

HB 61

National Assembly for Wales

Communities, Equality and Local Government Committee

Housing (Wales) Bill: Stage 1

Response from: Disability Wales



## **Consultation on the Housing (Wales) Bill**

### **Disability Wales Response**

#### **Introduction**

1. Disability Wales (DW) is an independent, not for profit organisation established in 1972. We are a membership organisation of disability groups and allies from across Wales.

As the national association of disabled people's organisations, Disability Wales strives to achieve equality, rights and independence for all disabled people, regardless of physical, sensory or neurological impairment, learning difficulty or mental health condition. We recognise that many disabled people have different identities and can face multiple-discrimination.

The Social Model of Disability is at the core of our value base, recognising that people are disabled more by poor design, inaccessible services and other people's attitudes than by their impairment. We are recognised as the lead organisation in Wales in promoting the understanding, adoption and implementation of the Social Model.

2. Disability Wales welcomes the introduction of the Housing (Wales) Bill as it provides an opportunity to improve equal access to affordable housing in Wales.

3. We support the Welsh Government's commitment to equality impact assessments and the specific duties in Wales, however it is disappointing to note that the published EIA's do not sufficiently assess the impact of the Bill on disabled people. We believe that robust impact assessments are vital in order to mitigate against barriers and unintended consequences of the Bill.

4. Disability Wales welcomes that in delivering the vision of the Housing (Wales) Bill; there will be coherence with other Welsh Government frameworks and strategies such as the Single Equality Plan, and the Framework for Independent Living.

5. Disabled people in Wales should have the right and choice to a suitable home which facilitates their ability to lead independent lives in the community. However, the true extent of the housing barriers experienced by disabled people in Wales is unknown due to a lack of research and data.

6. Disability Wales would like an assurance that the indicators and performance measures that will be used to review and evaluate the intended effect of the Bill are extended to include the number of accessible or readily adaptable homes for disabled people across all sectors in Wales.

7. Disability Wales appreciate the opportunity to respond on the general principles of the Bill and the need for legislation in the following areas;

### **A compulsory registration and licensing scheme for all private rented sector (PRS) landlords and letting and management agents.**

1. Disability Wales welcomes the proposal to introduce a compulsory registration and licensing scheme for all private rented sector landlords and managing agents.
2. We acknowledge that the private rented sector plays an important role in the housing system and a compulsory registration and licensing scheme could provide disabled people with an opportunity to see what is available in the area.
3. Furthermore, such a scheme has the potential to raise standards and improve quality in this sector, and raise awareness among landlords and letting agents of the provision of accessible housing for disabled people.
4. A PRS registration and licensing scheme could work in conjunction with Accessible Housing Registers in all 22 Local Authorities to identify the housing needs and match accessible stock accordingly.
5. There is a worrying shortage of accessible housing for disabled people in Wales. Many PRS Landlords are averse to adapting a property due to the perceived difficulty of re letting once the property is vacated.

Many lets in the PRS are short term from 6 months – to a year. Disabled people who want accessible accommodation are more likely to stay as long term tenants but need stability.

6. PRS landlords could be reluctant to accept disabled people who are reliant on benefits due to fear on non-payment. Disabled people are being affected by the negative impact of welfare reforms and benefit cuts. This is likely to exacerbate the reluctance of PRS landlords to rent their properties to disabled people.

### **Reform of homelessness law, including placing a stronger duty on local authorities to prevent homelessness and allowing them to use suitable accommodation in the private sector**

1. Disability Wales welcomes the placing of a stronger duty on local authorities to prevent homelessness and allowing them to use suitable accommodation in the private sector. This may potentially lead to greater choice and opportunity for all tenants including disabled tenants to enhance their choice of accommodation.
2. We seek clarification on the term 'suitable accommodation in the private sector' as there is a risk that due to the lack of accessible homes in the social housing sector, disabled people might feel pressured into accepting an inaccessible or readily adaptable home in the private sector and by doing so would be removed from the social housing waiting list.

### **Standards for local authorities on rents, service charges and quality of accommodation.**

1. According to a Housing Conference Report (2011)<sup>i</sup>, in many cases social rented housing fails to meet disabled people's requirements.
2. The quality of housing and rental / service charges are of paramount importance. The Welsh Government must take cognisance of the negative impact of welfare reforms and benefit cuts on disabled people's housing provision. Cuts to Housing Benefit and the withdrawal of the second person reduction has added and will continue to add to the detrimental impact of welfare reforms on disabled people. Benefit

cuts leave disabled people facing decreasing incomes and threats to their independence.<sup>ii</sup>

3. The negative effects of DLA changing over to PIP means that many disabled people will lose income (either partially or completely) and for some disabled people benefits are their only source income. Disabled people will be pushed further into poverty with increased rents and service charges.
4. The quality of accommodation, the properties available and affordable for disabled tenants may decrease due to the economic climate. Demand for smaller properties is on the increase. Many disabled people may turn down more accessible larger properties in favour of less accessible smaller ones due to their size and as a consequence of the under-occupancy penalty or 'Bedroom Tax'. Local Authorities do have a discretionary fund but the high demand more than outstrips the funding available.

### **The provision of housing by Co-operative Housing Associations.**

1. Disability Wales welcomes the commitment to support the provision of housing by Co-operative Housing Associations.
2. It is imperative that the provision of accessible or readily adaptable housing is at the forefront of Local Authorities and Housing Associations minds when making decisions which affect them.
3. There is a great deal of good practice in Wales with a number of organisations promoting the importance of accessible housing in the Housing Association sector. Some Housing Associations have staff members designated specifically to work with their disabled tenants or run disabled tenants groups.

### **Any potential barriers to the implementation of these provisions and whether the Bill takes account of them.**

1. Disabled tenants' access requirements must not be overlooked. Disabled people have the right to live independently in the community on par with their non disabled peers – which a key part of the

Framework for Action on Independent Living. That right is under threat from lack of accessible and affordable housing availability for disabled tenants.

2. The effects of the under-occupancy penalty or 'Bedroom Tax' are a real concern, and a great cause of anxiety affecting many disabled people.
3. Wales varies vastly geographically and the location of accessible housing greatly affects the opportunity to live independently in the community. When deciding on locating a disabled person, access to local amenities such shops and services, proximity to public transport routes are all factors each Local Authority must consider. A holistic approach to find a property for disabled tenants is required.

**The financial implications of the Bill (as set out in Part 2 of the Explanatory Memorandum (the Regulatory Impact Assessment, which estimates the costs and benefits of implementation of the Bill))**

1. Any financial projections must take into account housing needs and access requirements of disabled people. Support offered to disabled people has to be made available in accessible formats and also an advocacy provision would assist disabled people to navigate the options available to them.
2. Additional support and production of information in accessible format, i.e. Braille, large print, Easy-Read, audio and British sign language versions are expensive to produce; the advocacy option requires funding too. The budget must be flexible and adequate in order to produce information in accessible formats and provide support appropriate to the communication and access requirement of all disabled tenants.

**Further information:**

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<sup>i</sup> Housing corporation report (2011): [http://www.capability-scotland.org.uk/media/88925/the\\_future\\_of\\_housing\\_for\\_disabled\\_people\\_capability\\_scotland\\_conference\\_report\\_april\\_2011.pdf](http://www.capability-scotland.org.uk/media/88925/the_future_of_housing_for_disabled_people_capability_scotland_conference_report_april_2011.pdf)

<sup>ii</sup> <http://www.theguardian.com/housing-network/2013/dec/11/disabled-people-bedroom-tax-welfare-reforms-affected>