



**INCLUSION IRELAND**

National Association for People with an Intellectual Disability

# **Pre-Budget Submission 2019**

**Department of Housing, Planning and  
Local Government**

**August 2018**

**This document is written in font 12 Verdana in line with Inclusion Ireland plain English guidelines.**

# About Inclusion Ireland

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Established in 1961, Inclusion Ireland is a national, rights-based advocacy organisation that works to promote the rights of people with an intellectual disability.

The vision of Inclusion Ireland is that of people with an intellectual disability living and participating in the community with equal rights.

Inclusion Ireland's work is underpinned by the values of dignity, inclusion, social justice, democracy and autonomy and we use the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) to guide our work.

## Public Sector Duty

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In its most recent strategy statement, the Department of Housing, notes that the provision of housing for people with disabilities is a priority area to which human rights and equality principles apply.

Given the recent finding that people with disabilities are the among the most disadvantaged groups in society in relation to housing and experience huge discrimination and deprivation,<sup>1</sup> it is clear that the Department has much work to do.

Inclusion Ireland would encourage the Department to ensure that all decisions made for Budget 2019 are in line with this duty by being proactive in promoting equality, ensuring human rights are realised and eliminating discrimination.

## About this Submission

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Inclusion Ireland held consultations in Cork, Tullamore & Sligo as well as an online survey with respondents from all 4 provinces of Ireland. People with a disability, their family members and people who work in disability services took time to complete the survey.

Inclusion Ireland is moving towards complete accessibility of its work and this document contains an easy to read summary at the start.

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<sup>1</sup> Grotti et al (2018). Discrimination and Inequality in Housing in Ireland. Dublin: ESRI and IHREC.

# Easy to Read summary

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The Department of Housing, Planning and Local Government is a very important government department.



The Department looks after housing and is in charge of the County and City Councils in Ireland.

This submission is asking the Department to look at 4 things for the Budget in 2019.



What is the Budget?

The Budget is the Government plan of how money will be spent for the coming year.



We are asking the Department to make sure that councils are giving social houses to people with disabilities who are living in institutions.

We are asking the Department to let people know about Easy to Read forms and information.



We are asking the Department to look at the Cost of Disability and how this affects the Housing Adaptation Grant for People with a Disability.



We are asking the Department to look at how the HSE is doing at getting houses for people stuck in institutions.

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# Introduction

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In the Programme for Partnership Government, there is a commitment to

- Eliminate any persisting discrimination on the nine grounds,
- Equality of opportunity,
- Supporting persons with disabilities in maximising their potential,
- Removing barriers which impact on access to services, education, work or healthcare,
- Targeted improvements in welfare
- Ensuring the needs of people with disabilities are incorporated into all future housing policies
- Further increase the funding for the Housing Adaptation grant scheme
- Support people with disabilities to move out of congregated settings to enable them live independently and be included in the community

Launched in 2016, Rebuilding Ireland is the Government's strategy to tackle Ireland's housing shortage by accelerating supply. Rebuilding Ireland states that in order to securing its ambitious level of output is dependent on a number of critical factors such as, "local authority and Approved Housing Body (AHB) capacity in terms of skills, access to developable land, borrowing, processes etc., to directly deliver programmes across capital and current expenditure, and particularly direct build/refurbishment".

Inclusion Ireland believes that persons with disabilities should live self-determined lives and Budget 2019 provides an opportunity to create a more equal & just society and to develop pathways into a life in the community for people with a disability. Housing is a key aspect of social inclusion for people with intellectual disabilities. People with disabilities

and their families have informed Inclusion Ireland that the acquisition process for a home in the community is slow-moving.<sup>2</sup>

The Report of the Committee on Housing and Homelessness<sup>3</sup> highlighted several housing needs pertinent to people with intellectual disability however, submissions to the Committee did not present the specific difficulties that continue to serve as barriers to the provision of housing for people with disabilities and were therefore not included as part of the wider discussion on the problems associated with the Irish housing system.

The need for accessible emergency accommodation on foot of a rise in presentations of people with disabilities to homeless services, the numbers of people resident in institutions who have a disability and the slow-pace of property acquisition are all relevant to the transition to independent living for persons with disabilities.

**During Inclusion Ireland's Public Consultation for Budget 2019, we received the following feedback on housing:**

*"The waiting lists are way too long. I was waiting almost 2 years sharing a tiny bedroom with my daughter then we managed to get cheap rented house that was damp and made me sick before we got offered a house."*

*"Housing list for those with disabilities is very long, our son will need to apply for same as can't see him earning enough to buy a job. Sadly he may also remain single which will reduce his buying power."*

*"I applied to my local authority for social supported housing for my daughter. After a year I was told there is no social housing available for her.... A young adult should be able to move from a family home with supports and not be living with aging parents... Disabled people should be housed before a crisis develops in a family."*

*"This is my major concern, why shouldn't my daughter be able to live in her community like her peers, instead of going to live in a group home with strangers."*

*"Very slow housing lists, years too long, adding to the stresses of living already with a disability."*

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<sup>2</sup> Inclusion Ireland. (2018) Deinstitutionalisation in Ireland; a failure to act.

<sup>3</sup> June 2016

# 1. Social Housing

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## **Social Housing Waiting Lists**

A summary of Social Housing Assessments in 2017 produced by the Housing Agency stated that the main need for social housing support for 5,772 households in the State was in relation to a physical, sensory, mental health, intellectual or other disability, with 1,571 of those qualifying for social housing in respect of an intellectual disability.

In 2017, people with an intellectual disability represented almost 2% of the social housing waiting list<sup>4</sup>, while Census 2016 found that there were 66,611 individuals with an intellectual disability in Ireland, representing 1.4 per cent of the total population.<sup>5</sup>

Through our advocacy work, Inclusion Ireland would be aware that there are many people with an intellectual disability who are living at home with their parents and are not on a housing waiting list. The Housing Strategy for People with Disabilities states that “frameworks will be put in place to ensure that the needs of people with intellectual disabilities, currently living in the family home or within communities are accurately identified and planned for”<sup>6</sup>

Funding needs to be made available for persons with disabilities who currently live within family homes and are in need of independent living arrangements but are currently outside the service provision system.

Even with the overrepresentation of people with an intellectual disability on the social housing waiting list, the figure in need of housing is likely to be much higher and more needs to be done to address and plan for the numbers of people with intellectual disabilities who may require social housing.

## **Inconsistencies in Allocation Schemes**

Time to Move on from Congregated Settings recognised that “specific arrangements would need to be engaged in with the relevant local authority about prioritising individuals transferring from congregated settings”.<sup>7</sup>

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<sup>4</sup> Housing Agency. (2017) Summary of Social Housing Assessments 2017.

<sup>5</sup> Census 2016

<sup>6</sup> Action 4.2.3

<sup>7</sup> HSE. (2011) Time to Move on from Congregated Settings: A Strategy for Community Inclusion.

Local authorities are responsible for deciding the content and the order of their social housing priority lists, as described in each council's 'allocation scheme'.<sup>8</sup> As a result of this process, there are variances in allocation schemes from one local authority to the next.

A desktop review conducted by Inclusion Ireland of the most recently published allocation schemes for each local authority found that 10 local authorities in Ireland expressly mention residing in "an institution" as a priority to access social housing. However, this is likely to be associated with the Section 2 of the Housing Act 1988 definition of homelessness, as demonstrated by Donegal County Council, "They are living in a hospital, county home, night shelter or other such institution"<sup>9</sup>.

In Cork City Council's allocation scheme, this local authority also places "whether the current accommodation is an institution, emergency accommodation or a hostel" as its main priority to access social housing.<sup>10</sup> Louth County Council, in determining housing need, also places prime importance on whether the current accommodation is an institution.<sup>11</sup>

Wexford County Council includes a quality of life determinant in its allocation scheme. "Second priority shall be given to applicants who are in need of alternative accommodation on very serious or exceptional medical grounds including severe physical or [mental disability] where the allocation of social housing will improve the quality of living of that applicant".<sup>12</sup>

Considerations around accessibility for people with an intellectual disability differ significantly from individuals with a physical disability. The barriers that prevent people with an intellectual disability from participating in society can be addressed when the appropriate supports are provided in their own homes in the community. Local authorities must play a significant role for this to be achieved, as stated in the Time to Move on From Congregated Settings strategy. This can also be combated by providing accessible information, such as the Easy to Read format, to

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<sup>8</sup> Citizens Information. Social housing waiting lists. Available from: [http://www.citizensinformation.ie/en/housing/local\\_authority\\_and\\_social\\_housing/social\\_housing\\_waiting\\_lists.html](http://www.citizensinformation.ie/en/housing/local_authority_and_social_housing/social_housing_waiting_lists.html)

<sup>9</sup> Donegal County Council. (2011) Allocation Scheme. Available from: <https://www.donegalcoco.ie/media/donegalcountyc/housing/pdfs/Allocation%20Scheme.pdf>

<sup>10</sup> Cork City Council. (2015) Allocation Scheme. Available from: <http://www.corkcity.ie/services/housingcommunity/housingforms/Amended%20Allocation%20Scheme%2012%20October%202015.pdf>

<sup>11</sup> Louth County Council. (2017) Allocation Scheme. Available from: <https://www.louthcoco.ie/en/Services/Housing/Local-Authority-Housing/Housing-Allocation-Scheme.pdf>

<sup>12</sup> Wexford County Council. Allocations Scheme. Available from: link

inform people with intellectual disabilities about their entitlements and by building awareness of accessibility initiatives through promotion.

Inclusion Ireland recognises the challenges faced by many local authorities in regards to homelessness but believes that a similar level of prioritisation should be granted to people with an intellectual disability who are still residing in institutions.

### **Accessible Information**

In 2017, approximately 7% of all households eligible for social housing qualified on the basis of disability or medical or compassionate grounds.<sup>13</sup> Inclusion Ireland, through its advocacy work, has been in contact with many people with disabilities seeking a home of their own in their respective communities. From these enquiries, it is clear that many are unaware of the process involved in applying to get on the social housing waiting list and how to begin this process.

While it is to be welcomed that Easy to Read application forms have been developed for local authorities, many people with intellectual disabilities are unaware of the existence of these forms. Councils must engage in greater promotion of these materials so that people with disabilities will have a greater awareness of and access to these forms.

The “housing advice centres” which were proposed in the National Housing Strategy for People with Disabilities should be advanced and would make accessing information on housing an easier process for people with disabilities.

### **Inclusion Ireland asks for Budget 2019, related to social housing, are:**

- Funding needs to be made available for persons with disabilities who currently live within family homes and are in need of independent living arrangements but are currently outside the service provision system.
- Issue a circular to all local authorities requesting a consistent approach, with specific priority for those individuals identified in Time to Move on from Congregated Settings residing in institutions and provide the resources to facilitate this emphasis.

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<sup>13</sup> Summary of Social Housing Assessments 2017, p. 21 <https://bit.ly/2MsEO2l>

- Provide funding to all local authorities to facilitate the promotion of Easy to Read social housing application forms and other relevant documentation.
- Invest in “housing advice centres” for people with disabilities.

## 2. Cost of Disability & Housing

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The United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) is clear on the need to eradicate poverty for persons with disabilities in order for the full enjoyment of their human rights and fundamental freedoms to be realised. In the Convention preamble, the fact that the majority of persons with disabilities live in conditions of poverty is highlighted and State parties are urged to work towards the eradication of poverty.

Article 28, which is concerned with the adequate standard of living and social protection, required States to “ensure access by persons with disabilities . . . to social protection programmes and poverty reduction programmes”.

In Ireland, persons with disabilities are more than three times as likely to experience poverty and deprivation as the general population.<sup>14</sup>

According to the ESRI persons with a disability experience much higher rates of deprivation which means they go without some of the basic necessities for living. The ESRI has also said that “policies that reduce poverty among the general population do not adequately address deprivation experienced by vulnerable groups” and targeted interventions are needed in households where there is a disabled person.

### **Housing Adaptation Grant**

One scheme which has been established is the “Housing Adaptation Grant for People with a Disability”, which allows people to make changes to a home in order to make it suitable for a person with a disability. The grant can be used to make changes and adaptations to a home, such as wheelchair-accessibility, extensions to the building for more space, additional bathroom facilities and stair-lifts.<sup>15</sup>

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<sup>14</sup> CSO. (2017) Census 2016. Survey on Income and Living Conditions (SILC).

<sup>15</sup>[http://www.citizensinformation.ie/en/housing/housing\\_grants\\_and\\_schemes/housing\\_adaptation\\_grant\\_for\\_people\\_with\\_disability.html](http://www.citizensinformation.ie/en/housing/housing_grants_and_schemes/housing_adaptation_grant_for_people_with_disability.html)

Access to the scheme is dependent upon a means test and the maximum grant that can be secured is €30,000 covering up to 95% of the cost of works.

The grant is available to applicants with gross household incomes of up to €30,000 per year and households with incomes between €50,001 and €60,000 per year can also qualify for up to 30% of the grant. Assessing the grant on the basis of income, does not fully recognise the additional costs associated with having a disability, including the cost for those who are at work. An improved assessment process, incorporating the cost of disability should be developed with a corresponding increase in amounts ringfenced for the grant.

From our advocacy work, we have found that in different areas of the country, it can be much harder to secure the grant than other areas and in some areas it is practically impossible to secure any grant at all; the money just isn't available in the Local Authority.

The Programme for Partnership stated that "Housing Adaptation grants provided to local authorities are a vital support to keeping people in their homes. Budget 2016 increased this scheme by 10% to €55million, which will see over 8,500 households benefit from the scheme. We support further increases in funding for this scheme." A relaxation of the means test to acknowledge the cost of disability will go a long way to meeting this commitment of government.

### **Inclusion Ireland ask for Budget 2019, related to the Cost of Disability is:**

- Increase the allocation for the grant, in line with the Programme for Partnership.
- Work cross-departmentally to conduct research on the Cost of Disability and incorporate the findings into the assessment process of the Housing Adaptation Grant for People with a Disability.

# 3. Deinstitutionalisation

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## Time to Move on from Congregated Settings

At year end of 2017, 2370 individuals remained in congregated settings. During that year, 88 people completed the process of moving into the community in line with the Time to Move On from Congregated Settings strategy. Also in that year, 41 people were either admitted or readmitted and 110 individuals died in the institutions.<sup>16</sup>

Inclusion Ireland, through its community engagement with persons living in institutions and their family members, has gathered evidence from service providers, residents and families on barriers. Through these interactions, people reported a slow-moving house purchase approval process from the HSE Estates Department<sup>17</sup> and the processes involved in acquiring property can explain why there is slow movement, as explained below.

The Health Service Executive (HSE) Estates Department is responsible for managing a €10 billion capital infrastructure portfolio and its annual capital plan. Local Estate Managers oversee the delivery of all infrastructure related services in their region and develop protocols, policies and strategies. The Office also provides advice and support to the local Estates Offices and the non-HSE agencies it engages in its work, manages national programmes and liaises with HSE senior management, the Department of Health and other external agencies and bodies. HSE Estates agrees and manages the capital plan for all Executive property via a property database.<sup>18</sup>

Part of the HSE Estate's function is to ensure that all property transactions, be they acquisitions or disposals, are carried out in line with the "Property Protocol".<sup>19</sup>

The Property Protocol states that any proposed property transactions fall under two categories, both of which require different approval arrangements; Category 1 (€2 million or more) which requires board

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<sup>16</sup> HSE. (2017) Annual Report on the Implementation of Time to Move On From Congregated Settings.

<sup>17</sup> Inclusion Ireland. (2018) Deinstitutionalisation in Ireland; a failure to act.

<sup>18</sup> HSE. Estates. Webpage. Available from: <https://www.hse.ie/eng/about/who/estates/>

<sup>19</sup> HSE. HBS Estates. Webpage. Available from: <https://www.hse.ie/eng/about/who/healthbusinessservices/estates/>

approval; Category 2, (€2 million or less) which can be approved by the National Director of Commercial & Support Services.

Before any acquisition, a conditions survey must be completed and a number of areas including health and safety issues, compliance with building control regulations and accessibility for persons with disabilities must be considered. Considerations around disability include compliance with requirements for disabled access, in accordance with the Building Control (Amendment) Regulations 2009 (SI 521 of 2009), and whether the property has a Disability Access Certificate, which is a requirement for all new buildings.<sup>20</sup>

### **Inclusion Ireland asks for Budget 2019:**

- Provide funding to include investment in housing stock and the adaptation of housing stock to allow for de-institutionalisation.
- Provide funding to include investment in housing stock and the adaptation of housing stock to allow for the transition of individuals who live at home with their parents to move to their own home.
- Review and upskill where necessary the HSE Estates department with a view to delivering on Time to Move on from Congregated Settings.

### **For further information contact:**

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<sup>20</sup> HSE. (2012) Protocol for the Acquisition and Disposal of Property.