



College of
Occupational
Therapists

Specialist Section

Housing

The Housing (Scotland) Act 2006: Guidance for local authorities

14th June 2008

Response from the College of Occupational Therapists

1. Introduction

The College of Occupational Therapists Specialist Section - Housing is pleased to provide a response to The Scottish Executive's Discussion Document - The Housing (Scotland) Act 2006, Guidance for local authorities.

The COT represents over 29,000 occupational therapists, students and support workers across the United Kingdom, of which over 2,000 are either working or studying in Scotland. Occupational therapists (OT's) work in Local Authority Social Services and Housing Departments, the NHS, Schools, Primary Care settings, Independent Practise and in a wide range of Vocational and Employment Rehabilitation services.

Occupational Therapists are regulated by the Health Professions council and work with individuals of all ages with a wide range of occupational problems resulting from physical, mental, social or developmental difficulties. The philosophy of occupational therapy is founded on the concept of occupation as a crucial element of health and well-being. Practise is based on holistic, client centred care.

Occupational therapist's working within local authorities spend a significant proportion of their time working with service users and other statutory and private bodies adapting properties, often making the 'best of a bad deal'. The therapist engages at all levels of local government and liaises with the private sector ensuring the highest standards are met for the disabled individual concerned. Private Sector Housing Grants are integral to the adaptation work carried out. It is incumbent then, to ensure that all steps are taken to ensure that any legislation lends itself to streamlining processes, making what has the potential to be a stressful time a straightforward one instead.

We are pleased to note that local authorities are encouraged by the authors of this document to ensure any strategy on financial assistance with structural adaptations should be drawn up in close conjunction with social work assuming this includes occupational therapist colleagues.

We are further relieved that the scope of the assistance provided will be all inclusive with regard to disability.

With regard to standard amenities (3.226) a further definition should be added to the list for the 2006 Act, i.e. availability of accessible access both internal and external, thereby enabling maximum independence of the disabled individual.

The College of Occupational Therapist Specialist Section - Housing hopes that the Scottish Executive will consider the comments tabled below from our members in relation to this consultation and act in the best interest of the disabled individual, their carer/s and/or family.

We are happy to be included in any further consultations on this subject.

Mary Stobie
Chair COTSS-Housing

Housing (Scotland) Act 2006: Consultation on Draft Guidance and Regulations

CONSULTATION RESPONSE FORMS FORM 1 RESPONDENT INFORMATION FORM

Please complete the details below and return it with your response. This will help ensure we handle your response appropriately. Thank you for your help.

Name: Mary Stobie
Chair: College of Occupational Therapists Specialist Section - Housing

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1. Are you responding:

(b) on behalf of a group/organisation
go to Q3 and then Q4 ✓

ON BEHALF OF GROUPS OR ORGANISATIONS:

3. The name and address of your organisation will be made available to the public (in the Scottish Government library and/or on the Scottish

Government website). Are you also content for your response to be made available?

Yes ✓

SHARING RESPONSES/FUTURE ENGAGEMENT

4. We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for the Scottish Government to contact you again in the future in relation to this consultation response?

Yes ✓

No

Housing (Scotland) Act 2006: Consultation on Draft Guidance and Regulations

FORM 2 EQUAL OPPORTUNITIES MONITORING FORM

It is important that we engage with all sections of the community as part of our consultation process, as our proposals may affect different groups in different ways. Monitoring responses will allow us to identify any gaps in engagement which we can then address.

Completion of this form is voluntary, but your assistance will help us improve our consultation. Information on individuals will remain anonymous.

If you are responding on behalf of an organisation please complete Part A.

PART A – FOR ORGANISATIONS ONLY

Which category best describes your organisation? (please tick)

Local Authority

Voluntary Sector

Other Public Body ✓

Equality Group

Private Sector

Other

FORM 3 CONSULTATION QUESTIONNAIRE

Please use this form to respond to the consultation questions. This will help us to understand clearly which part of the consultation your comments relate to.

We have listed below each question asked in the consultation in order starting at Volume 1 and provided space for your comments. Some of the questions are general and refer to the whole volume. Where questions are specific to a particular part of the volume, we indicate the page number for your ease of reference. We have provided additional space at the end for you to make general comments about the guidance as a whole if you wish.

You may respond in writing using this form, or if you require more space for your answers, you can access an electronic version of the form at www.scotland.gov.uk/consultations/current. For organisations: it would assist us greatly in analysing the responses if you could send a single, consolidated response which takes account of all relevant interests in your organisation.

VOLUME 5

PAGE QUESTION YOUR COMMENTS Our ref.

20 How useful would a public information website be?

This would depend directly how well it was signposted, accessed and maintained, but the idea has merit, most individuals with a disability should be able to access to the internet either directly or indirectly.

E1

22 Do you support this overall approach to information provision?

Yes, as long as the information is available in other formats where requested.

Are there additional areas on which you would welcome guidance? E2

29 Do you support this overall approach to advice provision?

Are there additional areas on which you would welcome guidance? E3

32 Are there any specific aspects of practical assistance on which you would welcome guidance? E4

47 Are there any other categories of borrowers who require consideration in developing lending options? E5

51 Should any changes be made to the key features of these lending products? E6

51 Are the proposed products suitable for these types of borrower? E7

51 Are there any other products that should be considered? E8

52 Should a minimum amount of an owner's wealth be disregarded when assessing affordability of works? If so, on what basis? E9

52 What is the realistic possibility of the commercial market developing a Home Appreciation Loan as outlined above? E10

33 Which method of allocation of funds for the National Lending Unit should be used? E11

34 Is there a better way to allow local authorities to access capital within the fund? E12

70 Do you support the creation of a National Lending Unit to supply products to people generally not served by the financial markets? If not, what alternatives would you suggest? E13

70 How do you think a National Lending Unit should be delivered?

**Definitely before the Scheme of Assistance is made law.
E14**

79 Do you support this overall approach to the assessment of financial assistance? E15

79 Is the proposed model framework helpful? E16

79 How do you view the framework in the context of the new relationship between national and local government that has been signalled? E17

81 Do you support the creation of a publicly funded financial advice service? If not, what alternatives would you suggest? E18

81 Do you have any views on whether the service should be delivered by an appointed panel of brokers from the financial services industry, or whether it should be run as part of the National Lending Unit? E19

94 Do you support the intention to regulate for adaptations to attract mandatory grant?

Yes, we see this as a positive change

Is our proposed definition of adaptation appropriate?

We recommend that the definition must be clearer as it is open to local interpretation. The adaptation must be confirmed as a 'structural alteration'.

e.g. clos-o-mats and straight stairlifts should be considered equipment not adaptations, as they can be relocated in some cases, associated works for these should not be included in the grant application. However curved stairlifts are sometimes considered adaptations

because of the curved tracks, however these cannot be relocated. Curved stairlifts are classed as equipment and therefore not included in mandatory grant funding. Most items of equipment require maintenance, adaptations do not.

What is the Scottish Government's definition of "essential adaptations"? No mention of "access" to a property being included under mandatory grant funding.

E20

94 Do you agree with our proposed approach of restricting mandatory grant in cases where additional living accommodation is being provided but avoiding a blanket exclusion?

No, there should be no restriction, even though the proposal does state authorities should avoid a blanket exclusion (3.231) this is clearly to reduce the impact on the budgets by high cost of major works, however, additional living space e.g. in the case of an autistic child or for someone with a deteriorating condition can mean the difference between a family staying together in one home or a family breaking up because of interminable stress. What cost the family unit?

Access to additional living space (bedroom on ground level) as an assessed requirement should be available and not something to be excluded from the grant process or indeed fought for. There should be no limitations and should not be discretionary.

E21

94 Do you support the intention to regulate for 80% minimum grant for grant-aided works related to a disability, increasing to 100% for people in receipt of specified income replacement benefits?

Yes 80% is very fair, we agree that local authorities will have to have a criteria/strategy for funding drawn up with all relevant departments i.e. Occupational therapists working in social work departments.

E22

92 Do you see value in a national tendering exercise for permanent adaptations?

Not at all, this would be very difficult to co-ordinate and manage, tendering should be left at local levels, where best value can be demonstrated.

If so, should it extend to adaptations funded in the social rented sector or be limited to adaptations in owner occupied housing? E23

94 Do you have any other comments on this approach to financial assistance for works related to disability?

It is vital that the National Lending Unit is fully operational before the scheme of assistance is made law.

E24

98 Do you support this general approach to financial assistance for house condition works?

Yes, as long as all provisions are in place and all departments are fully aware of their responsibilities under the Act.

E25

98 In what, if any, circumstances do you envisage that up-front grant might be a necessary tool in facilitating repair and improvement work to be carried out?

In the case of major disrepair where it would be dangerous for the property to be inhabited, where rehousing even temporarily is impracticable i.e. if the property houses someone with a major disability and there is no-where suitable for decanting.

E26

100 Is this a reasonable approach to financial assistance for landlords and tenants?

Yes

E27

100 Are there other types of works or categories of owner on which you think guidance on financial assistance would be helpful? E28

102 Do you support the view that a nationally prescribed test of resources for assessing grant eligibility for repair and improvement work will no longer be appropriate under the Scheme of Assistance?

E29

102 If your authority plans to use a local test of resources, are there any aspects of this on which you would find guidance helpful? E30

104 Do you support this approach to approved expense limits? **Yes**
E31

104 Are there circumstances where you see a continued role for local approved expense limits?

Currently with the short fall of contractors very often they can over price for works to avoid being the successful tender, should all three tenders

come in overpriced then the local grants officer would benefit from the powers associated with LAEL's
E32

115 Is this a fair summary of the issues likely to influence the identification of priorities within a statement of assistance? E33

**118 Is this model framework helpful?
Are there further headings that could be included within this model framework? E34**