Making Choice Based Lettings work for People with Learning Disabilities

A GUIDE FOR CHOICE BASED LETTINGS SCHEMES & LANDLORDS

1. About this guide

This guide is for local authorities, housing associations and other partners involved in the provision of Choice Based Lettings (CBL) schemes.

It has been written on behalf of The Valuing People Support Team, part of the Care Services Improvement Partnership by Alicia Wood and Claire Hall following a study to understand how Choice Based Lettings works in practice for people with learning disabilities.

This guide is intended to give practical advice on adjustments to policies and procedures which will make schemes fully accessible for people with learning disabilities and those who support them. Much of this advice will benefit wider client groups such as people with literacy difficulties, those who do not use English as a first language and those who need extra support to access the CBL system.

2. What does government policy say?

People with learning disabilities have historically had very little choice in housing. Most people with learning disabilities have lived in residential care, NHS care or in the family home. The Supporting People programme has increased the availability of supported housing for people with learning disabilities and there are now more people with learning disabilities with a tenancy and support.

There has been a widely held belief that people with support needs require specialist housing and care but it is now recognised that all people with learning disabilities can and do live in a wide range of ordinary and specialist housing options regardless of the level of care and support required.

There are several policies that reflect the need for choice in housing; **Valuing People (2001), Improving the Life Chances of Disabled People (2005), Independence, Choice and Wellbeing (2005), Putting People First (2007) and Valuing People Now (2007).** All place major emphasis on rights, choice, independence, control, citizenship and inclusion. Housing is key in being able to deliver these outcomes for people with learning disabilities. The demand for more ordinary housing options is likely to increase as people with learning disabilities assert their rights to live in their own homes as part of their communities.

The Department for Communities and Local Government says that all housing authorities should operate Choice Based Lettings schemes from 2010. The **Allocation of Accommodation; Choice Based Lettings – Code of Guidance for Local Housing Authorities (2007)** clearly states the need for CBL Schemes to be accessible for all vulnerable groups including people with learning disabilities.

3. What does the law say?

The Housing Act (1996) says that a housing authority should make sure that any necessary assistance for people who will have difficulty making an application or choose housing, is available free of charge.

The Disability Equality Duty and Disability Discrimination Act 2005 says that housing organisations should seek to identify where their letting policies may be making it difficult to match properties to disabled people and make reasonable adjustments which include greater accessibility of the application and bidding process and allowing extra time for

disabled people where required. This extends to treating disabled people more favourably if necessary.

4. How Choice Based Lettings Schemes work for people with learning disabilities now

The Department of Communities and Local Government research '**Monitoring the longer term impact of Choice Based Lettings (2006)**', found that most Choice Based Lettings landlords recognise the need to safeguard the interests of groups potentially disadvantaged by CBL requirement for 'active participation' but that they need to demonstrate more clearly the effectiveness of the measures they are taking.

A recent study **'Choice Based Lettings and People with Learning Disabilities (2008)'** found that most local authorities are using various methods to enable vulnerable people to access CBL. The quality and effectiveness of the methods used varies considerably across local authorities. Whilst no one local authority was found to fully engage people with learning disabilities in the process, many examples of good practice in various aspects of delivering CBL to people with learning disabilities were found.

In the same study, discriminatory practices that exclude people with learning disabilities from the system were also found; commonly, this varied from forms and information that were not easy to understand to blatant exclusion from the process and being told to 'go to Social Services'. It was also found that even where local housing authorities did have support provision for people with learning disabilities to access CBL schemes, frontline staff in housing and social services did not inform people with learning disabilities of the help available.

Whilst this guide is about enabling access to CBL for people with learning disabilities, many people with learning disabilities do not even get to access the housing system in the first place because of the lack of awareness of social care professionals, support providers and families that 'ordinary' social housing is a viable option and this too needs to be improved.

5. Getting it right for people with learning disabilities

This section looks at how various parts of the process, from application to moving home, can be made more accessible for people with learning disabilities. People with learning disabilities all have very different support needs and this will need to be reflected in a range of support methods offered by local housing authorities.

- Some people will need total support throughout the process of getting a home and may have little understanding of the process.
- Some people will need some good clear information and a little support to do it themselves.
- Some people will have the help of families and support providers while some people will have very little support.
- Some people will have support networks that are not able to help them access CBL because of the time and commitment needed to do so

6. Information and Accessibility

Most CBL schemes have made accessible information available such as large print forms and brochures, audio tapes, speech enable websites and translations. People with learning disabilities do, however, need additional levels of accessibility to understand how CBL works such as plain English and jargon free text, diagrams, pictures, symbols or video. This guide is accompanied by an example guide for people with learning disabilities and families that can be adapted for local use.

The Housing Corporation warns that there should not be an over-reliance on any one form of information. For example, text-based information can disadvantage people with learning disabilities. A dependence on information and communication technology may exclude those who do not have access to technology or do not feel able or confident to use it. Equally, a scheme which places an emphasis mainly on property shops and face to face contact may disadvantage those with mobility difficulties.

The Audit Commission noted in their report 'Choosing Well 2006' that the Choice Based Lettings pages are usually in the top five most visited parts of local authority websites, therefore this key public resource needs to be accessible not only to people with learning disabilities, but to the rest of the community too.

- ☑ **Getting it right checklist - Information and Accessibility**
- ☑ Clearly offer help to complete application form and understand how it works
- ☑ Short application form and information booklet without too many words
- ☑ Simple words and explanations that are jargon free
- ☑ Large type, boxes and space for writing
- ☑ Pictures, symbols, photos and diagrams that are appropriately placed to accompany the words
- ☑ Speech enabled websites and video with simple explanations
- ☑ Clear, simple websites that are well labelled and easy to navigate from local authority main sites
- ☑ Focus groups of vulnerable or potentially excluded applicants should test IT and other resources

7. Banding

As well as CBL as a mechanism for letting property, it is also important to ensure that the policies behind the scheme are inclusive and do not marginalise or discriminate against certain groups of people.

Within the context of policies such as Valuing People, it is not considered acceptable that people with learning disabilities stay in the family home or residential care until a crisis occurs, or that people remain in care or shared housing when they clearly want and need independence. Banding policies need to reflect the changes in social care policy.

Often, banding criteria does not neatly fit with a typical housing situation of a person with learning disabilities and it can easily be assumed that a person who lives in the family home, residential care or supported housing, even within difficult circumstances, is not a priority for housing.

Some schemes use policies and procedures that unintentionally discriminate against people with learning disabilities. The most common are procedures that take people out of the ordinary CBL system and through a supported housing route as a default option.

Getting it right checklist - Banding

- ☑ Banding, priority and allocation policies need to reflect wider policies of independence such as greater priority for those in residential care, supported housing or with older or stressed carers
- ☑ Joint policies and protocols with social services, health and independent sector organisations that support people to access a range of housing including through CBL
- ☑ The banding and priority policy should be published in an information brochure and on the website and be easy to locate and understand
- ☑ Good support with the application process should acknowledge homelessness, abuse, harassment and similar even if they are not specifically identified as such by the applicant – housing staff need to have an understanding of how to ask the right questions
- ☑ Social as well as medical needs must be considered
- ☑ Supported housing should be accessed through the ordinary CBL route

8. Advertising properties

The report 'Choice Based Lettings and People with Learning Disabilities (2008)' found that people with learning disabilities are using both the internet and newspapers to look at advertised properties, often with support. The advertisements need to include as much information as possible to help people make informed choices about which properties they bid for and to reduce wasted bids. Schemes also need to ensure that details of vacant properties are circulated in a number and variety of locations including the more obvious community locations such as libraries, council offices and one stop shops, but also to community groups, supermarkets, adult education sites and similar in order to reach as many different people as possible. This can also be done by email and is a free and easy way to maximise inclusion.

The ads themselves should include:

- The full property address and map of the local area so people can find it easily
- Symbols, as they cut down on the need for text and can explain property features (test symbols out on local people to ensure they make sense)
- Photos of the property, floor plans and rooms sizes
- Potential for adaptation and extension
- Information about local facilities such as nearby shops, bus routes and similar
- Virtual tours
- Large type, symbols and photos
- Any criteria which apply to properties of a certain type. i.e. 'particularly suited to older people' or 'unsuitable for young children' or if landlord provides particular extra services
- Clear labelling and symbols for adapted properties, extra care schemes and supported housing

☑ **Getting it right checklist – advertising properties**

☑ Vacant properties need to be advertised in as many locations as possible, including with community groups

☑ Paper versions of adverts must be available in addition to the internet

☑ Property adverts need to include maps, photos, floor plans, room sizes, information about local facilities, as well as property features

☑ Symbols should be used wherever possible

☑ Adverts should show whether certain criteria apply to particular properties or whether the landlord provides services to particular community groups

9. Bidding

CBL relies on applicants to be proactive and the very nature of some disabilities, such as learning disabilities, can make this aspect of the process very difficult. People with learning disabilities however, still very much benefit from the choice element of CBL and often just need extra help to make and pursue those choices.

People with learning disabilities need various levels of help to bid for housing. Some of the difficulties include people not being able to bid themselves, not being able to regularly access support to bid, forgetting to bid or losing the motivation to bid and simply not understanding how to bid.

Social workers, support providers and families often do not understand how CBL works or see the relevance to the person they are supporting, so it cannot automatically be assumed that people will have the support they need to bid from other networks. Even if people can use the bidding system without extra help, they often need help to think through what to bid for.

CBL schemes should maximise the ways of bidding to reduce the possibility of exclusion and include the following;

- The internet, text messaging, telephone & Digi TV
- In person at housing offices and property shops with help from staff
- A person nominated to place the bid – either a nominated supporter or housing staff

☑ **Getting it right checklist - Bidding**

☑ Schemes need to offer a wide range of bidding options

☑ There needs to be simple rules for bidding that are clearly explained

☑ Housing staff should proactively offer assistance to support people to bid, bid on their behalf and train groups to assist people to bid. This should include the use of portable devices in the community

☑ Family or support staff should be allowed proxy bids

☑ IT systems should automatically bid on behalf of identified people so that they do not miss out

☑ Staff should use system management reports to monitor applicants' bidding habits and offer assistance and alternatives where appropriate

☑ Prompt people to bid, renew applications or get in touch by text message & email

☑ Systems should automatically tell people if they are not eligible so bids are not wasted

10. Viewings

Common problems with viewing properties include:

Short notice to view – invitation to view letters are usually sent in the post and often arrive with little notice.

Reliance on support to view - People rely on their support networks and families to make arrangements at short notice so they can get to viewings. People regularly miss out because there is nobody available to support them

Shared viewings – Many people with learning disabilities need help to look at properties, talk about them and decide what is right for them. With shared viewings it is difficult to speak in confidence, about sometimes very personal issues, when other people are within ear-shot.

Making a decision – it is sometimes impossible to make on the spot decisions as the person may need more than one person's opinion or assistance such as the advice of an Occupational Therapist or Social Worker

Signing the tenancy and moving in Having accepted an offer, people are often expected to sign the tenancy agreement within a day or two. This has implications for people needing a support package or adaptations before they move. There is also an issue for some people in giving notice and having to pay rent on two properties at the same time.

☑ **Getting it right checklist - Viewings**

- ☑ Give people plenty of notice about viewing times
- ☑ Contact the named agency/supporter about impending viewings
- ☑ Provide alternative dates for people who cannot get support to attend the original viewing
- ☑ Hold individual or staggered viewings so that people have privacy
- ☑ Allow people who need support, extra time to decide whether to accept an offer or visit again with someone else
- ☑ Allow people who need to arrange support extra time to move in
- ☑ Work with Disabled Facilities Grant (DFG) teams to ensure that DFG applications are processed quickly so properties can be accessible whilst void periods are also minimised
- ☑ Allow people who need adaptation work to be completed, extra time to move in
- ☑ Arrange with all sub-regional / regional partners that notice periods will be waived if existing tenants move within the scheme
- ☑ Make sure people are aware that they can claim housing benefit for two properties if they require a transition period or have to give notice on one property whilst accepting the tenancy of another at short notice

11. Advice on other housing options

For some people with learning disabilities, the social rented housing option may not be suitable for their needs, for example, if people want to share with others, or if a particular location is necessary to receive support and there is little social housing in that area. It is important that accessible information and advice about all housing options is available at the point of applying for housing, including information about alternatives such as low cost home ownership, supported housing and private rented options and how they work for people with learning disabilities.

Housing departments are often not aware of how other housing options work for people with learning disabilities, for example many people with learning disabilities can obtain Income Support for mortgage interest payments and can therefore access low cost home ownership schemes relatively easily, yet few people with learning disabilities access home ownership through housing authorities. Within the national agenda of extending choice, housing authorities need to move from the role of a gatekeeper to an enabler/solution finder role and ensure that people are consistently offered all possible choices. CBL schemes are the natural place to be extending and advertising those choices to people with learning disabilities as well as others.

☑ **Getting it right checklist- Advice on other options**

- ☑ Housing staff should be aware of all possible housing options for people with learning disabilities.
- ☑ People with learning disabilities should get good information and advice about housing options and solutions when making an application for housing, and forms should ask people with learning disabilities if they are interested in other options.
- ☑ The CBL system should signpost and advertise a wider range of housing options such as home ownership, private renting and supported housing.
- ☑ More and better information should be available about other related housing services such as Care and Repair, staying put initiatives and adaptation services.
- ☑ Landlords should know their stock potential for extension, conversion and adaptation so properties can be better utilised.

12. Advice and support from frontline staff

People with learning disabilities are often excluded from properly accessing CBL schemes due to a lack of support and understanding from those who work with them. When in the system however, there is very little of the intensive support necessary to make re-housing a reality: from bidding and viewing to setting up a home. This is a real problem and unless CBL schemes and housing authorities proactively engage people with learning disabilities and their supporters and provide help that is readily available and consistent, people with learning disabilities will simply not get housing through this route.

Frontline staff in CBL schemes, advice agencies and housing and social services departments are key in ensuring that people with learning disabilities can fully access and use CBL schemes. Many people receive incomplete or poor information at the initial enquiry

stage and do not pursue CBL because of this. This is often down to a lack of knowledge about housing and people with learning disabilities or of what help is available locally.

Housing authorities, CBL schemes and landlords should not assume that help for their applicants is available elsewhere, but should work with other agencies to ensure that training, contracts and any joint approach to providing support are available, formalised and clearly publicised.

- ☑ **Getting it right checklist – advice and support from frontline staff**
- ☑ Training for housing staff to understand the needs of people with learning disabilities and be confident to support them – know your customers
- ☑ Frontline staff in housing and social services should have a checklist of issues to cover when dealing with a customer with learning disabilities, including where to signpost for more help
- ☑ People need different types and levels of support to have equal access to CBL systems. These may include: form filling, home visits, user friendly information and systems, regular help, monitoring and intensive support. These should be offered at first contact
- ☑ Landlords should work with other agencies to make training, contracts and any joint approach available, formalised and clearly publicised
- ☑ There should be consideration for a specific post to support people with learning disabilities to apply and bid for housing either within the housing department or in an external agency
- ☑ Housing departments need to build strong links with other agencies so advice and support can be targeted to specific groups – i.e. training sessions on bidding for individuals, carer support provider groups, colleges
- ☑ Housing and social services need to have joint working protocols to ensure that housing and support is co-ordinated

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14. Acknowledgements

This series of guides was written by Alicia Wood www.hands-on-plans.co.uk & Claire Hall www.clairehall.com on behalf of the Valuing People Support Team and the Care Services Improvement Partnership www.valuingpeople.gov.uk

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Many thanks to all others who helped with the guides.

Pictures from Change Housing Picture Bank www.changepeople.co.uk