for Health and Social Services if the committee felt that that was an issue.

[14] **Janet Ryder:** I think that it came through very clearly, as it would, in the evidence given by the occupational therapists themselves, and in evidence given by other groups as well, that something needs to impact on the training and the whole process. It is all right saying that we need more occupational therapists employed, but if we are not making sure that we have those training places available and people coming through, you cannot employ people in the services.

[15] **Jocelyn Davies:** I am not clear whether there are vacancies that are not being filled.

[16] **Janet Ryder:** You made reference to Caerphilly. When we had the WLGA in at the last session, we were given to understand that things were definitely improving with regard to the speed with which the applications were being dealt with. It also has become very obvious, if you look at the evidence, that the inroads have been made into those backlogs where occupational therapists are employed—not just employed in the department as a whole, but at a significantly high level to influence the whole process. I know that you have only just got this information, but, on the back of that, would you be able to make an assessment of how effectively local authorities are really using their occupational therapists or whether they are just being employed as a member of the team?

9.40 a.m.

[17] **Jocelyn Davies:** When there was a recent review in this area—of course, that was under a previous administration—guidance was provided. Brendon, do you want to come in on the guidance? We could make that available. I do not want to bog you down with lots of paper—it is not a big document—but we could make that available to you, so that you can see what went out to local authorities following the last Assembly review of this area of policy.

[18] **Mr Hilbourne:** As the Deputy Minister has said, local authorities have various responsibilities, some of which would rest with their social services department and some with the housing department. The important thing, I think, having looked at the evidence that the WLGA gave us, is that local authorities must act very corporately in this respect. I think that those that have already done that—the Deputy Minister mentioned that some have OTs attached to the housing departments—are delivering very effectively.

[19] The WLGA, I suspect, will want to look at this as well, to ensure that other authorities adopt the same sort of approach. As the Deputy Minister said, we have provided guidance that talks about the flexibility of using OTs, because the statutory position in the legislation is such that the welfare authority is supposed to be satisfied that the adaptations are necessary and appropriate for the individual. There are a number of ways that authorities can do that, and it is important that they use OTs or other suitably qualified staff as effectively as possible.

[20] In terms of the overall position with OTs, I think that that is probably a matter for the Minister for Health and Social Services.

[21] **Jocelyn Davies:** I am quite happy to write to the Minister for health. Considering her previous job, she would be more than open to representations from us that we must ensure

that there are sufficient numbers trained to take up these vacancies. I would be keen to know whether there are actual vacancies that are not being filled.

[22] **Ann Jones:** Okay. Janet, are you going to move on? I have some people who want to come in with follow-on questions.

[23] **Janet Ryder:** I am quite happy if other people want to come in.

[24] **Ann Jones:** Yes. I will take Jonathan, Joyce and Eleanor, in that order.

[25] **Jonathan Morgan:** Deputy Minister, surely the issue is whether or not local authorities have the right skills mix of people working there to ensure that the range of grant requests for work can be carried out as quickly as possible and that they are assessed by the right people. Accepting that OTs are required for certain grant applications, but may not be needed for others, what confidence, if any, can we have that local authorities actually have that skills mix? They could be using people who are not appropriately trained in the assessment of the application. Is there a guarantee that local authorities are using the right people to do the right work?

[26] **Jocelyn Davies:** The local authority is the welfare authority. They have a statutory obligation to ensure that the work that they are sanctioning has been properly assessed by a suitably qualified person. I suppose that there is a reason why it does not say ‘occupational therapist’, but it should be obvious to any competent local authority that they should be using, in some cases, occupational therapists, but there may be other cases that could be dealt with by way of a different sort of assessment—the quicker and the smaller adaptations that can make a huge difference to people very early on and can be done quickly, with no need for a delay. I would hope that no local authority would use it as an excuse that they were waiting for the occupational therapist in order to delay.

[27] **Joyce Watson:** My question follows on quite nicely, Deputy Minister, because I have heard just that. I have heard local authorities say, ‘We do not have enough people on the ground to do an assessment; therefore, our list is long’. I have heard that in Pembrokeshire, which has the worst list. Yet I note, here in your paper, that Pembrokeshire does not have any OTs in the housing sector, so there is a clear correlation.

[28] My concern—we need to know this—is that, if councils or unitary authorities are saying, ‘You have to have an assessment of need before you receive a grant’ and they do not have enough people on the ground, it leaves the door wide open for people to take action themselves and to employ private occupational therapists. However, those people can afford to pay, over and above need. So, the most needy who cannot pay for a service will not get it under those circumstances, and there is an imbalance between need and affordability. That really concerns me.

[29] **Jocelyn Davies:** What I would say for the Government is that we have the national framework, there is legislation, and this is a mandatory grant. There is guidance that has been issued, and there is funding. If something is a statutory right for someone, then, if they want to push it, they can enforce a statutory right. I think that that is an indication of how important the Assembly Government feels that this particular grant is—it is a statutory, mandatory obligation on the local authority. So, no-one should wait because they cannot afford a private occupational therapist’s assessment.

[30] **Mr Hilbourne:** It is the local authority that makes the assessment, so the authority would employ the OT to do that assessment. The authority must be satisfied, under the terms of the legislation, that the works are necessary and appropriate. So, it should not be a case that, if the local authority does not have an OT, the grant applicant has to find an OT. The

local authority itself needs to make that assessment.

[31] **Jocelyn Davies:** Yes, but it could be that it is the practice of some local authorities—you mentioned one in particular—that they would accept a private occupational therapist's assessment, but they would have to satisfy themselves. That does not release them from the obligation to assess other people who do not have a private OT's assessment.

[32] **Mr Hilbourne:** The local authority itself could get that assessment from a private OT; the grant applicant does not need to do that. The local authority would be in a position of saying, 'Well, we have this number of grant applications, we do not have the capacity in-house to do the assessment, so we will engage an external OT in order to do that'. That would be a matter for the authority to decide, obviously.

[33] **Jocelyn Davies:** It would be interesting to know whether such an authority had vacancies for OTs.

[34] **Eleanor Burnham:** We all have huge concerns, as you know, and I am sure that you have had constituents come to you. One of the worst cases for me took six months to be dealt with. Basically, even though the constituent appears to be okay, she has complicated health issues, including heart problems, a hip replacement and psoriasis. You name it, she had it. The complication was that she was trying to move into housing association accommodation, with the help and the good offices of the local authority, but she was already in her own home and paying for it, so to speak. So, she was, in the end, paying for two premises while waiting for the adaptation to move into the housing association accommodation.

[35] How can you reassure us that the system is streamlined? In the end, no-one really cares where the help comes from; they just want it. Very often, time is of the essence and, as you obviously are well up on this, you realise that there are two degrees. In this case the adaptation was a walk-in shower—it was not a major adaptation. That is the concern, really, streamlining and moving people along in the whole equation.

[36] **Jocelyn Davies:** Certainly, in relation to housing associations, you will probably be aware that we have done a review—the Essex review—of the regulatory regime around housing associations. One of the first recommendations that we took on board was the streamlining of the physical adaptations grant. So, housing associations no longer need to get prior approval from us before carrying out the work. They can carry out the work and then reclaim the money from us later. That has reduced the time taken by about four months, because that is how long that piece of paper was waiting on a desk in Merthyr to be dealt with.

[37] **Eleanor Burnham:** This was a six-month affair.

[38] **Jocelyn Davies:** Yes, but if there is no need for prior approval the housing association can get on with the work and then apply for a refund from us later, which has streamlined the process considerably. So, the backlog—that lady was probably part of a backlog—has now been cleared.

[39] There will always be complications if somebody is moving and you have to prepare a new property for somebody to move into. Inevitably, work does take time, nothing happens overnight, but I can certainly assure you that if the same happened today, the time taken would be reduced considerably.

[40] **Ann Jones:** Thank you. Janet, we will come back to you now for questions. We are going to have to try to move on a bit.

9.50 a.m.

[41] **Janet Ryder:** Yes, thank you. You have mentioned the fast-tracking, Deputy Minister, and that has come through on a number of occasions. Obviously you do not need an OT assessment for everything. If it is a minor issue, it has been put forward that you could have a self-identification process. You have mentioned vacancies quite a bit, and that depends on the employing body recognising the importance of the role. If they do not recognise the importance of the role, there will be no vacancy. So, it is a question of getting across to the employing body that the OT's role is significant, which can greatly shift the backlog that they have.

[42] You have also mentioned housing associations, which is another area that we have discussed. We have not actually taken evidence from housing associations as yet. With the move towards stock transfer, and a number of councils moving into new areas of housing, the importance of employing OTs will impact on the number of OTs that we need to have available.

[43] Finally, Deputy Minister, we have heard evidence that the Northern Ireland Housing Executive has employed an OT at quite a high level to help with practical things such as advice on design and mapping future and present use, particularly for wheelchair users. We have had written evidence from the Royal British Legion. If you talk to the Royal British Legion it points towards an increasing number of younger service people returning to the UK who will need specially adapted housing ready for them.

[44] Given that increased demand by younger people and the number of people already in the general population who need adaptations, have you given any consideration to employing OTs, or do you employ an OT at a high level in your department?

[45] **Jocelyn Davies:** I do not think that we employ an OT. From time to time, we use secondees—people who already have expertise. It does not sound as if local authorities would be too willing to give up a very experienced OT at this time, but it is certainly something that we could consider, using the expertise that already exists perhaps.

[46] You mentioned stock transfer. Quite recently, I approved the guidance for stock transfer, and I have reiterated within the guidance that the local authority must make adequate provision within the business plan in relation to the funding for these adaptations. We are stressing that and officials know that I am particularly interested in this. It is something that I have flagged up with them so they will be looking in all the future stock transfers to ensure that the business plan adequately provides for the adaptations that will be required for tenants after transfer. It is something that is in the Welsh housing quality standard. There is a requirement for social landlords to ensure that the needs of the tenants are met within the properties. The physical adaptations grants provide extra money for housing associations, and local authorities have been told they can use the major repairs allowance that they receive to do adaptations. So, I think that social landlords really should be on top of this.

[47] **Ann Jones:** A number of witnesses have commented that the current performance management data collection appears to be very limited in identifying areas of good or poor practice within authorities. What is your view on that? Do you think that the performance indicators are good enough as they are or do you plan to change them?

[48] **Jocelyn Davies:** This is something that we were talking about earlier. This is an indicator that was worked up with local government. In fact, the performance indicator probably came out of the last review, which was 2005, so this is not something that has been rushed into. The WLGA data unit developed the indicator alongside us and practitioners within local authorities, so it should be a good indicator. We know that, since it has been



introduced, there has been an improvement in the time, so something is working.

[49] What it does not do is identify the barriers. It gives you the average time taken from when the request for an adaptation was made, and that distinction is very important. From our conversation earlier we concluded that perhaps we could look at whether the average is a good indicator. I think that the information that is being collected is correct, but then you could be a well-performing local authority but you could have difficulty with one particular scheme: planning permission, problems with the builder, perhaps. Using an average could skew the results and it could look as if you are not such a good performer. Maybe using the average is an idea but it is certainly something that is constantly under review. We would be very happy to look at it again, but I think that the fact that things have improved since the indicator was introduced shows that it has an influence on performance.

[50] **Ann Jones:** It is quite interesting to hear you say that that indicator was worked up with the WLGA, or local government in fact, because Steve Thomas told this committee that he thought that it was too broad and that we are unable to measure it properly. So, that is quite an interesting comment and I think that perhaps we need to go away and revisit those areas.

[51] **Mr Hilbourne:** Yes. The indicator was introduced after the last review. We introduced it, but the WLGA data unit developed it. We were involved, as were a number of local authority practitioners. We were concerned that prior to that, there had been suggestions that there was not an accurate measurement of the time taken to get an adaptation. At the end of the day, the disabled person is principally concerned with how quickly they get the adaptation, irrespective of the bureaucracy, and that is very important. The WLGA data unit along with the local authorities helped us to develop that indicator, but as the Deputy Minister says, if they are concerned that there is scope for improvement, then we are happy to look at that again.

[52] **Jonathan Morgan:** Surely the objective ought to be to get robust data, and an average is not particularly robust, as we know. If this was the NHS and you were trying to lump knee surgery in with colon cancer, it would not be acceptable. So, the idea of handrails being put in the same category as small extensions to one's house does not provide a really robust picture. Do you think that the Government might move towards categorising the data within the key performance indicator? Unless you have that robust data, it really is very difficult to tell exactly how well local authorities are performing within certain categories.

[53] **Jocelyn Davies:** Yes, because as I said, there could be a well-performing local authority that has one scheme that takes a very long time, which makes it look as if it is not performing well. You are quite right, categorising handrails with an extension does not really give you the correct information. We are very happy to look at it again, but I think that the information that is collected from local authorities can be defended in as much as we have seen an improvement. However, I would agree with Jonathan in that they could be refined. We are very happy to have those discussions with the WLGA, and I will instigate those discussions with Steve Thomas because I can tell you that he has never raised this with me.

[54] **Ann Jones:** Okay, thank you. Janet?

[55] **Janet Ryder:** I suspect, Chair, that the Deputy Minister has just answered my question. It was very interesting, listening to that evidence last week, to hear that the WLGA was involved in drawing up that set of measurements. I think that I will leave it at that.

[56] **Ann Jones:** Yes, I think that we will move on. Jonathan, you have a set of questions.

[57] **Jonathan Morgan:** As question 6 has just been dealt with, I will deal question 5 and then question 7.

[58] Minister, you mentioned the 2005 review that was undertaken and the discussion around the the key performance indicator that was introduced in 2006. I am particularly interested in the indicator around the level of publicity and information that is provided by local authorities as to the range of services and the process for utilising the disabled facilities grant. In your view, have local authorities been successful in the past couple of years in increasing the level of information available to families about the services that are available? There was a very clear recommendation around publicity and information, and I am not quite sure whether that has been achieved.

[59] **Jocelyn Davies:** To be honest, Jonathan, I am not quite certain. Obviously, that was a review that was carried out under a previous administration and I was not the Minister then. I know that the guidance that was issued took that on board. I am aware—certainly I have been made aware anyway—that the websites of local authorities sometimes carry the wrong information, if that is any indication. Of course, that is how many people would access information about the local authority. I know from my own constituency work, apart from being a Minister, that it is not always easy to find this information, or individuals would not have to come to me. So, it is certainly something that could be improved.

[60] **Jonathan Morgan:** It was recommendation 2 of the review which said,

[61] ‘The production of clear publicity and information about DFG and adaptation services should be a core set requirement for the Assembly Government’s performance framework for local authorities.’

[62] On that basis, if that has happened—and I accept the work on that will have happened before you became Deputy Minister—surely officials should be aware of whether or not local authorities have improved their performance because it should be, as it says there, part of the Assembly’s performance framework.

10.00 a.m.

[63] **Jocelyn Davies:** Brendon, are you able to enlighten us?

[64] **Mr Hilbourne:** I am not sure. Jeff?

[65] **Mr Childs:** All I can say is that most local authorities would now have details of the DFG process on their websites. In terms of taking it through to its conclusion about effectiveness and performance, there is work to be done, in evaluating that. I think that that is something that we need to take up in concert with the WLGA, and particularly key local authority practitioners.

[66] **Jonathan Morgan:** In terms of that review, there were a number of things that were taken forward. We have mentioned the performance indicator on targets and measurements. There was a very clear recommendation—recommendation 2—that publicity and information and how local authorities provide that should be part of the performance framework. Was the performance framework adapted after the publication of that review in 2005 in order to take forward recommendation 2?

[67] **Mr Childs:** We had discussions with practitioners about the need to ensure that publicity is available and accessible to service users, particularly carers. It was decided, from discussions with key local authorities, that the local authorities would be best placed to ensure that the publicity that is available is tailored for their own areas. I think that we need to follow that up.

[68] **Jocelyn Davies:** Yes. As I mentioned, Jonathan, you have your national framework, you have legislation, you have detailed guidance, and you provide funding. That is what government does, but we do not micromanage the performance of each local authority in relation to this policy area.

[69] **Jonathan Morgan:** Could the Government then tell me what that recommendation actually means?

[70] **Jocelyn Davies:** I am not in a position—

[71] **Jonathan Morgan:** Well, perhaps the officials could tell me.

[72] **Mr Hilbourne:** I am not quite clear about the reference to the Assembly's performance framework for local authorities. The essence of the recommendation, from my recollection, was that we should work with local authorities—

[73] **Jonathan Morgan:** Paper 2, which I presume has been produced by your department, says,

[74] 'The production of clear publicity and information about DFG and adaptation services should be a core set requirement for the Assembly Government's performance framework for local authorities.'

[75] **Mr Hilbourne:** Yes, that is the recommendation from the review. What I am saying is—

[76] **Jonathan Morgan:** Was that accepted?

[77] **Mr Hilbourne:** The recommendations were accepted to the extent that we would consider how each could be taken forward and some then came forward in different shapes and forms. I am not absolutely clear what the Assembly's performance framework reference is. As a result of the review—

[78] **Jocelyn Davies:** We can tell you what was done, but we are not responsible for the wording of the committee report—the wording of the review itself.

[79] **Jonathan Morgan:** The point I am making is that what might have been done might not have been as robust as what was being recommended, because clearly a performance framework is one way of collecting data and ensuring that local authorities report information to the Assembly Government. The point that I am making is what you took forward, with all due respect, might have been a step forward, but it might not have been perhaps the giant leap that was identified back in 2005.

[80] **Mr Hilbourne:** We do not collect data on the performance of every aspect of everything a local authority does on DFGs. We collect data on the performance in terms of the delivery, the statutory performance indicator and so on, and we work closely with authorities, for example, in terms of giving detailed guidance—we held a range of seminars on that. We suggested things that they should do, but some of the responsibility quite clearly rests with local authorities. That is not to say that we should not be encouraging them to develop certain systems and certain approaches, and indeed many of them have done so. One of the issues that the WLGA probably raised, which I think is something that it could be looking at, is the need for consistency and the dissemination of good practice from the better authorities to those who still have scope to improve their performance.

[81] **Jonathan Morgan:** Can I move on to my next question?

[82] **Ann Jones:** Yes, certainly.

[83] **Jonathan Morgan:** During the course of the evidence, the committee has heard about the lack of consistency with regard to the availability and accessibility of information about DFGs and other adaptation grants in different parts of Wales. Do you think that the Assembly Government has a role in ensuring that there are minimum standards in the availability and accessibility of information? The reason that I am asking that question is that, in addition to this work that we are doing on older people, I have submitted a freedom of information request to all of the local authorities on children and young people. It is a very interesting picture because it is as bad as the picture that we see of variability for older people.

[84] I will give you an example, Deputy Minister. In Cardiff, the average waiting time for an adaptation is 84 days. In Torfaen it is 285 days. I have to say that it is even worse in Caerphilly with 501 days as an average. What is interesting is the number of authorities that come back and say that either they do not collect the information or it is too costly to be able to provide it. I think that people expect a minimum level of information to be available to them about the performance of authorities. What might the Assembly Government be able to do to improve that position?

[85] **Jocelyn Davies:** On the availability of information, the fact that you had to table a freedom of information request says it all. The information was not available to you unless you requested it, and then you had to know what to ask for, and then you did not get it perhaps as you should have. So, the information is not readily available and that is a conclusion that can easily be drawn.

[86] I am not sure exactly what role we would play in ensuring that information was available, but I am sure it would form part of a recommendation coming from this committee. We would be very happy to look at that. In all the areas of housing that I have seen, you find good practice, but spreading good practice is easier said than done. You would think that good practice would spread easily in this particular policy area, but it does not appear to do so.

[87] **Eleanor Burnham:** Some witnesses have called for the hypothecation of funding for these disabled facilities grants and other adaptation grants. In your view, what would be the advantages and disadvantages?

[88] I will just link this into the Royal British Legion's recommendation—recommendation 5—because it is to do with funding and things. It is very concerned and wants to recommend that the Welsh Assembly Government acts to ensure that recipients of the war pensions scheme and the armed forces compensation scheme are exempt from means testing for these grants, on the basis of an injury or disablement related to service in the armed forces. There are two questions there—I am trying to get two bites of the cherry, if that is okay.

[89] **Jocelyn Davies:** We are very happy to look at that recommendation from the Royal British Legion, although it has not been in touch with me about that.

[90] **Ann Jones:** It is evidence that we have received.

[91] **Eleanor Burnham:** Yes, it was part of our consultation response.

[92] **Jocelyn Davies:** We are happy to look at that. 'Ring-fencing' is easier to say than 'hypothecation'. There are several views of ring-fencing. The housing component is not ring-

fenced, but the Chris Jones report concluded that the housing budget almost entirely met the cost of DFGs and adaptations, so the funding was not an issue. In fact, the problems that were encountered were more to do with administrative delays than funding, so we do not think that funding is an issue.

[93] The funding that local authorities receive in the general capital funding equates to, I think, £83 million a year across local authorities in Wales, and about £40 million of that is spent on disabled adaptations. So, funding is not an issue. There are other things that probably cause delays. Certainly, the legislation allows authorities a discretionary top-up, even over the mandatory limit, which is £36,000 in Wales.

[94] **Eleanor Burnham:** I know from looking at this issue that most authorities will tell you that funding is an issue.

[95] Given the positive findings of the 2005 review of DFGs in relation to the rapid response adaptation programme, why did your Government decide not to increase the Care and Repair budget to accommodate the costs associated with extending the scheme to socially rented housing tenants? Again, I refer to the consultation response from the Royal British Legion. Point 4.1 talks about legion staff members having a great deal of admiration, as we all do, for the work of Care and Repair Cymru, but then it states that there is a problem with the length of wait between the agreement of funding and the start time, which can be as long as six months, sometimes longer. Would you care to comment or would you prefer to wait until we have finished our report?

[96] **Jocelyn Davies:** Certainly, in relation to the recommendation from 2005, a previous administration would have received the recommendation on Care and Repair, although I have to say that if I were receiving it today I would probably draw the same conclusion: that the capacity within Care and Repair simply does not exist to extend it to social housing tenants.

10.10 a.m.

[97] I do think that social landlords in Wales have a responsibility as good landlords to do these things without recourse to Care and Repair. As I have said, we provide funding through the physical adaptations grants to housing associations, for which they do not have to get approval first, and local authorities can use the major repairs allowance. So, the only place, I suppose, that I could find the funding for Care and Repair organisations, if they have the capacity to do this, would be to take the money from the social landlords, because we are not going to double-fund it. It would be ridiculous to do that, and I think that the social landlords really are in a good position to provide the kind of adaptation that the rapid response unit does in the private sector. They really should, as good landlords, be doing that themselves.

[98] **Eleanor Burnham:** With your permission, Chair, I will pursue that a little further. You have just made an interesting comment and observation and I am pleased to hear it. We know that the capacity is not available; therefore, Care and Repair does need the funding to increase its capacity to cope with the work that is available.

[99] **Jocelyn Davies:** Yes, but what I would say to you, Eleanor, is that I am already funding social landlords to do it; I am not going to double-fund that. Are you, therefore, suggesting that I take the money from the major repairs allowance and the physical adaptations grants that is available to housing associations and give it to Care and Repair, which is doing an excellent job in the private sector? What I am saying is that good social landlords, who already have the funding for this, should be doing it. Some of them do, so we should not give the impression that they do not.

[100] **Eleanor Burnham:** So, are you putting pressure on these social landlords who are

not doing it?

[101] **Jocelyn Davies:** The Welsh Housing Quality Standard states there is an obligation on the landlord to ensure that the property properly meets the needs of the tenant. If you have any examples in your area of where that is not happening, I would be very glad to hear from you.

[102] **Eleanor Burnham:** Okay, fine. I will move on to my last question in this little batch. What do you think the potential is to stimulate local economies by using the strategic capital investment fund to fund building work in the area of housing adaptation or building accessible homes?

[103] **Jocelyn Davies:** I have been successful in making a bid to the strategic capital investment fund, but we have used that money—£42 million— as you are all aware, on buying up built or partially built properties and land, from private developers, because of the collapse of the market. That has been the focus. That was the focus of the bid, but it would be very nice if I could use your recommendation to support a new bid to the Minister for finance.

[104] It certainly meant that housing associations had a boost, because that was through the social housing grant, and it means that there was less of a stress on our budget. So, the physical adaptations grant, which also comes from the social housing grant, was certainly released because of this extra money that came in. I suppose that it is possible for me to do it, but I have not made a specific bid along those lines.

[105] **Eleanor Burnham:** There was an instance mentioned when I went to take evidence on behalf of the committee in north Wales. A gentleman had been taken from his own home, which was obviously private accommodation—a flat—and had gone into nursing care, where he remained, because he could not sell his flat. He was in real difficulty. He still had to pay charges on the flat, even though he was not living there. It was a considerable sum—£500 a month in service charges.

[106] Is there any way that the Government can help in extreme cases such as this? They are probably going to become more prevalent, according to the testimony that I received in Rhyl.

[107] **Jocelyn Davies:** Was he going into a housing association property?

[108] **Eleanor Burnham:** No, he was from a private property. As he was really ill, he had gone into nursing care and because of the covenants on this private accommodation—it was only a flat—he was paying £500 a month in management costs. This was sound testimony. He could not sell the flat, because the housing situation is dire, but because of the covenants, he could not sublet it either. So, while he was in care he had to pay £500 a month.

[109] Is there anything the Assembly Government can do to help in those instances?

[110] **Ann Jones:** It is difficult to look at one individual case.

[111] **Eleanor Burnham:** Well, I bring it to your attention because it is very extreme.

[112] **Jocelyn Davies:** It is difficult, especially when you are asking the Government to interfere in a contract between an individual—

[113] **Eleanor Burnham:** No, I am asking you how you can help in extreme circumstances.

[114] **Jocelyn Davies:** I would not like to comment on that particular case without knowing

all the details, but one thing that we have done is change the rules in relation to housing associations so that they can purchase existing stock. I know that there have been many cases where they have purchased stock to enable people then to move into extra care, because of a deterioration in their health. They have bought the existing house and then let that to a family. So, we have changed the rules in relation to—

[115] **Eleanor Burnham:** But it is only in relation to housing associations; there is nothing to do with private accommodation. So, private are really—

[116] **Ann Jones:** Well, no, you cannot regulate for the private market, can you?

[117] **Eleanor Burham:** Fine. I am just asking.

[118] **Jocelyn Davies:** Well, the housing association could purchase, but I would not like to comment on that particular contract. We have made money available for extra care schemes. As you know, Chair, we visited one in your constituency, and we have tried to be as flexible as possible in the way that those schemes are administered.

[119] **Ann Jones:** Thank you. Joyce, do you want to take the next set of questions?

[120] **Joyce Watson:** Yes. My next question is about the role of the Assembly Government in the development and the provision of home maintenance and repair services for older people. We are talking here, of course, about DFGs, but in some cases what older and vulnerable people need sometimes is just a basic level of maintenance to live in their property that would prevent them needing a disability grant.

[121] In your view should there be a minimum standard of home maintenance and repair services provided to older people across Wales?

[122] **Jocelyn Davies:** So that would be in their own homes? Obviously, if they are in rented accommodation, that is provided by the landlord, but whether the Government should be responsible for ensuring that every property is repaired I do not—

[123] **Mr Hilbourne:** There is the housing health and safety rating system, which was introduced a couple of years ago and which now more closely links things such as health and safety. For example, if an older person is in a property and there are elements that are dangerous to them—a loose handrail on the stairs, for example—that can be addressed.

[124] When the renovation grant system was deregulated back in 2002-03, the resulting subordinate legislation gave local authorities a huge amount of flexibility to provide help and assistance. The word ‘grant’ is not actually used; it is help and assistance in whatever form the local authority thinks is appropriate. That coupled with the unhypothecated nature of the resources means that they are able to provide all sorts of help.

[125] After the DFG review in 2005 when we wrote to local authorities, one of the things that we told them was that they should be looking at providing help, which may not be a DFG. In many cases, there is no need for a DFG and there are examples of good practice—which I think we have disseminated to authorities—from certain authorities that, for example, have very small grants, which are not DFGs, that can be dealt with very quickly and streamlined that maybe enable people to get a stair lift or a handrail or something such as that that they need immediately to help them stay in their own homes.

[126] So, that framework is there, but beyond that I am not sure.

[127] **Jocelyn Davies:** Yes, because, of course, the fitness for human habitation idea is

gone and there is this idea of the health and safety rating, which means that there is an assessment of whether the property is safe for the particular individual depending on their circumstances. So, it could vary. A property might be perfectly okay for you and me, but for somebody, say, with very poor eyesight it might present a hazard. So, the local authority then has an obligation, but it is flexible in the way that it can be administered. It could be a loan; it could be a charge on the property; it could be a grant. That is what the deregulation did. It means that there is a much more flexible approach in relation to home maintenance.

[128] It seems as if Jeff is trying to nudge in here.

[129] **Mr Childs:** Only to endorse that and, more particularly, to cite the work of Care and Repair Cymru in this regard, and particularly Bridgend Care and Repair, which is doing work of the nature you have described—basic home maintenance and, by extension, ensuring minimum standards and safety. I think that the chief executive of Care and Repair Cymru may have mentioned this in her testimony to you. It is work that it is hoped will prove to be an exemplar for other agencies and again, by extension, local authorities and other partner organisations. That work is close to completion and when it is I am sure that the committee can be availed of it.

[130] **Jocelyn Davies:** In times past, a neighbour would probably have popped around and fitted a little grab rail for you or something or carried out a small repair, but perhaps that is not possible any more. Certainly, those skills do not always exist in communities in the same way as they did before.

10.20 a.m.

[131] **Joyce Watson:** That was the nature of my question; it was to do with the minimum standard of home maintenance for elderly people. We must have a benchmark. We have to state that, and I am sure that we do, but I just wanted to explore and examine whether we have a minimum standard—to check that it is not the case that we are delivering work that is not based on a minimum standard.

[132] **Jocelyn Davies:** I would not say that it is a minimum standard, but it is an assessment of whether a person is safe within a property. So, it is more flexible than the system as a minimum standard. It takes into consideration your personal circumstances and the situation of that property. As I said, it could be that somebody with sight problems would find the property that I am living in a hazard, whereas somebody else would not.

[133] **Joyce Watson:** My next batch of questions is about the role of the Assembly Government in identifying and promoting good practice. Some of that, of course, has been addressed already this morning.

[134] I want to ask a direct question. Does the Assembly Government have a role to play in identifying, promoting and implementing good practice in the delivery of housing adaptations, maintenance and repair services across Wales?

[135] **Jocelyn Davies:** As I mentioned earlier, there has been the legislation and then the guidance that underpins that. There has been correspondence and seminars that have been held and, of course, we engage with the WLGA. It has been doing a benchmarking exercise, although we only have a draft of its last report. I would be very happy to press them now for the final report so that we can submit it to the committee, if you like, as evidence.

[136] I do not know whether you have anything further to say on the benchmarking exercise, because this is the second one that has been carried out by the WLGA for us.



[137] **Mr Hilbourne:** Yes. Jeff, do you want to speak first?

[138] **Mr Childs:** Very briefly, there have been two benchmarking exercises since 2001, both initiated by the WLGA in concert with ourselves. The first one, as I say, was published in 2001 and focused heavily on good practice and also other issues, which Chris Jones then picked up in his report.

[139] The second benchmarking exercise is ongoing. It has taken things further in terms of good practice and other spheres. We have pressed the WLGA for completion. It is still at the draft stage, but, again, that is the type of document that would, like the first one, be widely disseminated to all authorities. Indeed, the benchmarking group comprised almost all local authorities in Wales at practitioner level, so it was capturing the right people. So, there is a great deal of information, good practice and evidence out there.

[140] **Mr Hilbourne:** I think that, over and above that, where we come across examples of good practice, we usually attach them to any guidance that we give. If the WLGA is promoting good practice through seminars, for example, we usually get involved and are happy to be involved.

[141] **Jocelyn Davies:** I would repeat the point that I made earlier. Good practice is easier said than done. For some reason, it is not easy to spread good practice, even in a small country, where all the local authorities seem to know each other intimately. You can have very good practice next door to a local authority where that good practice just fails, by the process of osmosis, to spread over the border for some reason. Perhaps we need a more strategic approach to the spreading of good practice.

[142] Local authorities have their own elective mandates and they stand accountable locally for the actions that they take. Perhaps this is one of the issues that should be a priority. It is a mandatory duty. It is a statutory duty. So, if there is a failure of good practice here, I do not know what is happening in areas where it is not statutory or mandatory.

[143] **Ann Jones:** Do you want to come back on that one, Joyce? Eleanor wants to come in.

[144] **Eleanor Burnham:** I will wait.

[145] **Jocelyn Davies:** Chair, would you like us to press the WLGA for the final benchmarking report? It would be another piece of paper for the committee to consider, but at least you will be able to see the examples that are included.

[146] **Ann Jones:** Yes, that would be very helpful.

[147] **Jocelyn Davies:** Okay, we will do that.

[148] **Joyce Watson:** If I may follow that up, once we have all this good practice, do you see a specific role for the Assembly Government in the evaluation of practices and initiatives in that area? It is all very well and good saying, 'This is good practice', but what we need to know is why it is good practice and what evaluation went behind that. Do you think that the Assembly Government has a role in that?

[149] **Jocelyn Davies:** I would not want to be too prescriptive with local government, because we provide it with the legislation and the guidance, but authorities are the ones that deliver. Other than making it a statutory duty and a mandatory grant, and issuing guidance, I cannot really see how much further the Government could be expected to go to ensure delivery. There is a responsibility, I suppose, on local council members to ensure that they have a corporate responsibility. I would need an army of officials to ensure that every local

authority was constantly monitored in this respect. I would not want to make a promise to the committee that we could not carry out.

[150] **Joyce Watson:** To follow on from that—on the same theme of good practice—do you have any plans to highlight good practice to the key stakeholders so that the buyer can choose, in other words? There are an awful lot of agencies involved—a few have been mentioned here this morning—in trying to access services for people. Do you think that you have a role in facilitating those key stakeholders knowing about the best practice? If nothing else, they could play a role in pressing authorities to commit to some of it.

[151] **Jocelyn Davies:** As I say, I do not think that this is the only area within housing where we need to find and facilitate the spreading of good practice, which certainly does exist. So, we need a strategic approach to the general spreading of good practice in relation to housing, and it is certainly something that I would consider.

[152] I am not quite sure what we could do other than what we have already done; perhaps we could engage more closely with our local government colleagues. I am sure that this is an area that they would want to improve on.

[153] **Ann Jones:** Eleanor, did you want to ask a question?

[154] **Eleanor Burnham:** I will wait until my question. I do not want to cut across Joyce.

[155] **Ann Jones:** Joyce, I think that your question has been answered, has it not?

[156] **Joyce Watson:** Yes.

[157] **Ann Jones:** Go on then, Eleanor.

[158] **Eleanor Burnham:** I was just going to say that one bit of good practice that I saw several months ago—in Denbighshire, actually, so hurrah for Denbighshire—was a gathering of social workers, Care and Repair and all kinds of different people and different agencies, not just in local government but in health. They were looking particularly at how to tackle bedblocking. So, as far as I could see from the evidence that they gave me—and I was just there for the morning—they were working together, and I was really pleased, because I thought, ‘Denbighshire is doing something really great’. How can you ensure that there is co-operation and streamlining between your department and health? In this particular instance, I think that it was excellent good practice.

[159] **Jocelyn Davies:** Perhaps the local service boards could have a role there. I have to say that you may very well have criticisms of any individual local authority, but Denbighshire has won awards in relation to housing.

[160] **Eleanor Burnham:** Brilliant.

[161] **Ann Jones:** Yes, every cloud has a silver lining. *[Laughter.]*

[162] **Eleanor Burnham:** Thank you, Chair, for allowing me to praise Denbighshire.

[163] **Mr Childs:** To add to that, Care and Repair is obviously very alive to bedblocking and, as much as anything, the rapid response adaptations programme is geared towards making a contribution to limiting bedblocking. Care and Repair is increasingly looking wider than housing. It is in the social care and health spheres. It is certainly a message that it imparts fully to health Ministers and others. So, we can certainly reinforce that when we meet them.

[164] **Ann Jones:** Do you want to ask your next set of questions, Eleanor?

[165] **Eleanor Burnham:** Yes. How common is it for local authorities to fail to fulfil their legal duty to inform an applicant of whether their disabled facilities grant has been successful within six months? What is the Assembly Government doing to address that? Referring back quickly to the Royal British Legion, that is another of its recommendations. It wants to be really draconian and to know whether you, as the Government, should not require a local authority to publish its own priority system as well as information on how quickly it is meeting its priorities.

10.30 a.m.

[166] **Jocelyn Davies:** If you create legislation that gives people a statutory right, if someone's rights are not met, I would hope that they could press the matter through the courts. So, if the Royal British Legion wants to be really draconian, perhaps it should consider bringing an action if it knows of such cases. We do not check that every case is dealt with within six months, I have to say. You create the legislation and you give people the rights. There is also the ombudsman, of course, so a complaint could always be made to the ombudsman. If a complaint was in relation to finance, there is the Wales Audit Office and the possibility of judicial review in the courts. I would have thought that all those things would be a big stick with which to beat the local authority.

[167] **Eleanor Burnham:** Oh, dear. The poor old local authority. [*Laughter.*] The former Minister for Social Justice and Regeneration sent a letter about those recommendations to the Minister for Housing and Planning at the Office of the Deputy Prime Minister, dated 18 July 2005, necessitating a change to primary legislation. What response did it receive? That is a very technical question, but I am sure that you are competent to deal with it.

[168] **Jocelyn Davies:** It relates to the previous administration.

[169] **Eleanor Burnham:** Fine, okay. I was given that question.

[170] **Jocelyn Davies:** It does not fall within my memory.

[171] **Eleanor Burnham:** Perhaps your officials can help.

[172] **Jocelyn Davies:** There has not been UK legislation on this since, I do not think.

[173] **Mr Childs:** I cannot readily recall. Yvette Cooper was the Minister at the time, I think. Whether she responded to the Minister here, I do not know. However, was it not in advance of the completion of the review by ODPM—as it was then called? We certainly followed that recommendation up and met officials of the Office of the Deputy Prime Minister. They were fully aware of the recommendations that Chris Jones made, which had implications for primary legislation.

[174] **Mr Hilbourne:** We meet regularly with the officials of the Department for Communities and Local Government to talk about a range of housing issues, and this is a major feature. There is a commonality between England and Wales, including some of the things that the Royal British Legion is saying, for example, so it is important that we keep in touch. We are talking about UK legislation, so, although the Assembly's subordinate legislation deals with some aspects of it, like the means test, and where we have the higher grant limit than England, the fundamental legislation covers England and Wales. If this committee has any recommendations, we will continue to liaise with those officials.

[175] **Eleanor Burnham:** Finally, in your view, what further legislative change would be

needed to provide a better service for older people who require home adaptations, maintenance or repairs?

[176] **Jocelyn Davies:** I think that the legislation is about right. We have the legislation, the guidance, and the funding; it is just a matter of good practice being spread and striving for constant improvement.

[177] **Ann Jones:** Deputy Minister, we have come to the end of the time for this item, but we have a couple of questions that we want to put to you. Are you all right to stay for another five minutes?

[178] **Jocelyn Davies:** Yes, sure.

[179] **Ann Jones:** Thank you for that. Some witnesses have expressed concerns that older disabled people feel as though they do not enjoy the same access to housing adaptations and maintenance as disabled children—although I know that Jonathan has done some work on that, and we find that that is as poor in some areas as housing. However, older persons feel that they do not get adaptations because some local authorities favour younger children, as they feel that there is more benefit there. Do you have a view on that?

[180] **Jocelyn Davies:** People may well have that as a perception, but I have not seen any evidence that that is the case. The legislation is blind: it does not discriminate at all on the basis of age. We have recently made a statutory instrument on gardens, and people should take advantage of that if they possibly can. I guess that a local authority could easily see the advantage of having an adaptation that allowed a child to go into the garden, but older people would certainly benefit a great deal from having adaptations so that they too could have that benefit. So, all that I can say is that I have not seen any evidence of that, but, if there is any, I would be very happy to take it up. From Jonathan's face, it looks as though it is pretty appalling for young people as well as for old.

[181] **Ann Jones:** Yes, which makes it even worse.

[182] **Mr Hilbourne:** It is important to keep in mind that older people have access to Care and Repair services. That is there specifically to help older people through the system, and it is very significant support, financially and otherwise, from the Assembly Government.

[183] **Jocelyn Davies:** It could be that, with a child, the parents are advocates pressing the case, and perhaps older people do not have such an advocate who could help them to negotiate their way through the system. Perhaps they are not as forceful as the parents of a disabled child would be.

[184] **Jonathan Morgan:** There is just one final point that I want to make, if I may, Chair. When you look at the work that local authorities have done, you see that departments within local authorities often act in isolation. What is the role of social care and the social workforce in the case of an older person who has been in hospital with a particular condition and who has come out, having finally managed to leave hospital because the local authority is prioritising an adaptation to their home? If a person is going home and has a package of domiciliary care in place, I often wonder whether the social worker or the care worker who is visiting that person advises the housing department as to what is needed. I think that there needs to be a lot more joined-up thinking between the housing department and the social care workforce to ensure that the view of the social care workforce helps to influence, hopefully, the speed at which the housing department actually operates. You have two sets of professionals there, and I get the impression, from talking to constituents and from having dealt with a fairly substantial case workload on this, that the two departments simply do not talk.

[185] **Mr Hilbourne:** That is important, and we are constantly reminding local authorities and the WLGA that, in Wales, because we have unitary authorities, there is a corporate responsibility on those authorities to act consistently across departments. I would have thought that that was a role for the WLGA to follow up, because I think that it is very important; you are absolutely right.

[186] **Ann Jones:** Okay, thank you. Eleanor is next, but please be very quick, because we are over time.

[187] **Eleanor Burnham:** I worked in domiciliary care in my very early career. However, these days, social workers are far too busy working on complex cases, and a lot of the elderly people whom we deal with are not even within their network but in the sphere of Care and Repair; they are certainly not in the circle of extreme help. A lot of social workers are doing crisis work these days rather than dealing with issues of this nature.

[188] **Jocelyn Davies:** It is very often the case that this would save the public purse money if it were done quickly. Somebody could return home in good time and be happier than they would be if they were kept in an inappropriate setting.

[189] **Eleanor Burnham:** Absolutely.

[190] **Mr Childs:** That is the essence of the rapid response adaptations programme.

[191] **Ann Jones:** I want to ask you one final question, and I hope that it does not open up a huge debate because we are running out of time. What can the Assembly Government do to ensure equality across different tenures of the services that people can access?

[192] **Jocelyn Davies:** The fact that this is a mandatory grant regardless of tenure is important. Have you found in your evidence that there is a difference across tenures?

[193] **Ann Jones:** I have picked up that there appears to be an acceptance that there is more chance of getting an adaptation if you have social housing and a social landlord, than if you are a person in your own home going through Care and Repair or other ways. If you have people in different areas, and on short-term tenancies, as well as a private rented landlord, they would look to move—

[194] **Jocelyn Davies:** I suppose that that is a difficulty in private rented accommodation. I would be very happy to look at that to see exactly what we can do. Certainly, when we asked local authorities about their properties and the adaptations that had been made to those, they did not know. They had no idea about their own stock, so I do not think that a local authority would be well placed to tell you what existed in the stock outside, in private rented or in owner-occupied accommodation.

[195] **Ann Jones:** Thank you. Janet has the final question.

[196] **Janet Ryder:** On that last point about not knowing which adaptations exist within authorities' own stock, let alone across the different tenures, we have taken evidence that suggests that there should be a register kept of properties that have been adapted. That is particularly the case for properties that have been adapted within the social housing market and those with larger adaptations, the authority should know what they are and should maintain those properties within its own portfolio. I know that that would possibly seep into the right to buy and restrict it, but when a great deal of money has been spent adapting a property, it would seem only right that you keep it within the portfolio of the council or the social housing landlord to ensure that it is permanently available for the future, for people

who need that kind of adaptation.

10.40 a.m.

[197] **Jocelyn Davies:** Yes, because if they were sold on the open market, I do not suppose that they would be seen as being as valuable as properties given the big adaptation, and then you would be restricting your market anyway. A local authority ought to consider repurchasing such a property if it has gone under the right to buy. If it was built specially for somebody with disabilities, it would not be subject to the right to buy anyway. So, that is certainly something to look at.

[198] You will all be aware of the mortgage rescue scheme. We have now reviewed the guidance and the criteria for mortgage rescue so that, if a property has had considerable investment by way of a disabled facilities grant, it can come into the scheme even if it does not meet the other requirements. That means that we can keep that property for that person. So, there is certainly recognition from Government that those properties should be available for people in perpetuity, if you like. I would be happy to look at any ideas that the committee may have on how we can facilitate that.

[199] If a local authority keeps a record of all the properties available, when somebody needs some adaptation, it might be quicker to move them into another property, which they might be happier to do, than to go through the sometimes traumatic experience of having work done on their property. Anybody who has had work done on their property will know the time that that can take. So, sometimes, moving into another property would be a good solution—for some people.

[200] **Mr Hilbourne:** After the last review, we wrote to all local authorities asking them to keep registers of the properties in their stock that had been adapted, so they should now have that.

[201] **Jocelyn Davies:** They did not at the time.

[202] **Mr Hilbourne:** At the time they did not, no.

[203] **Eleanor Burnham:** I think that they probably do in the case of adaptations for youngsters. I was involved in Conwy not long ago in a huge adaptation for a young person with palsy. Therefore, because of the wheelchair and the fact that she is growing, they needed to do an enormous lift. They could not fit it in the present property; they had to move her. Therefore, they certainly have a register, I think, of adapted properties.

[204] **Ann Jones:** It just seems so sensible to keep a register, but we have found that people do not.

[205] **Janet Ryder:** Chair, would the Deputy Minister be good enough to make those inquiries of local authorities and perhaps make that information available to the committee?

[206] **Jocelyn Davies:** Yes. You could find that you are just re-spending money. Another property might come on to the market and be sold cheaply, only for all the stuff to be thrown in a skip because somebody has to undo all that work. So, it would be practical, but we will have to look into whether there are any barriers to that.

[207] **Ann Jones:** That is fine. Deputy Minister, thank you for your time and thank you for coming to give us some very full answers to those questions. That will help our inquiry.

[208] **Jocelyn Davies:** Thank you.

[209] **Ann Jones:** We will let you know the outcome of the inquiry.

[210] I remind the committee that the next meeting is on 12 May 2009, which will be our last evidence session for this inquiry. We will have people from Cardiff Accessible Homes and also from Community Housing Cymru, so I am sure there will be a set of questions for them. I thank everybody for their attendance.

*Daeth y cyfarfod i ben am 10.43 a.m.*  
*The meeting ended at 10.43 a.m.*