“Supporting People with Disabilities To Access Appropriate Housing In The Community”

A Guidance Document

Developed by the Housing Work stream of the “Time to Move On” (From Congregated Settings) Subgroup

Under the Transforming Lives Programme
**Table of Contents**

1.0 Purpose of Guidance Document........................................................................................................... 5

2.0 Policy Context ........................................................................................................................................... 6
   2.1 Time to Move On From Congregated Settings .................................................................................. 6
   2.2 The National Housing Strategy for People with a Disability 2011 – 2016 .................................... 7
   2.3 Social Housing Strategy 2020 ........................................................................................................... 7

3.0 Determining a Person’s Housing Preference ............................................................................................. 8
   3.1 Discovery Process- Determining “Will & Preference” ................................................................. 8
   3.2 Discovery & Transition Planning .................................................................................................... 9
       3.2.1 The Community Living Transition Planning (CLTP) Toolkit ............................................ 9
   3.3 Establishing a Person’s Housing Eligibility and Need ................................................................. 10
   3.4 Accessing Social Housing Support .............................................................................................. 10
   3.5 Matching a Person’s Housing Preference and Housing Need ..................................................... 11
   3.6 Availability of Housing .................................................................................................................. 11
   3.7 Supporting Informed Decision Making ......................................................................................... 12
   3.8 Supporting People to View Different Options ............................................................................. 13
   3.9 Role of Service Provider in Advancing Housing Options ............................................................ 13
       3.9.1 Service Provider Engagement in Housing & Disability Steering Groups ........................ 14
   3.10 Managing Expectations and Current Challenges ....................................................................... 15
   3.11 Involvement of Stakeholders ...................................................................................................... 15
   3.12 Separation of Housing and Service Provision ........................................................................... 16
       3.12.1 The Policy Context ........................................................................................................... 16
       3.12.2 Policy in Practice ................................................................................................................ 16
   3.13 Health and Information Quality Authority (HIQA) .................................................................. 17

4.0 Social Housing Support ........................................................................................................................... 19
   4.1 Local Authorities ............................................................................................................................ 19
   4.2 Approved Housing Bodies ............................................................................................................. 19
   4.3 Applying for Social Housing Support ........................................................................................... 20
   4.4 Areas of Choice .............................................................................................................................. 22
   4.5 Housing Waiting Lists .................................................................................................................... 22
5.0 Social Housing Provision Options .................................................................................. 24
5.1 Capital Assistance Scheme (CAS)................................................................................. 24
5.1.1 The CAS Process ...................................................................................................... 25
5.1.2 Recommendations for Disability Service Providers and Approved Housing Bodies .... 26
5.2 Purchase using Capital Advance Leasing Facility (CALF) and Payment and Availability
    Agreement (P&A)........................................................................................................... 26
5.2.1 Payment and Availability Agreement (P&A)............................................................. 27
5.2.2 Key Features of CALF .............................................................................................. 27
5.2.3 Key Drivers for using CALF ..................................................................................... 28
5.2.4 CALF Application Process ...................................................................................... 28
5.3 Funding for Developments for People With Disabilities Transferring from Congregated Settings 30
5.4 Social Housing Current Expenditure Programme (SCHEP)............................................ 30
5.4.1 Direct Lease Arrangements with Private Property Owners ........................................ 31
5.4.2 Availability or ‘Rental Accommodation Scheme type’ Arrangements with Private Property Owners ...................................................................................................................... 32
5.4.3 Leasing Arrangements with Approved Housing Bodies ............................................ 33
5.4.4 Payment & Availability Agreement (P&A)................................................................. 34
5.5 Rental Accommodation Scheme (RAS) ....................................................................... 34
5.5.1 Qualification for the RAS ......................................................................................... 35
5.5.2 The Process ............................................................................................................. 36
5.6 Housing Assistance Payment (HAP) .......................................................................... 36
5.6.1 Eligibility for HAP .................................................................................................... 36
5.6.2 The HAP Process .................................................................................................... 37
5.6.3 HAP Payments ........................................................................................................ 37
5.6.4 Ending of a HAP Tenancy ........................................................................................ 38
5.7 Rents Payable by People Accessing Social Housing .................................................... 39
5.7.1 Rents under Social Housing Current Expenditure Programme (SHCEP) ..................... 39
5.7.2 Rents under Capital Assistance Scheme (CAS) ......................................................... 39
5.7.3 Rents under Housing Assistance Payment (HAP) .................................................... 39
5.7.4 Rents under Rental Accommodation Scheme (RAS) ................................................ 39
5.8 Supporting People With Disabilities to Manage Payments ........................................... 40
5.8.1 Rent Payments ................................................................. 40
5.8.2 Utilities and Services ...................................................... 40
5.8.3 Financial Considerations ................................................. 40

6.0 HSE Capital Programme ......................................................... 41
6.1 Identifying Requirement for HSE Capital Funding ....................... 41

7.0 Appendices ............................................................................. 43
Appendix A Terms of Reference for Housing and Disability Steering Group ... 44
Appendix B Process Chart for Standard CALF and P&A ..................... 47
1.0 Purpose of Guidance Document

This document has been developed as a resource for disability service providers who are working to support people living in congregated settings to transition into the community in keeping with the *Time to Move on From Congregated Settings* policy, as part of the *Transforming Lives* programme.

The primary purpose of this document is to provide clear information and “signposting” for disability service providers in relation to the processes and mechanisms associated with securing accommodation for people transitioning from a congregated setting.

The document focuses on the following areas:

- Policy Background
- Determining a Person’s Housing Preference
- Social Housing Support
- Social Housing Provision Options
2.0 Policy Context

There are three key policy documents which inform the approach to the delivery of housing for people with disabilities in Ireland.


2.1 Time to Move On From Congregated Settings

This report recommends that people with disabilities who are currently living in a congregated setting should be supported to move into homes in the community. The report, which was published in 2011, recommended that a seven year timeframe was given for the programme of decongregating all the identified services. The report was adopted as a policy and implementation commenced in 2012.

From a housing perspective, the policy recommends that people live in housing that is dispersed throughout ordinary communities, avoiding any clustering of properties. The policy recommends that housing should be provided by Local Authorities and Approved Housing Bodies; that people will have full entitlements to community health and social services and that current service providers will be required to provide individuals with the supports they require to enable and empower them to live supported self-directed lives in their community.
2.2 The National Housing Strategy for People with a Disability 2011 – 2016

The National Housing Strategy for People with Disabilities is a framework for delivering housing to people with disabilities through mainstream housing sources.

The vision of the Strategy is,

“To facilitate access, for people with disabilities, to the appropriate range of housing and related support services, delivered in an integrated and sustained manner, which promotes equality of opportunity, individual choice and independent living”.

Whilst previously many people with disabilities had their housing needs met through health-funded service providers, under this strategy people with disabilities will have access to social housing through Local Authorities in the same way as all citizens do.

The Strategy sets out an integrated approach to the provision of housing and support services from the Local Authorities and the HSE, that will enable people with a disability to live the life of their choosing in their own homes, in accommodation that is designed and/or adapted as necessary to meet their needs.

2.3 Social Housing Strategy 2020

The Department of the Environment, Community and Local Government developed and launched a six year Housing Strategy in 2014. The vision of this Strategy is that,

“every household will have access to secure, good quality housing suited to their needs at an affordable price in a sustainable community and that the State, for its part, will put in place financially sustainable mechanisms to meet current and future demand for social housing supports…”

The Strategy sets out fully to meet our obligations to those who need assistance to provide a home for themselves including people with a disability. The Programme for Government contains a commitment to incorporate the needs of people with disability into all future housing policies.
3.0 Determining a Person’s Housing Preference

Securing suitable, appropriate accommodation for people moving from congregated settings into the community is often seen as one of the most important milestones on the journey towards supporting a person to move to their own home. Undoubtedly, it is important, but evidence from providers clearly shows that securing suitable, appropriate accommodation does not, of itself, guarantee meaningful community inclusive and a “good life”.

3.1 Discovery Process- Determining “Will & Preference”

In order to fully support a person’s decision-making and choices regarding their move from the congregated setting, it is recommended that services engage with them through a process of Discovery.

Discovery is a capacity-based relationship approach, which engages with the person to obtain and gain a deeper knowledge, insight and understanding of them. The Discovery process can look at all aspects of a person’s life, dreams, wishes and preferences around home, family, relationships, friendships and lifestyle choices. It is an individualised journey of learning with and about the person, supporting them to gain knowledge and experience through family and community engagement and inclusion, and building circles of support. During Discovery it is important that the person participates in a broad range of ordinary life experiences that are necessary for meaningful and successful engagement in their community.

In relation to a person’s preference around home, this exploration identifies what home means to them, including where and with whom they want to live. The learning gained through this work is the foundation that informs and determines the appropriate level and configuration of supports that will enable each person to live a self-directed life of their choosing in their own home.

More information on the model of discovery can be found on the Genio website: www.genio.ie/files/The_process_of_individualised_work.pdf. This process is derived from the theory of practice Social Role Valorisation (SRV).
3.2 Discovery & Transition Planning

In some circumstances, there may be a need to accelerate the process of determining a person’s housing preference. This may be managed outside the Discovery process because of external pressures. Whilst this is not ideal, service providers can work with each person to develop a Transition Plan that identifies the initial housing preferences beyond the congregated setting.

It is preferable that the Transition Plan begins with the person gaining some of the ordinary life experiences and, in this context, supporting them to build their confidence to identify where and with whom they would like to live and their preferred living arrangements. This includes type of home and location, taking account of the person’s need to be close to natural supports (family, friends, and work), public amenities (e.g. public transport) and local community supports (e.g. shops, library, etc.). It is important to note that the person will continue be supported through the Discovery process to determine their changing will and preference after their first move from the congregated setting.

3.2.1 The Community Living Transition Planning (CLTP) Toolkit\(^1\)

The CLTP (available on HSE website) was developed in 2013 to support and guide service providers on the development and completion of individual Transition Plans. In addition or as an alternative to the CLTP, some service providers use tools such as a Housing Profile Tool or a Transition Planning Workbook to record this information, which can then be used to assess what housing options might be available.

It is important to note that the Transition Plan should not be overly focussed on the physical home as there are other meaningful engagements for a good life. The CLTP toolkit supports providers to develop practical plans that identify how each person will be supported to transition to more socially inclusive settings, by focussing on:

- Person’s Dreams and Vision
- Network of Family Friend and supporters

• Clarity and Support on decision making and governance
• Plan for participation, contribution and community engagement
• Practical plan including resources required to support community living
• A Place to live that’s home – where, how, when
• Partnerships and shared responsibilities
• Safeguards

3.3 Establishing a Person’s Housing Eligibility and Need

In order to qualify for Social Housing Support (SHS), a person must be considered eligible for SHS, which is determined on the basis that they meet specified criteria, which include income and alternative accommodation. Each person is then assessed to determine if they have a housing need, which is based on prescribed criteria and takes account of the household’s current accommodation.

People currently living in congregated settings are considered to have an unmet housing need. This is in keeping with the “Time to Move on from Congregated Settings” policy and the UN Convention on the Rights of Persons with Disabilities, which acknowledge that enabling people with disabilities to live in and become part of the mainstream community is an important human rights issue. Accordingly, people with disabilities in Ireland should be supported to make their own choices, and have the equivalent choices of other adults about where to live and with whom they might share.

3.4 Accessing Social Housing Support

In order to access social housing a person’s housing need has to be clearly established. If the person has a housing need and it is determined they are eligible for social housing, consultation and engagement with relevant social housing stakeholders can be advanced. Comprehensive information on Social Housing Supports is included in Section 4.0 of this document.

Where a person does not qualify for social housing support, other options will need to be explored to determine how their housing needs can be met. For these people, other housing options such as private renting, purchasing accommodation or adapting
existing accommodation may need to be explored further. In some cases a home may be secured using the person’s own resources.

3.5 Matching a Person’s Housing Preference and Housing Need

A person’s general housing need can be determined relatively easily, based on their current placement and relevant circumstances. Evidence shows that each person’s housing preference will emerge through the process of Discovery and person centred planning, although this may change throughout the process.

Once a person’s initial housing preferences are established together with the type of housing need they have, it is then possible to look at what options may be available in or near their preferred area of choice. Through the Discovery process it is often possible to ascertain what is important to a person about their housing choice which can open up other possibilities for exploration of more accommodation options.

3.6 Availability of Housing

Where there is suitable available housing in the person’s preferred area (whether social or private) engagement with the relevant stakeholders can follow to secure housing through a process of acquisition or allocation. However, where there is no suitable available housing it is recommended that providers actively engage with stakeholders involved in the provision and approval of the acquisition of housing in those areas, to ensure the unmet need is identified and can be planned for. For social housing this will usually be the Local Authority and Approved Housing Bodies and for private housing this may be through developers.

It is important during this process to be aware of the opportunities and the limitations of both the social housing and private housing models. For example, under the social housing model it is usually not possible to share social housing with a person who does not have a disability unless they are related or co-habitating with the person with a disability as they will not be recognised as a ‘household’ under the social housing
assessment criteria. With the private housing model, a person who is a private tenant or is an owner occupier has many financial responsibilities that may not be subsidised.

Information is available through the Citizen’s Information Services in relation to both social and private housing which can be of assistance when supporting a person to explore their housing preferences in a real and meaningful way. 

3.7 Supporting Informed Decision Making

There are a number of ways in which to support a person to make informed decisions about where and how they wish to live. It can be useful to share learning and may be beneficial for a person and their key stakeholders to see where other people are living and hear about their experience of moving into the community.

It is recommended that service providers:

- Include and involve the person, throughout the process of identifying and securing housing. Family members and other natural supports should be actively included and involved in this process where this is in keeping with the person’s wishes.
- Enable the person to visit and/or learn about the different models of community living option’s e.g. shared arrangements, lone arrangements, parallel living etc
- Manage expectations regarding options, timelines and challenges
- Support the person to access independent advocacy as and when appropriate
- Support the person to access ‘decision making supports’ from the Decision Support Services when available and where appropriate

In order to ensure informed personal choice, it is recommended that a range of options are sourced, explored and offered whilst being mindful of managing a person’s expectations. This will support a person to exercise real and informed personal choice about their housing options and living arrangements.

Alongside the choice of where to live, the choice of who to live with or whether to live alone is equally important. This should be clearly explored as part of the planning process with the person and their family and other natural supports as appropriate. In the event that the person with a disability chooses to live with a small number of

---

2 http://www.citizensinformation.ie/en/housing/
others, there needs to be clarity with the housing provider as to how vacancies within a house will be managed to ensure that the residents can continue to exercise choice and retain control over who they live with.

Currently, under the social housing model, there is not an option available to share housing with a non-related / non-partner person without a disability. In this regard, where a person indicates they wish to house share with others without a disability who are not related or who don’t have a pre-existing relationship this may only be available in limited situations (such as a private rented arrangement or where a person owns their property and decides to use the ‘rent a room’ type arrangement).

### 3.8 Supporting People to View Different Options

It is recommended that services facilitate people and their families/advocates to engage with others that have moved to learn about their experience and to have the opportunity to talk to the staff and providers about the process, outcomes, supports etc. It is beneficial for a person and their key stakeholders to see where other people are living.

There is evidence to support that the process of Discovery, person centred planning and the application of the CLTP toolkit enables the person to make appropriate decisions/choices with reference to the housing options available to them at the time. These processes ensure that the person’s will and preference is maintained as the focal point as decisions are made and provides evidence of this which may be required at some point.

### 3.9 Role of Service Provider in Advancing Housing Options

The evidence from providers who have successfully secured community-based housing demonstrates that it is beneficial to invest dedicated resources and time in order to find and manage sustainable housing solutions. On this basis, as part of the strategy adopted by service providers in relation to securing appropriate accommodation, it is recommended that:

- A staff member is assigned lead responsibility for housing and given sufficient supports (resources and time) to develop expertise and lead on the
development of the housing strategy for their service. This person should develop expertise with regard to the range of housing solutions, funding options, application mechanisms, key stakeholders etc.

- There is pro-active engagement with the relevant local housing authority to advocate for the needs of residents moving from congregated setting.
- There is engagement with all local estate agents to develop working relationships, promote people with disabilities as being attractive option for private landlords, and improve possibility of gaining advance notice of suitable properties coming to the rental or purchase market.
- There is engagement with all approved housing bodies operating within the area to develop working relationships, advocate for the housing needs of people with disabilities and promote them as possible tenants. This may be on an individual basis, as well as through engagement with any local or regional Irish Council for Social Housing forum.
- There is early and ongoing engagement with HIQA in order to clarify issues around the possible designated status of locations, rentals, purchase and new build properties.
- Engage with HSE and Dept of Social Protection with regard to the financial supports for people – identify all options/schemes/contacts etc.
- Engage with HSE and Housing Agency with regard to the financial supports for agencies and, housing bodies.

3.9.1 Service Provider Engagement in Housing & Disability Steering Groups

Providers should ensure they pro-actively engage and are adequately represented on the Local Housing and Disability Steering Groups that are set up in each Local Authority Area and chaired by a senior manager from the Local Authority. The role of the Local Housing and Disability Steering Group (HDSG) is to facilitate better coordination and delivery of housing and related support services to people with disabilities support and enhance the current local interagency structures, in line with the recommendations of the “National Housing Strategy for people with Disabilities 2012-2016”. A key deliverable of the groups is the development of a Strategic Housing Plan for people with disabilities in each Local Authority Area.
Service Providers have a key role to play as members of the HDSG in their Area in terms of improving awareness amongst the other stakeholders of the issues facing people with disabilities with regard to accessing housing and building key relationships that can drive the supply of suitable housing. The HDSG provides an effective forum for engagement with the Local Authorities, AHBs and service providers to ensure that the needs of people with disabilities are identified and considered as part of the 5 year strategic plan.

In practice, the experience of service providers that are engaged with the Local HDSG has shown that these groups provide an opportunity to address other blockages and issues in relation to housing that arise in a particular area and have led to the greater co-ordination of stakeholders and service providers and the exploration of collaborative and innovative solutions.

See Appendix A for the Terms of Reference for Housing and Disability Steering Groups.

3.10 Managing Expectations and Current Challenges

When exploring housing options with the person, it is important to provide all the information relating to housing options including lack of supply, extended timeframe for acquiring housing, etc. Those supporting a person transitioning through the process should not create unrealistic expectations relating to housing.

3.11 Involvement of Stakeholders

The “Time to Move on” subgroup under the HSE Transforming Lives programme have developed a comprehensive Communication Plan which identifies a range of stakeholders who may need to be considered. The plan provides guidance on the development of tailored key messages, the content of the communication, the timing and the method of engagement and communications. It is strongly recommended that when engagement with stakeholders is being planned, careful consideration is given to the key message and information being shared, the timing of same and the
purpose and expected outcome of the communication, such as , is it for information only or is it two-way engagement where feedback and follow-on actions are required.

For many stakeholders, but particularly in relation to the person moving and their family, service providers need to manage the engagement and communication so as to not raise expectations, cause anxiety, create confusion or create any sense that communication is tokenistic or rushed.

3.12 Separation of Housing and Service Provision

3.12.1 The Policy Context
The “Time to Move on from Congregated Setting” Policy advocates that the funding for housing provision for those moving from congregated settings should be managed through the Department of Environment, Community and Local Government (Chapter 9 in the report). This separation of the housing and support function has also been promoted in the high level implementation plan: ‘The model envisages that people living in congregated settings will move to dispersed forms of housing in ordinary communities, provided mainly by housing authorities.’

This logic was also followed in the National Housing Strategy for People with a Disability 2011-2016 as follows: ‘The separation of housing support functions and health care supports, can enable people with disabilities to exercise greater choice of care service provider and, therefore, increased independence and control over their own lives.’

3.12.2 Policy in Practice
The intended outcome of the policy direction is to ensure that people can hold a tenancy and/or live within a setting that is not under the direct control of their care support service provider. This gives people a level of protection, security and autonomy in the event of conflict or issues arising in relation to the housing or the support services i.e. a housing issue could be addressed without impacting on support provision or vice versa.

---

3 http://www.hse.ie/eng/services/list/4/disability/congregatedsettings/impplan.pdf, page 1
To maintain this separation, the care and support service that a person will need to enable them to successfully transition and to live well within their home will not normally incorporate the housing costs for the person in their home.

Whilst the policy advocates that social housing would be primarily provided by local authorities the practice has shifted considerably, with the approved housing bodies now playing a significant role in providing housing for people with disabilities. This is particularly the case for people moving from congregated settings. Whilst approved housing bodies will be the landlord for many social living arrangements in the community, in general, these arrangements will be put in place and approved by the local authorities. On this basis, it is important that service providers supporting people to transition from congregated services would liaise closely with their local authority and with any approved housing bodies who are active in the area where the person or persons wish to move to.

3.13 Health and Information Quality Authority (HIQA)

The statutory regulation of disability residential services commenced in 2013 with the introduction of the National Standards for Residential Services for Children and Adults with Disabilities and associated regulation. HIQA is the statutory authority with the responsibility for driving quality, safety and accountability for residential services for both children and adults with disabilities, through the inspection and registration of all residential services that are designated centres under the Regulations. All of the congregated residential settings are classified as designated centres, whilst some of the living arrangements people are moving into will not fall under the regulation.

HIQA have developed their own guidance document on what constitutes a designated centre\(^5\) and this should be consulted when exploring housing options for people. Where the service provider believes that the new living arrangement will fall within the definition of a designated centre, an application to register the new living arrangement must be made before a person takes up occupancy.

Where a new living arrangement falls outside the definition of a designated centre, compliance with the Regulations and National Standards is not required and there will be no need to register the accommodation before any people move in, but in line with the Regulations there will still be a requirement to notify HIQA when a person is leaving a designated centre.
4.0 Social Housing Support

Social housing support is provided by a Local Authority or an Approved Housing Body to people who are assessed as being unable to afford housing from their own resources.

4.1 Local Authorities

Local authorities are the main providers of social housing support in Ireland. The main purpose of the Housing Services Department in Local Authorities is to facilitate the provision of suitable, cost effective, quality accommodation and housing support for people in need of housing. This housing support can be provided in a number of ways:

- Rented tenancies in Local Authority owned properties.
- Sourcing of properties from the private sector by the Local Authority or by households themselves through schemes such as the Rental Accommodation Scheme (RAS) the Leasing Initiative and the Housing Assistance Payment (HAP) scheme.
- Allocations to accommodation provided by Approved Housing Bodies.
- Provision of specific accommodation for homeless people, older people and travellers.
- Facilitating extensions to existing Local Authority homes to meet specific household needs.
- Provision of certain grants to increase accessibility in the home for people with disabilities and special needs.

4.2 Approved Housing Bodies

Approved Housing Bodies are independent non-profit making organisations that provide rented housing for people who cannot afford to buy their own homes, and specialist housing, such as housing for older people or homeless people.

Approved Housing Bodies (AHBs) provide housing on a similar basis to a Local Authority. These organisations can take a number of legal forms, such as companies,
trusts, or cooperative societies. They are also known as Voluntary Housing Associations or Housing Co-operatives.

Regulation of AHBs is currently being implemented on a voluntary basis through the Voluntary Regulation Code for Approved Housing Bodies (VRC). The VRC assists AHBs to improve their governance, management and financial capabilities, as well as providing oversight of the sector. While the code is voluntary at present, a Bill to place governance of the AHB sector on a statutory footing has been approved by Government and drafting is currently underway.

Under the Residential Tenancies (Amendment) Act 2015, all AHB tenancies have to be registered with the Residential Tenancies Board (previously the Private Residential Tenancies Board). These provisions were commenced on 7th April 2016 and AHBs have 12 months from the date of commencement to register their existing tenancies with the RTB. The in essence means the rights of non-profit housing association tenants and private tenants are aligned and there is access to independent dispute resolution services and free mediation services.

4.3 Applying for Social Housing Support

To apply for social housing support a person must complete and submit an application form, which is available from the local authority. A person may only apply to one Local Authority which may be the Authority for the area where the person currently lives or for an area to which the person has a local connection through family, employment, education or medical needs. It is also possible for a local Authority, at its discretion, to accept an application from a person who does not meet the residence or local connection requirements.

Completed applications are assessed by the relevant Local Authority in accordance with the eligibility and need criteria set down in Section 20 of the Housing (Miscellaneous Provisions) Act 2009, and associated Social Housing Assessment Regulations 2011.

When assessing applications from a household that includes a person with a disability, Local Authorities are required to use the, "National Guidelines for the Assessment and
Allocation Process for Housing Provision for People with a Disability”, introduced by the Department of the Environment, Community & Local Government in 2014, along with the existing guidance on assessment and allocation.

When assessing an application for social housing support the Local Authority looks to firstly establish that the person is ‘eligible’ for social housing support based on:

- Income limits
- Right of person to reside in the State on a long-term basis
- No significant history of rent arrears with a Local Authority
- Person does not own a house that they could live in or sell and use the proceeds to house themselves

Where the Local Authority deems the person to be eligible for social housing support, the Authority then assesses the person’s need for support, which includes a consideration of whether the person’s current accommodation:

- Is unsuitable for reasons of a disability with the household
- Is an institution, emergency accommodation or hostel etc.
- Is unfit or overcrowded
- Is unsuitable for the persons adequate housing on exceptional or compassionate grounds

When eligibility is established and it is determined that the person is in need of social housing a person is deemed to ‘qualify’ for social housing. At this point the person is placed on the housing waiting list for suitable accommodation that will meet their needs.

The Local Authority is also required to assess the nature of a person’s housing need in order to identify the most suitable type of accommodation to meet their needs. This assessment includes the classification of any specific accommodation requirements of the person’s household by reference to whether a household member has a disability.

Houses are allocated to applicants from the housing waiting list in order of priority, which is set down in the Local Authority’s Allocation Scheme.
4.4 Areas of Choice

When completing the application form, people can choose up to three “Areas of Choice” within the Local Authority area they want to live. However, if applying to a Local Authority in Dublin, Galway or Cork, people can choose three areas in that county, one of which must be in the area of the Authority being applied to (and which the person must either live in, or have a local connection to).

4.5 Housing Waiting Lists

Every person that has applied for social housing and is deemed to qualify is placed on the Local Authority Housing Waiting List. Each Local Authority holds the Housing Waiting List for its own administrative area. Approved Housing Bodies do not manage the Housing Waiting Lists.

Each Local Authority can determine the order of priority that applies to their waiting list. These are called the ‘Allocation Schemes’. Currently, most Local Authorities operate a “time on list” system, whereby priority is given to those waiting the longest.

4.6 Assessment & Allocation Guidelines

The “National Guidelines for the Assessment and Allocation Process for Housing Provision for People with a Disability” contain information on the assessment and allocations process for people with disabilities on housing provision. These Guidelines were developed by the Housing Agency and introduced in November, 2014.

4.7 Allocation of Housing

As social housing properties become available for occupancy, they are allocated to people on the housing waiting list in order of priority, taking account of all the relevant circumstances. Allocations can be to either accommodation provided directly by Local Authorities or accommodation provided by Approved Housing Bodies.

Where the accommodation is provided by Approved Housing Bodies, the Local Authority nominates a person from the housing list to take up the tenancy. Once this
person is accepted as a tenant by the Approved Housing Body, the Local Authority deems that the allocation of accommodation has been made.

When the Local Authority is planning to make an offer of accommodation, it must review its assessment of the household’s eligibility and need for social housing to ensure that it is in order. It must also confirm that the application is still valid as regards connection with the area and selection of ‘area of choice’.

As Local Authority housing is unfurnished, people can make an application to the Department of Social Protection for financial assistance towards the purchase of goods and appliances where necessary. Financial assistance in this manner is means tested and where eligible a payment called an Exceptional Needs Payment is made. The payment is made under the Supplementary Welfare Allowance Scheme. The application process for this payment is through the Department of Social Protection's representative (formerly known as the Community Welfare Officer) at local offices. Further information can be sourced from http://www.citizensinformation.ie/en/social_welfare/social_welfare_payments/supplementary_welfare_schemes/exceptional_needs_payments.html
5.0 Social Housing Provision Options

There is currently a range of funding streams and mechanisms available to support social housing providers to source appropriate housing, as follows:

- Capital Assistance Scheme (CAS)
- Capital Advance Leasing Facility (CALF)
- CALF & Purchase & Availability Agreement (P&A)
- Funding for people with disabilities transferring from Congregated Settings
- Social Housing Current Expenditure Programme (SCHEP)

The details of these mechanisms are given below.

It can be noted that the experience of service providers within the sector demonstrates that a wide range of these funding streams and associated strategies need to be adopted and explored by every provider supporting people to move out of congregated settings, in order to deliver appropriate housing solutions for everyone. Providers who have made significant progress in supporting people to access homes in the community have found that taking only one approach is limiting and reduces the capacity to deliver all the housing required.

It is recommended that key working relationships and partnerships are in place between service providers and the housing providers to ensure that through collaborative working all the appropriate mechanisms and funding streams can be used and targeted to deliver housing solutions for the people moving that is in accordance with their assessed need and preference.

5.1 Capital Assistance Scheme (CAS)

The Capital Assistance Scheme (CAS) provides housing for people with specific categories of need or sheltered housing. CAS is a capital funding stream for Approved Housing Bodies that is administered through the Local Authorities. Funding of up to 100% of the approved cost of a project can be provided under the terms of the scheme in cases where all prospective tenancies are taken from the Local Authority housing waiting list.
Under CAS, funding for the construction or acquisition of accommodation units is allocated as a grant from the Department of Environment, Community and Local Government to the relevant Local Authority. This funding is then advanced to the AHB by way of a loan or a 30 year mortgage. This loan is not repayable provided the AHB complies with the terms of the scheme. The AHB is required to enter into a legal agreement with the Local Authority creating a 'mortgage charge' on the property for the amount of the funding. The AHB acquires or builds the property and is responsible for maintaining it.

The Local Authority will nominate people from the housing waiting list to take up tenancy in the property secured by the AHB. The AHB will determine which people are accepted as tenants, at which point these people will be deemed to have been "allocated" housing. In the cases where 95% funding is provided through CAS, 75% of the tenant allocations are required to be made to persons eligible for Local Authority housing; the balance of tenancy allocations can be made at the discretion of the AHB in consultation with the Local Authority.

5.1.1 The CAS Process

The CAS funding process commences with the issue of a national ‘call’ for the submission of projects periodically by the DECLG. This normally occurs once a year. The ‘CAS Call’ for submissions can be specific but will support projects that address the housing need of people in the following priority categories: homelessness, older persons or people with disabilities. The process that follows is broadly as outlined below:

1) The ‘CAS Call’ circular outlines the general arrangements to apply to the funding available and the application process.
2) If there are any specific conditions that apply to the proposals that will be considered, these will also be set out in the ‘Call’. For example, if the call is for people transitioning from Congregated Settings the call would indicate that Circular 45/ 2015 will need to be adhered to by applicants and that the procedures/process set down in that document will need to be followed.
3) The proposals are in the first instance reviewed by the Local Authority to ascertain that they are viable and will address a housing need in the Local Authority Area.
4) The Local Authority will then prioritise the proposals deemed appropriate and submit them to the Department of the Environment, Community and Local Government (DECLG) for consideration.

5) The DELCG then assesses the proposals and if acceptable approves them once certain criteria are met.

5.1.2 Recommendations for Disability Service Providers and Approved Housing Bodies

It is strongly recommended that Approved Housing Bodies and service providers work together in advance of the call for proposals to identify suitable properties or development projects that could be submitted.

It is also recommended that AHBs and service providers liaise with the Local Authority to make them aware of a project or plans for a project at the earliest possible opportunity. Where there is a requirement for care supports to be put in place for the tenants that are proposed for a project, it is recommended there is early engagement with the HSE, other service providers and support structures to ensure these are identified and negotiation undertaken to agreed what will be delivered.

5.2 Purchase using Capital Advance Leasing Facility (CALF) and Payment and Availability Agreement (P&A)

The CALF is a facility which is exclusively available to Approved Housing Bodies. An Approved Housing Body can apply to the Department of Environment, Community and Local Government for financial support in the form of a capital equity injection through the Capital Advance Leasing Facility (CALF), to assist them in accessing finance from financial institutions and the Housing Finance Agency (HFA) which can then be used to purchase or construct properties.

CALF provides AHBs with a small capital advance (maximum of 30% of the cost), in the form of a loan that is made available by the DECLG via Local Authorities to AHBs.

CALF is only available to part-fund a leasing project where the AHB makes units available under a Payment and Availability (P&A) agreement for social housing.

The scheme does not require repayments on the loan (capital advance) during the term of the P&A agreement but the amount owed remains outstanding at the end of
the agreement. It is intended that the capital advanced will be repayable at the end of the P&A agreement. The AHB enters into two separate agreements with the housing authority:

1. A Capital Advance Agreement (CAA) for the CALF funding that stipulates the terms and conditions on which the money is being made available from the State and also stipulates the repayment conditions.
2. A P&A Agreement that will cover the conditions under which the properties will be made available for the term of the agreement.

5.2.1 Payment and Availability Agreement (P&A)
The P&A is a legal agreement between the Local Authority and the Approved Housing Body that is put in place around specific properties, such as those acquired under CALF.

Under a P&A agreement, the AHB makes a property available to the Local Authority for social housing for a set period of up to 30 years. The Local Authority will agree to pay the Approved Housing Body a percentage of the market rent. In the case of a purchase using Capital Advance Leasing Facility (CALF) and Payment and Availability Agreement (P&A) the AHB will be eligible for 92% of the Market rent with apartments eligible for 95% (only where there is a service charge on the property) of the market rent. This payment is dependent on continued occupancy for the period of the Agreement.

The tenant pays differential rent (rent based on household income) to the AHB based on the relevant Local Authority differential rent scheme. Further details of the P&A Agreement are included in section 5.4.4.

5.2.2 Key Features of CALF
- The loan (capital advance) is for a maximum of 30% of the value of the acquisition or construction of the properties and it is repayable.
- The loan is unsecured, which means that there is no mortgage in place which differs from the CAS process or CLSS agreements.
- A nominal interest rate of 2% per annum is charged
- Repayments of either the capital or interest are not required during the term, although, where an AHB wants, repayments can be made during the term.
• The term of the Capital Advance Agreement (i.e. CALF payment) does not necessarily need to be the same as the term of the P&A agreement, it can be shorter. In cases where it is not shorter, it will expire on the same date that the P&A agreement terminates.

The AHBs secure the remaining 70% for capital finance through private finance from banks, Housing Finance Agency (HFA) or other lending institutions.

At the end of the term, the outstanding capital amount plus the interest accrued are owed to the Local Authority. The AHB and the Local Authority will at this stage be able to consider a number of possibilities on how this repayment should occur, including:

• The AHB and the Local Authority may decide to enter into another P&A agreement where the monthly/quarterly payments due from the housing authority would be adjusted to reflect the repayment in instalments of the capital and interest outstanding.
• The AHB may decide to sell the units and repay the monies owed to the Local Authority.
• The AHB may wish to realise some of the residual value of the property and get a further private loan to re-invest in units and repay the Local Authority.

5.2.3 Key Drivers for using CALF
The main factors that influence the viability of a mixed CALF and private finance project are:

• Acquisition price/construction cost
• Market rents: low market rents outside main urban areas can be difficult to meet new build costs
• Finance costs and borrowing period
• Differential rent income
• Operational costs

5.2.4 CALF Application Process
An application for CALF is made directly to the Department of the Environment, Community and Local Government on a Submission Template for Capital Advance Leasing Facility – Form LN008b.
The application form requires the AHB to provide details of the proposal including details of the property, the means of provision (purchase or construct) and the proposed payments required. In addition, information on the *sustainable communities’ aspects* of the proposal along with an indication of demand for the properties for the provision of social housing support is also required. The AHB is also required to provide economic data, and in particular, cash-flow projections for the proposed period.

There are a number of key criteria that the DECLG will use when assessing proposals for the capital advance element:

- The ability of the AHB to finance the project, particularly other sources of potential finance. The AHB must be approved for lending from the Housing Finance Agency (HFA) or be able to demonstrate access to private finance from other financial institutions or investors. This should take the form of a letter from the private finance provider confirming the availability of funding or a letter confirming approval status from the HFA.
- The AHB should demonstrate the need for the level of capital requested, having regard to their own resources, including their reserves or unsecured properties that may be used to leverage finance.
- The amount of the capital injection requested as a proportion of the total value of the units requested.
- Applications will also be assessed on the basis timeframes and potential deliverability of the project of likelihood and timing of delivery. While construction projects will be considered, it will be necessary to demonstrate that additional supply is needed in the area proposed.

In addition, as with all P&A agreements, the proposal will need to demonstrate that:

- There is a housing need
- The property complies, or will comply with the relevant standards and regulatory requirements

---

The objectives of sustainable communities are being met, including that there is not already an over-concentration of social housing in the area

Value for money is being achieved as determined by the payments requested over the term of the agreement

In general, for all P&A agreements, it is expected that the housing provided will be self-contained units for households that are assessed as needing social housing support. Please see Appendix B for a general CALF application process chart.

5.3 Funding for Developments for People with Disabilities Transferring from Congregated Settings

Applications can be made for specific CALF funding for properties that will support people to move from congregated settings. Funding of €1 million has been made available through the Department of the Environment, Community and Local Government each year since 2013 to support the transitioning of people with disabilities from congregated settings. A number of applications have been submitted to the DECLG for leasing and purchase using the Capital Advance Leasing Facility and Payment & Availability Agreement. To submit a proposal for funding AHBs should forward an application form to the Housing Agency. Applications should include the following supporting documentation:

- ICSH Financial Model, which indicates the financial viability of the proposal
- Letter of support from the HSE outlining that the delivery of the property is in line with the agreed transitioning plan for the congregated setting
- A Valuation for the property giving the valuation and the market rent.

5.4 Social Housing Current Expenditure Programme (SCHEP)

The Social Housing Current Expenditure Programme (SCHEP) was introduced by the Department of Environment, Community and Local Government as a means of delivering social housing using revenue resources, rather than capital funding. SHCEP
supports the objective of delivering flexible and graduated housing supports. Under SHCEP there are a number of revenue funding options identified that can be used to support people to access social housing under leasing arrangements, as follows

1. Direct Lease Arrangements with Private Property Owners
2. Availability or ‘RAS type’ Arrangements with Private Property Owners
3. Leasing Arrangements with Approved Housing Bodies (AHBs)

Below are further details of these three options.

5.4.1 Direct Lease Arrangements with Private Property Owners

In Direct Leasing Arrangements, the property is leased directly from the private owner by the Local Authority. Properties are sourced from the open market or can be sourced through ‘Build-to-Lease’ arrangements. In these arrangements the responsibility of the stakeholders is as follows:

Responsibilities of the Local Authority
- Internal maintenance and repair of the properties
- Making the lease payment to the property owner
- Carrying out a detailed inspection of the property prior to entering into a lease arrangement to ensure that the property is of a standard that is acceptable and to create a current condition record
- Landlord to the tenant

Responsibility of the Property Owner
- Payment of management company fees where appropriate
- Structural repairs, structural maintenance and structural insurance
- Providing evidence of compliance criteria, i.e. tax clearance certificate, planning compliance, housing standards, fire safety, public liability and property insurance.

The key features of Direct Lease Arrangements with Private Property Owners are as follows:
- The term of the arrangement is for a minimum of 10 years, up to a maximum of 20 years.
- Properties are allocated based on local allocation schemes.
- Refusals are treated as a refusal of local authority housing support.
- Tenants can apply for a transfer.
• The tenant pays a differential rent to the Local Authority and has no relationship with the owner of the property.
• Upward and downward rent reviews may apply periodically.
• Rents are usually fixed for a period of time and then subject to rent review. The period is normally for 4/5 years but a lesser timeframe can be agreed.
• The 20% discount applied is approximately 8% for the Authority taking on responsibility for voids and an additional 12% for taking on management and maintenance costs.
• Rents Reviews are usually based on the Consumer Price Index rental sub-index and will factor in upward and downward rent adjustments and may also be agreed by reference to the prevailing market rents, usually by independent valuations.
• An option to purchase may be included within the lease subject to agreement by both parties.
• Properties are returned to the property owner in good condition at the end of the lease term, less normal wear and tear.

5.4.2 Availability or ‘Rental Accommodation Scheme type’ Arrangements with Private Property Owners
This arrangement takes the form of a series of contracts between a property owner, a Local Authority and a tenant. Availability Arrangements are normally for periods of up to 10 years, but can be for longer or for the duration of the existing tenancy only. These arrangements are structured so that the Local Authority can allocate tenants to the property while the property owner is obliged to be the Landlord to the Tenant nominated by the Local Authority. They are considered useful when Authorities or property owners do not want to enter into long-term lease agreements.

Under the eligibility criteria for the RAS scheme, a person must be in receipt of rent supplement and have a long term housing need. This is not a requirement for a standard Availability Arrangement, where the applicant only needs to be on the register of qualified applicants, i.e. on the housing waiting list.

In these arrangements the responsibility of the stakeholders are as follows:

**Responsibilities of the Local Authority**
• Paying rent to the owner for the duration of the agreement
• Nominating households in need of social housing support
• Recoupment of funding from the DECLG
Responsibilities of the property owner

- Managing the Tenants
- Maintenance, repairs and insurance of the property
- Paying management company service charges where applicable
- Registering tenancies with the Residential Tenancies Board (RTB)

Responsibility of Tenant

- To pay the differential rent to the Local Authority

5.4.3 Leasing Arrangements with Approved Housing Bodies

This involves AHBs sourcing properties from private property owners through purchasing, leasing or by constructing new properties. The Local Authority facilitates the AHBs provision of housing supply through a Payment and Availability agreement.

Under the P&A Agreement the AHB agrees to make the properties available for social housing support for periods of between 10 and 30 years and to carry out full management services and be the landlord to the tenants. In return the Local Authority agrees to pay an ‘availability payment’ to the AHB and they liaise with the AHB regarding nomination of tenants to the property. The Local Authority monitors compliance with the availability agreement over the term of the agreement.

In these arrangements the roles of the stakeholders are as follows:

Role of Approved Housing Bodies:

- Apply to the Department of the Environment, Community and Local Government
- Purchases, leases or constructs properties using a mix of maximum 30% CALF funding with the balance sourced privately
- Make the properties available for social housing support for periods of between 10 and 30 years
- Carry out full management services
- Act as Landlord to the tenants who pay a differential rent

Role of the Local Authority:

- Agrees to pay an amount to the AHB (as approved and funded by theDECLG)
  Liaises with the AHB regarding allocation / nomination of tenants
- Monitors compliance with the P&A agreement over the term of the agreement.
Role of DECLG:

- Approves funding for proposals put forward by AHBs in consultation with the Local Authority. This includes liaising with the authority to confirm local housing demand, adherence to sustainable community principles in the area and market rents.
- Provides the funding to the Local Authority for the term of the P&A agreement

5.4.4 Payment & Availability Agreement (P&A)
The P&A Agreement is the key agreement that underpins all leasing arrangements for AHBs. This agreement sets out detailed terms and conditions between the Local Authority and the AHBs and provides evidence to potential funders of an income stream that may assist with access to finance.

In the P&A Agreement the AHBs agree to:

- source the properties,
- make the properties available for social housing purposes for a term of up to 30 years,
- manage and maintain the units in a letable condition,
- be the landlord to the occupying tenants
- accept the nomination of tenants from the Local Authority.

Local Authorities agree to:

- pay an ‘availability payment’ to the AHB,
- liaises with the AHB regarding nominations,
- monitors compliance with the availability agreement during the term
- pay the AHB on a monthly/quarterly basis. This money is recouped from the Department of Environment, Community and Local Government

5.5 Rental Accommodation Scheme (RAS)
The RAS provides a structured, accommodation-based approach to the use of the private rented sector to meet long-term housing need, thereby eliminating dependence on temporary income support payments, i.e. rent supplement, and is deemed to meet long term housing need through the use of private rented accommodation.
The Rental Accommodation Scheme (RAS) administered by Local Authorities, has been in operation since 2005. Local Authorities primarily target RAS to meet the accommodation needs of people in receipt of rent supplement for 18 months or longer, and who are assessed as having a long-term housing need. The RAS aims to help Local Authorities to provide good quality, long-term rented housing for people who need it. RAS properties must adhere to the minimum standards for rented accommodation.

RAS involves a three-way relationship as follows:

- **Housing Authority and Landlord**: The Local Authority enters into a contractual arrangement with the property owner to make the property available to the RAS for an agreed term.
- **Landlord and Tenant**: The eligible RAS tenant, nominated by the Local Authority, signs a residential tenancy agreement with the landlord. The private rented landlord/tenant relationship continues under the RAS.
- **Local Authority and Tenant**: The RAS tenant pays a differential rent to the Local Authority and the Local Authority will make payments to the landlord on behalf of the tenant.

When the tenant takes up a RAS tenancy it is deemed that they are in receipt of social housing support and that their housing need is met.

### 5.5.1 Qualification for the RAS

To qualify for the RAS or to be deemed ‘RAS Eligible’ a household must:

- Be assessed by the Local Authority as having a long-term housing need, (as per section 20, Housing (Miscellaneous Provisions) Act 2009), and
- Be in receipt of rent supplement.

It is not necessary for the applicant to have been in receipt of rent supplement for more than 18 months, provided that the Local Authority has assessed the applicant as ‘qualifying for social housing support’.

RAS also provides for the transfer of homeless people and households without having previously been in receipt of rent supplement for eighteen months.
5.5.2 The Process
The Local Authority carries out a full social housing assessment on the applicant, and an assessment from a RAS perspective, which involves seeking additional information regarding:

- Details of the rent supplement payment
- Establishing if the household wants to remain in their current accommodation
- Contact information for the landlord

Information on the RAS is available on the website of the Department of the Environment, Community and Local Government at:
http://www.environ.ie/housing/social-housing/rental-accommodation-scheme/rental-accommodation-scheme

5.6 Housing Assistance Payment (HAP)

HAP is a new form of social housing support provided by Local Authorities. The introduction of HAP means that Local Authorities can now provide housing assistance for households who qualify for social housing support, to live in the private rented sector.

Under HAP, the household sources their own accommodation in the private rented market then the Local Authorities make the full rent payment, subject to rent limits, on behalf of the HAP recipient directly to the landlord. The HAP recipient will then pay a rent contribution to the Local Authority. The rent contribution is a differential rent (income based). Currently the HAP rent limits correspond with the local rent supplement limits, HAP replaces Rent Supplement for households with long term need. This is a new form of Social Housing Support and once a household is in HAP it is deemed that there accommodation housing needs are met. It should be noted that households with short term needs can still access Rent Supplement.

5.6.1 Eligibility for HAP
Any household that qualifies for social housing support is eligible for HAP. It is intended that HAP will be used to address the following cohorts:

- New social housing applicants who wish to apply for HAP
- Existing households on housing lists who may present to the Local Authority seeking HAP
- Rent Supplement recipients changing tenancies. The Department of Social Protection have agreed to approve a new Rent Supplement tenancy for these households for an interim period
- Long term Rent Supplement recipients, who will be transferred to HAP on phased basis.

### 5.6.2 The HAP Process
To apply for HAP an applicant must have already applied for and been approved as ‘qualified for social housing support’. Once approved the Local Authority provides the applicant with a 'Tenant Pack' which includes:

- Tenant Information leaflet
- Landlord information leaflet
- HAP application form
- Local HAP household rent limits

The applicant must source a suitable property in the private rented market and the application form only needs to be filled out when a property is sourced.

The Landlord has to provide data about the property and this section of the form may be returned separately by the landlord.

The Local Authority processes the application to ensure it meets the criteria and if HAP payments are approved, the tenant signs a ‘Rent Contribution Agreement’. Tenant may be asked to furnish a tenancy agreement to the Local Authority.

### 5.6.3 HAP Payments
Under HAP the following process applies in relation to how payments are made:

- The tenant must pay differential rent to the Local Authority. Where the tenant is in receipt of social welfare payments through the post office, differential rent is paid via the Household Budget scheme.
- The housing authority makes HAP payments directly to the landlord on a monthly basis in arrears.
- The tenant is responsible for the payment of any deposit.
- HAP payments may be suspended or ceased if the:
  - Property is sub-standard
  - Landlord is not tax compliant
  - Tenant fails to pay differential rent
  - Tenant engages in anti-social behaviour

5.6.4 Ending of a HAP Tenancy
Under HAP, the tenant is expected to remain in the property for at least two years. However, in certain circumstances the tenant may be able to apply for a new HAP payment for a different property sooner than the two year period. The Landlord can terminate the HAP tenancy if the tenant is in breach of their tenancy conditions as set out in the Residential Tenancies Act 2004.
5.7 Rents Payable by People Accessing Social Housing

The following section identifies the financial implication of the various social housing support options on the individual tenant in terms of their liability and the arrangement for payment of rent.

5.7.1 Rents under Social Housing Current Expenditure Programme (SHCEP)
Where a household is in accommodation provided through any of the SHLI they pay a differential rent to the Local Authority or Approved Housing Body which is income based. Households in Social Leasing Arrangements do not qualify for Rent Supplement or Housing Assistance Payment.

5.7.2 Rents under Capital Assistance Scheme (CAS)
Where a household is in accommodation provided through CAS they pay an economic rent to the Approved Housing Body. An economic rent is a rent which is fair, reasonable and justifiable to the tenant and takes account of the cost to the AHB for providing the accommodation. The household may be eligible for rent supplement albeit at a lower than with private rental.

5.7.3 Rents under Housing Assistance Payment (HAP)
Where a household is in accommodation provided through HAP they pay a differential rent to the Local Authority which is income based. Households in HAP do not qualify for Rent Supplement.

5.7.4 Rents under Rental Accommodation Scheme (RAS)
Where a household is in accommodation provided through RAS they pay a differential rent to the Local Authority which is income based. Households in HAP do not qualify for Rent Supplement.
5.8 Supporting People With Disabilities to Manage Payments

5.8.1 Rent Payments
As part of the transition planning process for people moving from congregated settings, the issue of how rent is paid by the tenant needs to be addressed. Where the person has capacity around personal finance decisions it is a straightforward process. However if a person lacks financial capacity the issue of how the rent will be paid and how this will be administered practically needs to be considered in the transition plan.

Currently, many people who are resident in congregated settings have their money administered through the Patient Private Property system. Where this is the arrangement for a person now moving to the community, this needs to be factored into the planning and transition stages, to ensure there is adequate time given for accessing funds and that where necessary, robust protocols and safeguards are developed, agreed and implemented to facilitate the payment of rent and other living expenses.

5.8.2 Utilities and Services
Individual tenants will need to be registered to get household services i.e. telephone, heating etc. Where individual tenants share a property the responsibility for ownership of those services may be called into question and needs careful consultation and negotiation to ensure that each tenant is given as much autonomy as is possible whilst also ensuring they are not vulnerable to being liable for charges that they are not responsible for.

5.8.3 Financial Considerations
Persons who are moving to the community may not all have a personal bank account and their money may currently be administered through the Patient Private Property system. If a person has financial capacity and can open a bank account then this is the route which needs to be taken.

If a person lacks financial capacity at the time of the moving to the community, a process for managing access to finance for paying rent, utilities etc., will need to be considered, developed and established. This will need to be factored into the timelines when transition plans are being finalised.
6.0 HSE Capital Programme

The Department of Health has allocated €100m capital funding to the HSE over the period 2016–2021 to support the programme of transitioning people with disabilities from congregated settings to community living. In 2016, €20 million of this fund has been allocated for the acquisition of approximately 44 properties (with adaptations where required) to support the transition of at least 165 people from 14 identified priority sites.

Working with the HSE CHO Areas and the service providers, a key priority in the allocation of the capital resources going forward will be to ensure that congregated services identified as high risk, can be prioritised for attention to enable the transition of individuals to meaningful lives in the community and ensure that the remaining parts of the large institutions can be reconfigured to be HIQA compliant, safe and effective to the greatest degree possible.

Over the period 2016-2021, this funding will be used to increase the implementation of plans that will deliver a new model for residential support in the community, in line with the HSE’s “Time To Move on From Congregated Settings” policy. As noted in Section 2.1, this policy recommends that where people with disabilities are supported to live ordinary lives in ordinary places, this will be with no more than four people with a disability living together in any one house and that homes will be dispersed throughout the community.

6.1 Identifying Requirement for HSE Capital Funding

In July 2016 work will commence with all the service providers of existing congregated settings to profile how each service plans to address the accommodation needs of the individuals remaining in each setting from 2016-2021.

Service providers will be required to demonstrate that they have explored the housing options outlined in this Guidance Document and to identify how they will utilise a range of options in keeping with the needs, choices and preferences of the people they are supporting.
Using this information, the remaining capital of €80million will be prioritised and allocated to support the transition of people from congregated settings, where social housing support options and other funding streams cannot address identified housing needs and where other external pressures may exist.
7.0 Appendices
Appendix A   Terms of Reference for Housing and Disability Steering Group

Terms of Reference for Housing and Disability Steering Group (Example -Cork City)

A Housing and Disability Steering Group will be established in Cork City and County Councils Administrative Area.

The purpose of the group is to assist in the delivery of the Housing Strategy for People with Disabilities.

1. Membership

The membership of the Steering Group will be: -

- Local Authority Director of Housing Services (Chair)
- HSE Representatives - Operations Manager
- Representative from each of the four disability sectors operational in the local area
- Representatives from a local approved housing body at Manager Level

Representatives should be at a senior level and should be competent in representing the needs of the various disability groups.

The Housing Agency will assist in the establishment of the Steering Group in line with Priority Action 2.1 of the Implementation Framework.

The term of the membership of the Steering Group will be 12 months and the membership will be reviewed at the end of this period.

The criteria for the selection of the membership shall be as follows:

HSE Representatives – these individual shall be nominated at national level. The request for the nomination will be sent by the Housing Agency to the HSE representatives on the National Housing Strategy for PWDs Housing Subgroup. There will be a representative from Disability and Mental Health

Disability Sector Representatives – these individuals should be identified through their specific work in the area. Where there is a Congregated Setting for any of the four sectors in the area then there should be a representative on the group from this facility. Where there is more than one facility in an area it would be most appropriate to have the representative from the largest facility on the Steering Group to ensure that all aspects of the challenges ahead are highlighted and catered for.

Local Approved Housing Bodies Representatives – representation should be sought from the local AHBs by consensus, however where deemed appropriate by the local AHBs this
nomination could be made by the Irish Council for Social Housing from the local bodies. The representatives should come from the general housing provision AHBs as well as from disability specific providers.

2. **Role**

The role of the Steering Group will include:

- Overseeing the local implementation of the National Housing Strategy for People with Disabilities, including the housing of people with disabilities transitioning from institutional care;
- Developing, monitoring and reviewing of local interagency protocols, as appropriate;
- Developing plans to meet the housing needs and related supports for people with disabilities;
- Working with all agencies in the provision of services to people with disabilities including employment, education and training;
- Acting as a forum for the exchange of information;
- Reporting to the Implementation Monitoring Committee and the County/City Development Board.

3. **Actions**

The Steering Group will be required to carry out a number of actions as a matter of importance once established.

- The implementation of the National guidelines for housing assessment and allocation for people with disabilities including those transitioning from institutional settings;
- The preparation of Strategic Plans for Cork City and for Cork County including:
  - To collate and report on the number of people with disabilities on the Housing Waiting List. The information in the report should include the numbers, nature of disability, whether physical adaptation of properties or other specific design features will be required, identify suitable options for housing need.
  - To review and report on individuals with disability already in social housing in the local authority area to include the categories of disability and the numbers and the nature of non-housing related supports being delivered which assist in supporting tenancies.
  - To identify additional people that may present for or require social housing supports in the future including those already residing in the community and those likely to transition from institutional care.
The plans should take conscience of each other;
  • The implementation of the Strategic Plans once adopted.

In addition there are some longer-term actions that will be required:

  • To compile a register of adapted properties suitable for people with a disability.
  • To review and report on individuals that have been provided with social housing supports or income supports in order to meet their housing needs such as rent supplement etc.

The Housing and Disability Steering Groups may be required to carry out actions as determined by the Housing Subgroup established under the Implementation Framework of the National Housing Strategy for People with a Disability.

4. Working Groups

The Steering Group may wish to establish a number of working groups in order to progress the actions required. How the actions are progressed is an issue for the Steering Group to determine.

5. Meetings

The Steering Group will meet a minimum of four times a year. During certain stages of the implementation of the Strategy and the Strategic Plans there may be a requirement to meet more regularly.

The Housing Agency will provide support and guidance where possible to the Steering Group for their initial meetings.