

## House of Commons Levelling Up, Housing and Communities Committee

# Disabled people in the housing sector

## Seventh Report of Session 2023–24

*Report, together with formal minutes relating to the report* 

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#### Levelling Up, Housing and Communities Committee

The Levelling Up, Housing and Communities Committee is appointed by the House of Commons to examine the expenditure, administration, and policy of the Department for Levelling Up, Housing and Communities.

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#### Contacts

All correspondence should be addressed to the Clerk of the Levelling Up, Housing and Communities Committee, House of Commons, London SW1A 0AA. The telephone number for general enquiries is 020 7219 1975; the Committee's email address is <u>luhccom@parliament.uk</u>.

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### **Summary**

Disabled people undeniably encounter unnecessary and severe barriers to accessing suitable housing in England. Too often too many disabled people are failed by the Government's current housing policy. It is intolerable that many disabled people are living in unsuitable accommodation for years without hope.

In 2018, the Equality and Human Rights Commission found that 1 in 5 disabled people in social housing live in unsuitable accommodation; and that just 7% of homes in England have the most basic accessibility features. In 2022, research by Habinteg Housing Association found that a wheelchair user joining a local authority waiting list may have to wait up to 47 years for a new build wheelchair-accessible home. With the number of disabled people in England rising each year, there is simply not enough accessible housing to meet the rising demand. This poses a clear and direct risk to the dignity, health, and wellbeing of disabled people across the country.

This Report is informed by over 1000 people who responded to our online survey or provided written evidence, including hundreds of personal accounts from disabled people. These cases demonstrate that far too often disabled people are wrongly treated as a homogeneous group — when they are in fact individuals with different needs, from different backgrounds, and each with their own housing story. Many of these accounts shone a light on the horrendous impact that living in inaccessible housing can have on a disabled person's life. We were appalled to hear of multiple cases of disabled people being completely housebound over long periods of time due to the inaccessibility of their homes. We were also told of decades-long waiting lists for accessible social housing; significantly higher asking prices for accessible homes for sale; and cases of some landlords denying permission for home adaptations to make properties accessible.

Despite the cross-government effort to "ensure disability inclusion is a priority" in every government department's work, we have found little evidence that the Department for Levelling Up, Housing and Communities is treating disabled people's needs as a priority in housing policy. For example, the Department has still not implemented its headline policy to address the shortage of accessible housing: increasing the minimum accessibility standard for all new build homes to the 'M4(2)' standard of building regulations. Almost two years since this policy was first announced — and almost four years since it was first consulted upon — disabled people are still waiting for this crucial policy change.

• It is imperative that the Government's M4(2) policy commitment is now implemented as soon as possible. If this is not done, then thousands of disabled people will continue to be left with their housing needs unmet. Accordingly, the Building Safety Regulator should launch the required technical consultation immediately with an expedited timeline.

Many disabled people told us that there are not enough M4(3) standard homes, which are designed for wheelchair users. Just 1.9% of homes in England were planned to be built to wheelchair user standard in 2020. To increase the availability of accessible homes for wheelchair users, we recommend that:

• Local authorities must do more to consider the needs of disabled people when planning for housing in their local plans. The Government must require all local authorities to assess their local need for wheelchair accessible housing, as part of future changes to national planning policy. All local plans in England should include a minimum percentage of M4(3) standard homes.

As well as the lack of supply of new accessible homes, many disabled people told us of their struggle to adapt existing homes to be more accessible. Currently, disabled people may apply for a Disabled Facilities Grant (DFG) to fund adaptations to improve accessibility of their homes. However, evidence to our inquiry highlighted many shortcomings with the current DFG system, which ultimately leads many applicants to drop out entirely. We recommend that the Government should:

- review the £30,000 upper limit on individual DFGs, and set new regional upper limits which take account of inflation and construction costs;
- simplify the DFG means test, and ensure it does not disproportionately penalise working disabled people by introducing more gradual tapering of personal contributions; and
- expand DFG guidance and self-assessment tools, to improve public awareness of the DFG and to support applicants as they navigate the process.

The flaws of the DFG are compounded by the inconsistency of support to navigate the process in some local authorities, which was described to us as "pot luck" and "a minefield" for disabled people. We were also concerned to hear instances of some landlords refusing to grant permission for DFG adaptations to properties, despite existing legal protections which should prevent landlords from withholding consent. We recommend that:

• It is unacceptable that any landlords should refuse disabled tenants permission for reasonable accessibility adaptations. The new Private Rented Sector Landlord Ombudsman must consider all complaints involving a landlord's refusal to grant permission for accessibility adaptations, so that landlords are required to agree to all reasonable accessibility adaptations.

Overall, it is essential that the Government, local authorities, and the housing sector work together to prioritise disability inclusion and address the barriers that disabled people are currently facing. Moreover, as we have found consistently across several of our past inquiries:

• Ultimately, the key to tackling England's housing crisis is to build more homes — including 90,000 new social rent homes per year, and more accessible homes.

We hope that our Report will motivate the Department for Levelling Up, Housing and Communities to be at the forefront of this effort, to ensure housing policy is more inclusive of disabled people now and in future.

## Introduction

1. We launched our inquiry into *Disabled people in the housing sector* in July 2023. Our primary aim was to assess the work of the Department for Levelling Up, Housing and Communities (the Department) towards addressing the housing accessibility needs of disabled people in England. We recognise that disabled people are not a homogeneous group—rather, they are individuals whose housing needs vary depending on their background and the nature of their impairment(s). Therefore, we sought to engage with disabled people with a broad range of housing needs and experiences to inform our inquiry.

2. Specifically, we launched an online survey to gather disabled people's views and experiences of finding or adapting accessible housing. Over 1000 people responded to our online survey or provided written evidence. We also heard from many disabled people first-hand at an event in Westminster and during a Committee visit to Oxford City Council. In this Report, we use the term 'accessible housing' broadly to describe housing of all tenures which is suitable to meet the needs of a wide range of disabled people. We do, however, recognise that this will not always fully reflect the needs of all disabled people.

3. We also held two public oral evidence sessions for this inquiry. During the first oral evidence session, we heard from representatives of Disability Rights UK; the HoME coalition/Habinteg Housing Association; the Royal College of Occupational Therapists Specialist Section in Housing; the Royal Institute of British Architects; Propertymark; the Home Builders Federation; and the Local Government Association. Our second evidence session was with Felicity Buchan MP, the Parliamentary Under-Secretary of State for Housing and Homelessness; William Burgon, the Director for Planning Reform and Housing Quality at the Department; and Philip White, the Director of Building Safety at the Building Safety Regulator.

4. Chapter 1 of this Report begins by summarising the experiences of hundreds of disabled people who generously shared their housing stories with us. We then assess the Department for Levelling Up, Housing and Communities' work to ensure disability inclusion is a priority in its work, including through its contribution to the recent Disability Action Plan for 2024. In Chapter 2, we assess the Government's policy to deliver more accessible homes through changes to building regulations and evaluate its progress towards delivering this policy. Chapter 3 considers whether the Disabled Facilities Grant (DFG) is effective in supporting disabled people with funding for adaptations to make homes more accessible, and assesses proposed reforms to improve funding of and access to the DFG.

5. We would like to express our sincere thanks to everybody who engaged with our inquiry. We are extremely grateful to the disabled people who shared their views and experiences with us—particularly as these often included difficult, personal stories. These accounts have been central to informing our deliberations at every stage of our inquiry.

## **1** Barriers to accessible housing

"I had to fight to be housed [...] I don't think people understand how exhausting it is to fight at every point."

Wheelchair user, engagement session<sup>1</sup>

#### The importance of accessible housing

6. The number of disabled people in England is rising, which has increased the demand for accessible housing.<sup>2</sup> For example, the Department for Work and Pensions' Family Resources Survey (an annual survey that provides data on the living circumstances of UK households) estimates that the number of disabled people in the UK rose to 16.0 million people (24% of the UK population) in 2021–2022.<sup>3</sup> This represents an increase from 12.1 million people (19% of the UK population) in 2011–2012.<sup>4</sup> Moreover, the proportion of households with one or more members with a disability increased from 34% in 2019–20, to 36% in 2022–23.<sup>5</sup>

7. A growing number of disabled people encounter particular challenges in attaining accessible housing in England. This is because England has some of the oldest housing stock in Europe, which was often not designed to be suitable for people with accessibility needs.<sup>6</sup> In 2018, an Equality and Human Rights Commission (EHRC) Report highlighted that only 7% of homes in England offer minimal accessibility features.<sup>7</sup> It also found that:

- 1 in 3 disabled people in private rented properties live in unsuitable accommodation;
- 1 in 5 disabled people in social housing live in unsuitable accommodation; and
- 1 in 7 disabled people in their own homes live in unsuitable accommodation.<sup>8</sup>

The EHRC concluded that disabled people were demoralised and frustrated by the severe shortage of accessible houses across all tenures.<sup>9</sup>

#### Lived experience of disabled people

8. Throughout our inquiry, we have heard from hundreds of disabled people who shared their experiences of seeking accessible housing.<sup>10</sup> The responses demonstrate that far too often disabled people are wrongly treated as a homogeneous group—when they are in

<sup>1</sup> Anonymous quote from participant at the Committee's engagement session, see Annex 3

<sup>2</sup> Precise estimates of the number of disabled people in the UK can vary depending on definitions and methodology. See: House of Commons Library, <u>UK disability statistics: Prevalence and life experiences</u>, Number 09602, August 2023, p.6

<sup>3</sup> Department for Work and Pensions, Family Resources Survey (various editions) in House of Commons Library, UK disability statistics: Prevalence and life experiences, Number 09602, August 2023

<sup>4</sup> Ibid.

<sup>5</sup> DLUHC, English Housing Survey 2022 to 2023 Headline Report, p.14

<sup>6</sup> Q3 [Christina McGill]; Q42 [Adrian Dobson]

<sup>7</sup> Equality and Human Rights Commission, Housing and disabled people: Britain's hidden crisis, May 2018, p.7

<sup>8</sup> Ibid., p.8

<sup>9</sup> Ibid., p.17

<sup>10</sup> Our engagement activities with disabled people during our inquiry are summarised in Annex 1, Annex 2 and Annex 3. The anonymised views and experiences of participants are referenced throughout this Report.

fact individuals with different needs, from different backgrounds, and each with their own housing story. As such, the barriers that disabled people face in the housing sector vary widely depending on individual circumstances. The most common barriers disabled people raised with us include:

- Dignity, health and wellbeing consequences of living in unsuitable accommodation, often for long periods of time. We heard multiple cases of disabled people being completely housebound due to the inaccessibility of their properties. In particular, we were struck by one person who told us that they were forced to wash in a paddling pool in their kitchen for months while waiting for adaptations to make a shower accessible.<sup>11</sup> Another person described feeling trapped in their own home, only able to leave with assistance from someone to bump them down the steps in a wheelchair.<sup>12</sup> Several disabled people told us that their housing situation had directly exacerbated preexisting physical and mental ill-health.<sup>13</sup>
- Left in limbo due to decades-long waiting lists for accessible social housing. We heard several instances of people faced with excessive waiting lists, not knowing when they may be offered accessible social housing.<sup>14</sup> In 2022, research by Habinteg Housing Association found that someone joining a local authority waiting list for a new build wheelchair-accessible home could have to wait up to 47 years.<sup>15</sup> During our inquiry, we met a wheelchair user who had been on a waiting list for accessible accommodation for 16 years, who had been living in temporary accommodation for the past 13 years, with no indication as to when an accessible home might become available.<sup>16</sup> Another person told us how a London council advised them that there would be a 40-year waiting time for accessible social housing.<sup>17</sup>
- Lack of accessible homes for sale. Homes that are accessible or adaptable are in short supply across England and are often significantly more expensive to buy than the market rate in a given area.<sup>18</sup> We heard how accessible properties are not always marketed as such; meanwhile some disabled people told us they had viewed homes marketed as accessible that were not compliant with accessibility standards.<sup>19</sup>
- Barriers to making homes accessible in the private rented sector and in social housing. Many disabled people told us of the additional barriers they have faced

19 Annex 3

<sup>11</sup> Annex 3

<sup>12</sup> Annex 1

<sup>13</sup> Annex 1; Annex 3

<sup>14</sup> Annex 1; Annex 3; Disability Rights UK, Greater Manchester Coalition of Disabled People (DPH0015); Inclusion London (DPH0017); Royal College of Occupational Therapists (DPH0018); Muscular Dystrophy UK (DPH0027); Shelter (DPH0036); Centre for Ageing Better (DPH0038). There is no single statutory definition of social housing. In this Report we use "social housing" to cover all types of subsidised or affordable rented housing. Social housing is provided by a social landlord, normally a local authority or a housing association, with a rent set at around 50% of market rents. See: House of Commons Library, Social rented housing in England: Past trends and prospects, Number CBP08963, March 2024, p.8

Habinteg, Wheelchair users subjected to decades-long wait for new accessible housing (October 2022), accessed
 15 April 2024

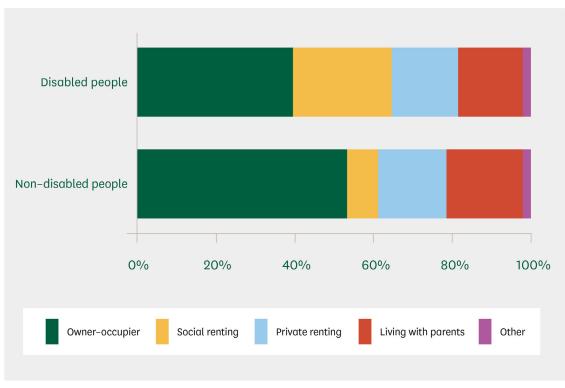
<sup>16</sup> Annex 3

<sup>17</sup> Annex 1

<sup>18</sup> Annex 1; Annex 3

when seeking their social housing provider or landlord's permission to make adaptations to social housing or private rented homes, which we consider further in Chapter 3. As illustrated in the chart below, disabled people are less likely to own their own homes and more likely to live in social housing.

## Disabled people are less likely to own their own homes and more likely to social rent



% people ages 16 to 64: July 2020 to June 2021, UK

Source: Office for National Statistics, Outcomes for disabled people in the UK: 2021, Disability and housing dataset, Table 1

9. Disabled people are not a homogeneous group with a single set of housing needs. Rather, Government policy must seek to address the many barriers which disabled individuals face, which vary widely. Too often too many disabled people are failed by current housing policy. We have been particularly pained to hear of the impact on disabled people's dignity, health and wellbeing of living in unsuitable accommodation. It is intolerable that many disabled people are living in unsuitable accommodation for years without hope. It is essential that the Government, local authorities, and the housing sector work together to prioritise disability inclusion and address the barriers that disabled people are currently facing.

#### The Government's disability policy

#### Ministerial Disability Champions

10. Throughout our inquiry, many stakeholders—especially those representing the views of disabled people—argued that it is primarily the responsibility of central Government to address the barriers disabled people face in the housing sector.<sup>20</sup> For example, Mikey

Erhardt, Policy and Campaigns Officer at Disability Rights UK, argued that "[...] the majority of the barriers that disabled people face to accessing the housing that we have a right to are self-imposed by [central Government] policy failure.<sup>21</sup>

11. Central Government policy relating to disabled people does not sit with a single government department. However, the Disability Unit within the Cabinet Office has strategic oversight of disability policy across all government departments.<sup>22</sup> Mims Davies MP, Minister of State for Disabled People, Health and Work at the Department for Work and Pensions, has overall responsibility for the Disability Unit. This involves the Minister acting as Chair of the 'Ministerial Disability Champions'.<sup>23</sup> The Government states that the role of a Ministerial Disability Champion is to:

- ensure disability inclusion is a priority in their department's work; and
- help deliver the government's commitment to support disabled people in the UK through creating more opportunities, protecting their rights and ensuring they fully benefit from, and can contribute to, every aspect of our society.<sup>24</sup>

There are currently 20 Government Ministers, representing most government departments, who are Ministerial Disability Champions. They meet regularly to coordinate disability policy and to meet with stakeholders, which has previously included a meeting with disabled people to discuss housing provision.<sup>25</sup> Felicity Buchan MP, the Parliamentary Under-Secretary of State for Housing and Homelessness, is the Ministerial Disability Champion for the Department for Levelling Up, Housing and Communities.<sup>26</sup>

12. When we asked the Minister about the recent work she had done as a Ministerial Disability Champion to support the housing needs of disabled people, she told us that "I had a conference call with lots of regional disability chairs with the Minister at DWP [Mims Davies MP]. That was a very fruitful meeting where I heard from lots of people on the ground about the issues that they face."<sup>27</sup> However, when we asked what actions were agreed as a result of these meetings, the Minister responded only that "[i]t is very important, when you take over a new position—as I did as the disability champion—that I meet the relevant people in the sector, and I become very au fait with their views."<sup>28</sup>

#### Disability Action Plan

13. On 5 February 2024, midway through our inquiry, the Government published its Disability Action Plan.<sup>29</sup> It "sets out the immediate actions the Government will take in 2024 to improve disabled people's everyday lives and lays the foundations for longer-term change".<sup>30</sup> The Plan includes 32 specific actions, including funding to support disabled people who want to be elected to public office; information for local authorities on

<sup>21</sup> Q3 [Mikey Erhardt]

<sup>22</sup> Gov.UK, Ministerial Disability Champions, accessed 15 April 2024

<sup>23</sup> Ibid.

<sup>24</sup> Ibid.

<sup>25</sup> Women and Equalities Committee, Second Special Report of Session 2023–24, <u>National Disability Strategy:</u> Government Response to the Committee's First Report, HC 563, p.3

<sup>26</sup> Ibid.

<sup>27</sup> Q65 [Felicity Buchan MP]

<sup>28</sup> Q66 [Felicity Buchan MP]

<sup>29</sup> Gov.UK, Disability Action Plan (February 2024), accessed 15 April 2024

<sup>30</sup> Gov.UK, Disability Action Plan (February 2024), accessed 15 April 2024, summary

creating accessible playgrounds; and new research into emerging issues affecting disabled people over the next 20 years.<sup>31</sup> However, none of the actions in the Disability Action Plan specifically address housing for disabled people.

14. When we asked the Parliamentary Under-Secretary of State for Housing and Homelessness whether the omission of housing policy in the Plan was an oversight, she argued that "many, many things are going on from this Department. [...] The action plan was clearly a DWP-led initiative, but we are very much operating across the board."<sup>32</sup> Yet, the Minister did highlight that the Department had some input into the development of the Plan, as it includes actions to support disabled people who want to be elected to public office, which is within the Department's policy remit.<sup>33</sup>

15. We have found little evidence that the Department for Levelling Up, Housing and Communities is fully recognising the housing needs of disabled people, let alone treating disabled people's needs as a priority in housing policy. In particular, it is deeply concerning that the Government's new Disability Action Plan fails to directly address housing at all, despite clear evidence of the knock-on effect of housing on all aspects of disabled people's lives. Moreover, the only substantive reassurance that the Minister for Housing and Homelessness was able to provide us with was that she had "heard from lots of people on the ground" in her capacity as the Ministerial Disability Champion. We recommend that the Government should take action based on the concerns that the Minister has heard.

<sup>31</sup> Gov.UK, Disability Action Plan (February 2024), accessed 15 April 2024

<sup>32</sup> Q62 [Felicity Buchan MP]

<sup>33</sup> Q63 [Felicity Buchan MP]

## 2 Increasing the supply of accessible homes

"It has been terrible. Just heart-shattering. I have not been able to find any accessible and affordable place for me to move and live independently [...] I feel completely hopeless that I will ever be able to find a place for myself."

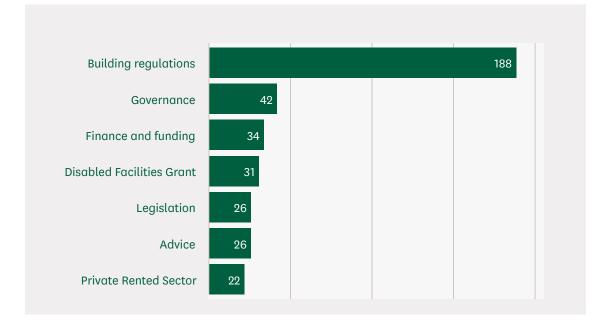
University graduate with a mobility impairment, online survey<sup>34</sup>

#### Planning policy and accessibility standards

16. Throughout our inquiry, we have asked disabled people and industry stakeholders what they think must be done to improve the provision of accessible housing. By far the most frequent response was that the Government—working with local authorities—must deliver more new build accessible homes (see chart below).<sup>35</sup> Indeed, nearly all of the respondents to our online survey were keen to emphasise the importance of delivering more accessible homes through changes to building regulations.<sup>36</sup>

## Most recommendations to better support disabled people centred around changes to building regulations

Q2: What more could be done to support disabled people to access suitable housing? Base: all respondents (n=996)



17. The Government can influence the delivery of new build accessible homes by issuing planning guidance to local authorities, architects, and housing developers. The Government's national planning policy in England is principally expressed through guidance to local authorities in the National Planning Policy Framework (NPPF).<sup>37</sup> The

36 Annex 1

<sup>34</sup> Anonymous response to the Committee's online survey, see Annex 1

<sup>35</sup> Annex 1; Annex 3

<sup>37</sup> DLUHC, National Planning Policy Framework, December 2023

NPPF requires local authorities to develop local plans for development, including housing, in their area that are consistent with national policy.<sup>38</sup> In addition, the Government issues guidance to home builders on how to comply with building regulations, including housing accessibility standards, through 'Approved Documents'.<sup>39</sup>

18. 'Approved Document M' sets out the technical standards for housing accessibility.<sup>40</sup> It includes three categories of standard—of which one is currently mandatory and two are currently optional. This is set out in further detail in Box 1, below.

#### Box 1: Summary of Approved Document M categories of dwellings

- **M4(1) Category 1: Visitable dwellings**. Offers some basic accessibility features, such as minimum door widths, level thresholds, and corridors of a size suitable for a range of people, including some wheelchair users. However, it does not guarantee that the home will be accessible to all disabled people, and it does not offer the adaptability that the home may need over the occupant's lifetime. This is currently a **mandatory** standard for all new build homes.
- **M4(2) Category 2: Accessible and adaptable dwellings**. This standard makes some provision for most people to access the home, and incorporates features that make it potentially suitable for those with reduced mobility and some wheelchair users. Homes of this standard are also more easily adapted to meet the needs of a wide range of people. This is currently an **optional** standard for new build homes.
- M4(3) Category 3: Wheelchair user dwellings. This standard specifies accommodation to meet the needs of a household that includes a wheelchair user. This is currently an optional standard for new build homes. Within the M4(3) standard there are two subcategories:

- M4(3)a: wheelchair adaptable, meaning that the home meets spatial and layout requirements but may not have been fully fitted and finished to accommodate immediate use by a wheelchair user; and

- M4(3)b: wheelchair accessible, meaning that the home is fully ready for occupation by a wheelchair user household.

Source: Summary adapted from Approved Document M: Volume 1: Dwellings; Raising accessibility standards for new homes: A consultation paper; and written evidence from Housing Made for Everyone (HoME) coalition, Habinteg (DPH0030)

#### Raising the minimum accessibility standard

19. In September 2020, the Government launched a consultation titled 'Raising accessibility standards for new homes'.<sup>41</sup> The consultation set out several options to improve the supply of accessible housing through changes to building regulations. This included a proposal to mandate the M4(2) standard for all new homes, with M4(1) applying by exception only.<sup>42</sup>

20. In July 2022, the Government responded to the consultation, almost two years after it was first launched. The Government said that:

<sup>38</sup> Ibid., para 35(d)

<sup>39</sup> House of Commons Library, Building regulations and safety, Number 8482, June 2023, p.11

<sup>40</sup> Gov.UK, Approved Document M: Volume 1: Dwellings (March 2016), accessed 15 April 2024

<sup>41</sup> Ministry for Housing, Communities and Local Government, Raising accessibility standards for new homes: A consultation paper (September 2020), accessed 15 April 2024

<sup>42</sup> Ibid., p.12

[The] Government proposes that the most appropriate way forward is to mandate the current M4(2) (Category 2: Accessible and adaptable dwellings) requirement in Building Regulations as a minimum standard for all new homes–option 2 in the consultation.<sup>43</sup>

21. Stakeholders from across the sector told us that they broadly welcome this proposed policy change.<sup>44</sup> Christina McGill, Co-Chair of the HoME coalition and Director at Habinteg Housing Association, highlighted that only 23% of new homes in England are currently planned to be built to the M4(2) standard, thus the Government's policy would "increase the supply of M4(2) homes dramatically."<sup>45</sup> From housing developers' perspective, Sam Stafford, Director of Planning at the Home Builders Federation, said that "[g]enerally speaking, the development industry is relatively relaxed about M4(2) becoming a baseline. The key thing for industry is stability, certainty and a regulatory framework that can be planned for with certainty."<sup>46</sup>

#### Delay to implementing the Government's policy

22. However, there was a widespread view among disabled people, organisations which represent them, and across the housing sector that the Department for Levelling Up, Housing and Communities has made little progress towards implementing the M4(2) policy in practice.<sup>47</sup> In particular, The Centre for Ageing Better has stated that "over a year on there has been no public progress and no timetable provided for the implementation of the updated standard".<sup>48</sup> Similarly, The Royal Institute of British Architects highlighted that "[g]iven that there will likely also be a transition period, we are concerned that further delays will unacceptably impact the length of time during which disabled people will continue to have inadequate access to suitable homes".<sup>49</sup> Mikey Erhardt, Policy and Campaigns Officer at Disability Rights UK, expressed his frustration that "nothing has happened [...] We are waiting years and years for no movement on raising standards on new builds."<sup>50</sup>

23. On 5 February 2024, Baroness Penn, Minister for Housing and Communities, said that there would need to be a further 'technical consultation' on making M4(2) the

<sup>43</sup> DLUHC, Raising accessibility standards for new homes: summary of consultation responses and government response (July 2022), accessed 15 April 2024, para 73

<sup>44</sup> See, for example, Hft (DPH0008); Gloucestershire Health and Social Care NHS Foundation Trust, Gloucestershire County Council, One Gloucestershire Integrated Care System, ICS. (DPH0012); Royal Institute of British Architects (RIBA) (DPH0013); Inclusion London (DPH0017); Muscular Dystrophy UK (DPH0027); Centre for Ageing Better (DPH0038)

<sup>45</sup> Q6 [Christina McGill]

<sup>46</sup> Q34 [Sam Stafford]

<sup>47</sup> Royal College of Occupational Therapists Specialist Section in Housing (DPH0007); Publica Group Ltd (Cotswold, Forest of Dean and West Oxfordshire District Councils) (DPH0011); Gloucestershire Health and Social Care NHS Foundation Trust, Gloucestershire County Council, One Gloucestershire Integrated Care System, ICS. (DPH0012); Royal Institute of British Architects (RIBA) (DPH0013); Disability Rights UK, Greater Manchester Coalition of Disabled People (DPH0015); Royal College of Occupational Therapists (DPH0018); Fleur Perry (DPH0019); Chartered Institute of Housing (CIH) (DPH0020); The Chartered Institute of Building (CIOB) (DPH0021); Midland Heart Limited (DPH0024); Housing Made for Everyone (HoME) coalition, Habinteg (DPH0030); Habinteg Housing Association (DPH0031); Mrs Vanessa Dockerill (DPH0033); Bristol City Council (DPH0034); Mrs J Hewitt (Access and Inclusive Environments Specialist at Buro Happold) (DPH0037); Centre for Ageing Better (DPH0038); District Councils Network (DPH0039)

<sup>48</sup> Centre for Ageing Better (DPH0038)

<sup>49</sup> Royal Institute of British Architects (RIBA) (DPH0013)

<sup>50</sup> Q3 [Mikey Erhardt]

minimum accessibility standard.<sup>51</sup> She also said that "I cannot give a specific timeframe for that further work. The building safety regulator is responsible for introducing updates to the building regulations and it is a new organisation with a busy programme of work."<sup>52</sup>

24. We questioned Philip White, the Director of Building Safety at the Building Safety Regulator, as to why a further technical consultation was necessary. He told us that a technical consultation is needed to ascertain the 'exceptional circumstances' whereby it may be permissible to build to the M4(1) standard, rather than the M4(2) standard.<sup>53</sup> However, he added that "[...] One would hope that there is broad agreement on some of the detail here so we will not be toing and froing to try to come to some sort of agreement and that that will be fairly straightforward, and the process is six months."<sup>54</sup> He also told us that the consultation will launch "before the summer recess for Parliament, sometime between April and July [2024]"; that it would be open for 12 weeks; and that the entire consultation process would take six months, including time to review responses.<sup>55</sup>

25. Whilst consultations are typically open for 12 weeks, followed by 12 weeks for the Government to analyse responses and to decide an outcome, the Government's own guidance states that:

Consultations should last for a proportionate amount of time: Judge the length of the consultation on the basis of legal advice and taking into account the nature and impact of the proposal. Consulting for too long will unnecessarily delay policy development [...]<sup>56</sup>

It is therefore possible that the Building Safety Regulator could open the technical consultation for fewer than 12 weeks and respond in a shorter timeline than is usual. Indeed, the evidence we have received indicates that there is likely to be widespread agreement among responses, which should make a faster response possible.

26. We welcome the Government's announcement that it intends to make the M4(2) accessibility standard mandatory for all new build homes. This amendment to building regulations is an important policy change which will greatly increase the availability of accessible homes for disabled people. However, we are deeply concerned that the Department has made little progress towards implementing this policy in practice.

27. Moreover, it is unclear why the Department did not seek to launch the further 'technical consultation' soon after its July 2022 announcement of its M4(2) policy change. The delay to implementation continues to afflict the daily lives of thousands of disabled people who are searching for accessible new build homes, while stakeholders from across the sector remain "left in the dark", with little clarity as to the timeline for implementing the M4(2) policy change.

28. The Building Safety Regulator's (BSR) timeline to run a full technical consultation process for six months, starting on an undecided date between May and July 2024, would make it unlikely that the M4(2) baseline policy could be implemented until

52 Ibid.

<sup>51</sup> HL Deb, 5 February 2024, vol 835

<sup>53</sup> Q76 [Philip White]

<sup>54</sup> Q77[Philip White]

<sup>55</sup> Qq75–77 [Philip White]

<sup>56</sup> Cabinet Office, Consultation principles: guidance (March 2018), accessed 15 April 2024

spring 2025, at the earliest. This is an excessively long timeline considering the sector's demand for certainty and the evidence that there is likely to be widespread consensus among responses.

29. It is imperative that the Government's M4(2) policy commitment is now implemented as soon as possible. If this is not done, thousands of disabled people will continue to be left with their housing needs unmet. Accordingly, we recommend that:

- The BSR should launch the technical consultation immediately with an expedited timeline that is made public;
- The BSR and the Department should allocate additional resources to ensure that the consultation response is published within a maximum of six weeks of the consultation closing date, rather than the planned 12 weeks; and
- The BSR should complete the full technical consultation process within four months, rather than the six months currently planned.

#### Supply of wheelchair user homes: M4(3)

30. Many disabled people told us that there are not enough M4(3) standard homes designed for wheelchair users.<sup>57</sup> Research by Habinteg identified that just 1.9% of homes in England were planned to be built to the M4(3) standard in 2020.<sup>58</sup> Several stakeholders argued that all local authorities should require a minimum percentage of M4(3) new homes, with some advocating for a national requirement for 10% of all new builds,<sup>59</sup> and others arguing for local percentages based on a local assessment of need.<sup>60</sup> In particular, Adrian Dobson, Executive Director at the Royal Institute of British Architects, told us that "[p]erhaps 10% to 15% [at M4(3) standard] is where we are going to have to get to, bearing in mind that these are only standards for new build, and we have a very old housing stock."<sup>61</sup>

31. Local authorities can apply M4(2) and M4(3) requirements through their local plan policies where they have identified a local need and where the viability of development is not compromised.<sup>62</sup> The National Planning Policy Framework (NPPF) includes guidance to local authorities that:

Planning policies for housing should make use of the Government's optional technical standards [Approved Document M] for accessible and adaptable housing, where this would address an identified need for such properties.<sup>63</sup>

<sup>57</sup> Annex 1; Annex 3; Disability Rights UK, Greater Manchester Coalition of Disabled People (DPH0015); Inclusion London (DPH0017)

<sup>58</sup> Habinteg, Forecast for Accessible Homes 2020 (January 2021), accessed 15 April 2024, p.10; Inclusion London (DPH0017)

<sup>59</sup> Royal College of Occupational Therapists (DPH0018); Disability Rights UK, Greater Manchester Coalition of Disabled People (DPH0015); Inclusion London (DPH0017); Fleur Perry (DPH0019); Muscular Dystrophy UK (DPH0027); Housing Made for Everyone (HoME) coalition, Habinteg (DPH0030); Habinteg Housing Association (DPH0031); Mrs Vanessa Dockerill (DPH0033); Centre for Ageing Better (DPH0038)

<sup>60</sup> Propertymark (DPH0001); Publica Group Ltd (Cotswold, Forest of Dean and West Oxfordshire District Councils) (DPH0011); Royal College of Occupational Therapists (DPH0018); The Chartered Institute of Building (CIOB) (DPH0021); Mrs J Hewitt (Access and Inclusive Environments Specialist at Buro Happold) (DPH0037)

<sup>61</sup> Q34 [Adrian Dobson]

<sup>62</sup> DLUHC, Raising accessibility standards for new homes: summary of consultation responses and government response (July 2022), accessed 15 April 2024, para 8

<sup>63</sup> Ibid., footnote 52

32. When we asked Felicity Buchan MP, the Parliamentary Under-Secretary of State for Housing and Homelessness, whether the NPPF should be amended to require, rather than advise, local authorities to include a minimum percentage of M4(3) homes in their local plans, she told us that:

Our [the Department's] philosophy very much is [...] local authorities deciding what their needs are and, if it is appropriate, for each local authority to have a minimum threshold. We do not think that it is appropriate for central government to be setting those thresholds.<sup>64</sup>

Despite this, however, Habinteg research has found that only 36% of local plans in England include a reference to the M4(3) standard.<sup>65</sup>

33. We support the Minister for Housing and Homelessness's call for local authorities to assess their local need for M4(3) wheelchair user standard homes. However, we do not believe that the Government's National Planning Policy Framework (NPPF) goes far enough to match this ambition. At the next NPPF review, the Government must include an explicit requirement for local authorities to assess the local need for homes at M4(3) wheelchair user standard. The NPPF should also encourage local authorities to include a required minimum percentage of M4(3) standard homes in their local plan, with the precise figure based on their local need assessment. If the Government does not make these changes at the next NPPF review, the Department must set out in writing to us, upon publication of the revised NPPF, how it plans to increase the supply of new homes built to the M4(3) standard to meet the needs of wheelchair users.

#### Finding accessible homes

34. As well as there being an insufficient supply of accessible homes, disabled people have also emphasised to us that there is often inadequate provision of information about the availability of existing accessible homes. Consequently, this creates a further barrier to accessible housing across all tenures.<sup>66</sup> Several stakeholders have suggested that accessible housing registers and the proposed private rented sector Property Portal may go some way to addressing this barrier.

#### Local authorities: Accessible housing registers

35. Local authorities will be a first port of call for many disabled people in their search for an accessible home. Yet, many disabled people shared their frustration with us that their local authorities did not have an accurate record of the accessibility of their own housing stock.<sup>67</sup> Moreover, stakeholders from across the housing sector have suggested to us that all local authorities should keep local accessible property registers to better support disabled residents on accessible housing waiting lists.<sup>68</sup> Indeed, some written evidence submissions suggested that existing local authority registers could be expanded to include properties

<sup>64</sup> Q99 [Felicity Buchan MP]

<sup>65</sup> Housing Made for Everyone (HoME) coalition, Habinteg (DPH0030)

<sup>66</sup> Annex 1; Annex 3; Disability Rights UK, Greater Manchester Coalition of Disabled People (DPH0015); Inclusion London (DPH0017)

<sup>67</sup> Annex 1; Annex 3

<sup>68</sup> Propertymark (DPH0001); National Residential Landlords Association (DPH0010); Chartered Institute of Housing (CIH) (DPH0020); Muscular Dystrophy UK (DPH0027); Housing Made for Everyone (HoME) coalition, Habinteg (DPH0030)

in the private rented sector;<sup>69</sup> record all properties that have DFG-funded adaptations fitted;<sup>70</sup> or be compiled into a national register which could better support disabled people to find properties across local authority boundaries.<sup>71</sup> The Local Government Association argued that "[c]ouncils should be supported [by the Government] to develop local and regional registers of existing adapted properties across all tenures".<sup>72</sup> When we asked the Parliamentary Under-Secretary of State for Housing and Homelessness about the prevalence of these registers, she told us that just 21% of local authorities currently have an accessible housing register in operation.<sup>73</sup>

36. We are concerned that most local authorities do not keep a register of the accessibility of their own housing stock, despite some disabled people living in temporary accommodation for years while waiting for accessible social housing. The Government must require all local authorities to keep a register of accessibility of homes in their own housing stock and require local authorities to keep a detailed record of all accessible social housing within their local authority area. Local authorities should be encouraged to publish this information so that disabled people can access this information in appropriate accessible formats.

#### Private rented sector: Property Portal

37. The Government's Renters (Reform) Bill makes provision for a private rented sector database.<sup>74</sup> Once implemented, information in the database will be publicly available on a new 'Property Portal', where prospective tenants will be able to see information about private rented sector landlords and their property or properties. The Bill gives the Secretary of State the power to make regulations about the exact information which landlords will be required to provide in their database entries.<sup>75</sup>

38. Currently, this proposed database would not include information about the accessibility of a property. There is considerable agreement across the sector that the Property Portal should include accessibility information.<sup>76</sup> Inclusion London argued that the Property Portal "represents a vital opportunity to embed accessibility into the PRS [Private Rented Sector] [...] to ensure that living in a suitable home in the PRS is no longer a postcode lottery".<sup>77</sup> Similarly, the National Residential Landlords Association suggested that the Government should "[h]arness the PRS Property Portal [...] [to] help to develop a comprehensive understanding of adapted or accessible properties at the local level".<sup>78</sup> When we questioned the Parliamentary Under-Secretary of State for Housing and Homelessness about this she only told us that "[i]t is something that we [the Government] are considering."<sup>79</sup>

<sup>69</sup> Propertymark (DPH0001)

<sup>70</sup> National Residential Landlords Association (DPH0010)

<sup>71</sup> Chartered Institute of Housing (CIH) (DPH0020)

<sup>72</sup> Local Government Association (DPH0035)

<sup>73</sup> Q156 [Felicity Buchan MP]

<sup>74</sup> Renters (Reform) Bill, HL Bill 74 (as brought from the Commons), Part 2, Chapter 3

<sup>75</sup> Renters (Reform) Bill, HL Bill 74 (as brought from the Commons), clause 69

<sup>76</sup> See, for example, Q14 [Mikey Erhardt]; National Residential Landlords Association (DPH0010); Inclusion London (DPH0017); Shelter (DPH0036)

<sup>77</sup> Inclusion London in Disability Rights UK, <u>Disability Groups Call for More Accessible Housing for Private Renters</u> (January 2024), accessed 15 April 2024

<sup>78</sup> National Residential Landlords Association (DPH0010)

<sup>79</sup> Q150 [Felicity Buchan MP]

39. The proposed new Property Portal presents a compelling opportunity to improve information about the accessibility of properties in the private rented sector. This would provide a clear benefit to disabled people. Once the Renters (Reform) Bill comes into force, the Secretary of State must use its provisions to require landlords to include information about the accessibility of their property/properties in their entries in the private rented sector database. This must include any specific accessibility features or adaptations that are already installed, in order to better support the housing needs of disabled people in the private rented sector.

#### Central government data

40. Written evidence submissions to our inquiry have also indicated a lack of reliable central government data to support local authority and central government policymaking— in particular data on the number of new M4(2) and M4(3) homes built in England each year.<sup>80</sup> When we asked what data the Department holds on accessible housing supply, the Parliamentary Under-Secretary of State for Housing and Homelessness told us that "[t]he department does not hold any data on the number of new builds completed to M4(2) and M4(3) standards."<sup>81</sup>

41. However, the Department does hold data on the supply of new homes overall each year, which is published annually in the 'Housing supply: net additional dwellings' statistical release.<sup>82</sup> The Department collects this data from local authorities through the 'Housing Flows Reconciliation (HFR) form', which local authorities must submit to the Department annually.<sup>83</sup> The form collects considerable detail about the types of new homes in each local authority—including required reporting of gains through caravans, mobile homes, converted railway carriages, and house boats—but does not require data on the supply of accessible housing to be submitted.<sup>84</sup>

42. We are surprised that the Department does not hold any data on the number of new builds completed to the M4(2) and M4(3) standards in England, especially given that local authorities are already required to provide data on the supply of new homes to central Government annually. The Department must require local authorities to report on the supply of new homes at [a] M4(2) standard and [b] M4(3) standard specifically in their annual data submission to the Department. The Department must publish this data annually as part of the 'Housing supply: net additional dwellings' statistical release.

43. The Government should provide funding, in line with the new burdens doctrine, to local authorities to ensure that they can carry out these additional requirements and duties to the best of their ability.

<sup>80</sup> Propertymark (DPH0001); Muscular Dystrophy UK (DPH0027); Housing Made for Everyone (HoME) coalition, Habinteg (DPH0030); Mrs Vanessa Dockerill (DPH0033)

<sup>81</sup> Letter from the Parliamentary Under-Secretary of State for Housing and Homelessness to the Chair, dated 4 April 2024, following up her appearance before the Committee on 18 March

<sup>82</sup> DLUHC, Housing supply: net additional dwellings (November 2023), accessed 15 April 2024

<sup>83</sup> DLUHC, Housing supply: net additional dwellings, England: 2022 to 2023 technical notes (November 2023),

accessed 15 April 2024. London Boroughs supply their data through the Greater London Authority (GLA).

## **3** Adapting homes: the Disabled Facilities Grant (DFG)

"I have only just had the first stage of my DFG completed [...] I didn't expect instant solutions but 22 months housebound is absurd and insulting. I still don't have an accessible kitchen or bathroom, with no date set for those works."

Neurodivergent person with a mobility impairment, online survey<sup>85</sup>

#### Financial support for housing adaptations

44. The Disabled Facilities Grant (DFG) is a grant to fund adaptations to give disabled people better accessibility and freedom of movement into and around their homes. Central government distributes DFG 'allocations' to local authorities, which in turn are responsible for processing and delivering grants for their residents. The DFG is a mandatory grant, meaning local authorities must provide a grant to cover the cost of adaptations to applicants who meet all the necessary conditions, subject to a means test and an upper limit of £30,000 in England.<sup>86</sup>

45. DFGs may be used to:

- widen doors and install ramps or grab rails;
- improve access to rooms and facilities, for example with a stairlift, or level access shower;
- improve access to a garden;
- build an extension, for example a downstairs bedroom;
- provide a heating system suitable for an individual's needs; and/or
- adapt heating or lighting controls to make them easier to use.<sup>87</sup>

#### **Issues with the DFG**

46. Evidence to our inquiry highlighted several issues with the DFG, which we explore in this Chapter:

• The £30,000 upper limit for individual DFGs has not increased since 2008;<sup>88</sup>

<sup>85</sup> Anonymous response to the Committee's online survey, see Annex 1

<sup>86</sup> Before issuing a DFG, a local housing authority must satisfy itself that the works are necessary and appropriate to meet the needs of the disabled person, and are reasonable and practicable depending on the age and condition of the property. See: House of Commons Library, <u>Disabled facilities grants for home adaptations</u>, Number 03011, April 2023, pp. 7–8

<sup>87</sup> Gov.UK, Disabled Facilities Grants, accessed 15 April 2014

<sup>88</sup> Q16 [Jacquel Runnalls]; Royal College of Occupational Therapists Specialist Section in Housing (DPH0007); Hft (DPH0008); Gloucestershire Health and Social Care NHS Foundation Trust, Gloucestershire County Council, One Gloucestershire Integrated Care System, ICS. (DPH0012); Inclusion London (DPH0017); Fleur Perry (DPH0019); Migrant Help (DPH0025); Muscular Dystrophy UK (DPH0027); Habinteg Housing Association (DPH0031); Local Government Association (DPH0035); Mrs J Hewitt (Access and Inclusive Environments Specialist at Buro Happold) (DPH0037); District Councils Network (DPH0039)

- The DFG means test is complex to navigate and deters people from applying;<sup>89</sup>
- The distribution formula for DFG allocations does not always distribute funding between local authorities based on local need;<sup>90</sup> and
- The provision of local authority support and advice for residents navigating the DFG process is inconsistent across England.<sup>91</sup>

47. Several of these issues have already been the subject of an independent review of the DFG. In February 2018, the then Government commissioned the University of the West of England to conduct a comprehensive assessment of how the DFG operated and to make recommendations on future reform. This 'External Review' was based on data from local authorities across England, and multiple consultation exercises with experts from across the sector.<sup>92</sup> The Review's findings included that:

- the delivery process is often slow and cumbersome, with numerous handovers between local authority departments;
- restrictive upper limits on the cost of work can sometimes result in solutions that are not effective;
- there is tenure inequity, with a high proportion of grants going to social housing providers when disabled people are increasingly in the private rented sector; and
- too many people drop out of the process, often because they must contribute to the cost.<sup>93</sup>

48. The Government did not publish a response to the External Review and has not implemented several of its headline recommendations, such as increasing the £30,000 upper limit, reforming the means test, and designing a new funding distribution formula. This is despite the External Review's recommendations being broadly welcomed by disabled people and the housing sector as a whole.<sup>94</sup>

49. The Government-commissioned External Review of the Disabled Facilities Grant (DFG) in 2018 made several appropriate and valuable recommendations on DFG funding, eligibility, and the delivery process, based on comprehensive evidence. It is therefore deeply disappointing that the Government has not published a response to the Review and has not acted upon its main findings, despite prolonged calls for it to do so. *The Government, in response to this Report, must therefore set out:* 

• its response to each of the External Review's recommendations in full;

<sup>89</sup> Annex 1; Annex 3. See also, for example, Royal Institute of British Architects (RIBA) (<u>DPH0013</u>); Habinteg Housing Association (<u>DPH0031</u>); Centre for Ageing Better (<u>DPH0038</u>); Voluntary Organisations Disability Group (VODG) (<u>DPH0040</u>)

<sup>90</sup> Annex 2. See also, for example, Inclusion London (DPH0017); Centre for Ageing Better (DPH0038)

<sup>91</sup> Annex 1, Annex 3

<sup>92</sup> Gov.UK, Disabled Facilities Grant and Other Adaptations – External Review: main report (December 2018), accessed 15 April 2024, pp. 17–19

<sup>93</sup> Gov.UK, Disabled Facilities Grant and Other Adaptations – External Review: summary (December 2018), accessed 15 April 2024, pp. 3–4

<sup>94</sup> See, for example, Gloucestershire Health and Social Care NHS Foundation Trust, Gloucestershire County Council, One Gloucestershire Integrated Care System, ICS. (DPH0012); Inclusion London (DPH0017); Muscular Dystrophy UK (DPH0027); Habinteg Housing Association (DPH0031); Local Government Association (DPH0035); Centre for Ageing Better (DPH0038)

- what action it has already taken to address each recommendation in the Review since it was published in 2018; and
- a timeline for the future implementation of each of the DFG reforms in line with those External Review recommendations which the Government accepts.

#### **DFG upper limit**

50. The maximum amount a local authority in England may grant an individual DFG application is £30,000—an upper limit which has not changed since 2008.<sup>95</sup> Whilst some local authorities offer discretionary 'top-up' grants, which we assess later in this Chapter, there was widespread agreement among stakeholders that the £30,000 upper limit should be increased.<sup>96</sup> Several of these stakeholders highlighted that the upper limit has not kept pace with inflation and rising construction costs—£30,000 in 2008 would be worth around £47,000 today.<sup>97</sup> Written evidence submissions argued that this limit is inadequate given that, for example, a ground floor extension with a bedroom and wet room for a wheelchair user could cost in the region of £80,000-£100,000—around three times the current DFG upper limit.<sup>98</sup> More generally, Inclusion London highlighted cases of disabled people having to fundraise for donations to top-up their grant to meet the cost of their required adaptations.<sup>99</sup>

51. When we asked Felicity Buchan MP, the Parliamentary Under-Secretary of State for Housing and Homelessness, whether the current upper limit is sufficient to meet the needs of most disabled people, she emphasised that "[t]he average [DFG grant] cost is  $\pm 10,000$  and 91% of the disabled facilities grants awarded are under  $\pm 15,000$ ."<sup>100</sup> Further, the Minister told us that 1,173 grants of  $\pm 30,000$  or over were completed in 2021–22 and that grants of  $\pm 30,000$  or over made up 2.5% of total grants in that period.<sup>101</sup>

52. The £30,000 upper limit on individual DFG applications is sufficient to cover the cost of most DFG applications. However, the fact that the upper limit has not changed since 2008, despite recent rising construction costs, means the DFG does not meet the needs of some applicants whose adaptations cost more than £30,000. Consequently, a small number of disabled people who require more complex adaptations may struggle to afford to self-fund the home adaptations they need. *The Government should* 

<sup>95</sup> House of Commons Library, Disabled facilities grants for home adaptations, Number 03011, April 2023, p.4

<sup>96</sup> Q16 [Jacquel Runnalls]; Royal College of Occupational Therapists Specialist Section in Housing (DPH0007); Hft (DPH0008); Gloucestershire Health and Social Care NHS Foundation Trust, Gloucestershire County Council, One Gloucestershire Integrated Care System, ICS. (DPH0012); Inclusion London (DPH0017); Fleur Perry (DPH0019); Migrant Help (DPH0025); Muscular Dystrophy UK (DPH0027); Habinteg Housing Association (DPH0031); Local Government Association (DPH0035); Mrs J Hewitt (Access and Inclusive Environments Specialist at Buro Happold) (DPH0037); District Councils Network (DPH0039)

<sup>97</sup> Q16 [Jacquel Runnalls]; Bank of England, Inflation Calculator (March 2024), accessed 15 April 2024. Based on Consumer Price Index (CPI) inflation data from the Office for National Statistics, <u>Consumer Prices Index including</u> owner occupiers' housing costs (CPIH) historical series: 1988 to 2004

<sup>98</sup> Royal College of Occupational Therapists Specialist Section in Housing (DPH0007); Publica Group Ltd (Cotswold, Forest of Dean and West Oxfordshire District Councils) (DPH0011); Gloucestershire Health and Social Care NHS Foundation Trust, Gloucestershire County Council, One Gloucestershire Integrated Care System, ICS. (DPH0012); Mrs J Hewitt (Access and Inclusive Environments Specialist at Buro Happold) (DPH0037); District Councils Network (DPH0039)

<sup>99</sup> Inclusion London (DPH0017)

<sup>100</sup> Q118 [Felicity Buchan MP]

<sup>101</sup> Letter from the Parliamentary Under-Secretary of State for Housing and Homelessness to the Chair, dated 4 April 2024, following up her appearance before the Committee on 18 March

immediately review the £30,000 upper limit on individual DFGs, with consideration for regional variation in construction costs, and set new regional upper limits. Going forward, the new upper limits must also take account of inflation and construction costs.

#### **Means Test**

53. The DFG means test seeks to ensure funding is directed to those people who most need financial support to access home adaptations. This is a complex process that involves several stages, including assessing the applicant's income and savings (and, if applicable, their partner's income and savings), and the cost of the works. A formula then assesses what contribution towards the cost that the applicant may be able to afford. This is set out in further detail in Box 2, below.

#### Box 2: Summary of the DFG means test process

Government-commissioned research by the Building Research Establishment (BRE) in 2011 summarised the four main stages within the means testing process:<sup>102</sup>

- Assess how much the household needs to live on. This is referred to as 'allowable income' and is calculated using a set of standard allowances for living costs using basic amounts of income support/pension credit and a flat rate allowance for housing costs.
- Compare this with their actual income to see if they have any 'surplus' income they could use to pay off a loan. A 'tariff' income is added on for any savings over £6,000. If the household is in receipt of any means tested benefits [or if the application is for a child], they are automatically 'passported' through and awarded a 100 per cent grant even if they have some small surplus income according to this calculation.
- For those not in receipt of means tested benefits, calculate how big a loan they could afford to pay off using their 'surplus' income. The calculations assume a loan period of 10 years for owner-occupiers and 5 years for tenants at a standard rate of interest and incorporate 'tapers'.
- Compare the size of the loan they could afford with the cost of the work needed to see whether they qualify for a grant. If the calculated loan amount is the same or greater than the cost of the adaptations, they do not get any grant. If the loan amount is less than the cost of works, the amount of grant is calculated as the total cost of works minus the calculated loan amount.

Source: Department for Communities and Local Government, Disabled Facilities Grant allocation methodology and means test (February 2011), accessed 15 April 2024, p.57

54. There was a clear consensus among the evidence we received that the DFG means test is overly complicated, and especially difficult for non-expert applicants to navigate.<sup>103</sup> When we put this evidence to William Burgon, the Director for Planning Reform and Housing Quality at the Department, he agreed that the means test is complicated for applicants, particularly as it is different to other means tests that operate in the same arena.<sup>104</sup>

<sup>102</sup> Department for Communities and Local Government, Disabled Facilities Grant allocation methodology and means test (February 2011), accessed 15 April 2024, p.57

Annex 1; Annex 3. See also, for example, Royal Institute of British Architects (RIBA) (<u>DPH0013</u>); Habinteg Housing Association (<u>DPH0031</u>); Centre for Ageing Better (<u>DPH0038</u>); Voluntary Organisations Disability Group (VODG) (<u>DPH0040</u>)

<sup>104</sup> Q138 [William Burgon]

55. Furthermore, the DFG means test includes 'passporting' provisions for disabled children and those in receipt of any means tested benefits, and as such they are not subject to the means test.<sup>105</sup> Whilst there are clear efficiency advantages to passporting applicants who receive working-age benefits, this approach risks creating a financial 'cliff-edge' for some applicants, whereby individuals stop receiving working-age benefits; find that they are no longer eligible for other forms of financial support; and, in the case of the DFG means test, find that they have to make a far greater financial contribution to the cost of adaptations.<sup>106</sup> Inclusion London highlighted that the DFG means test "particularly penalise[s] working Disabled people."<sup>107</sup> The Director for Planning Reform and Housing Quality agreed that, whilst there is a strong case for passporting applicants in receipt of working-age benefits, these provisions do risk creating 'cliff-edges' for some applicants when they move into work.<sup>108</sup>

56. The 2018 External Review found that the means test is the most frequent cause of people dropping out of the DFG process entirely—around a quarter of withdrawn applications are due to the applicant's required contribution exceeding the cost of the work.<sup>109</sup> The Review therefore recommended that the DFG means test be reformed, potentially by including assessment for the DFG as part of the social care means test in future, subject to the Government's final proposals on social care reform.<sup>110</sup> The Government has said that it plans to implement its proposed reforms to the adult social care means test from October 2025.<sup>111</sup>

57. Whilst we recognise the need for the DFG means test to be a well-evidenced process, the current DFG means test is unnecessarily complex and leads many applicants to drop out of the DFG process entirely. We are also concerned that the means test's passporting provisions can result in unfair 'cliff-edges' for applicants when they move into work. The Government should reform the means test to ensure it does not disproportionately penalise working disabled people, by introducing more gradual tapering of personal contributions for disabled people when they move into work.

58. The Government must also simplify the means test. The Government should consider including assessment for the DFG as part of a reformed social care means test, as recommended by the External Review in 2018.

#### **DFG funding distribution**

59. Central government funding for the DFG is provided through the Better Care Fund (BCF) which consists of pooled resources from sources including the Department for Levelling Up, Housing and Communities; the Department for Health & Social Care; and

<sup>105</sup> Foundations, Process a DFG, accessed 15 April 2024

<sup>106</sup> Gov.UK, Disabled Facilities Grant and Other Adaptations – External Review: main report (December 2018), accessed 15 April 2024, para 14.58

<sup>107</sup> Inclusion London (DPH0017)

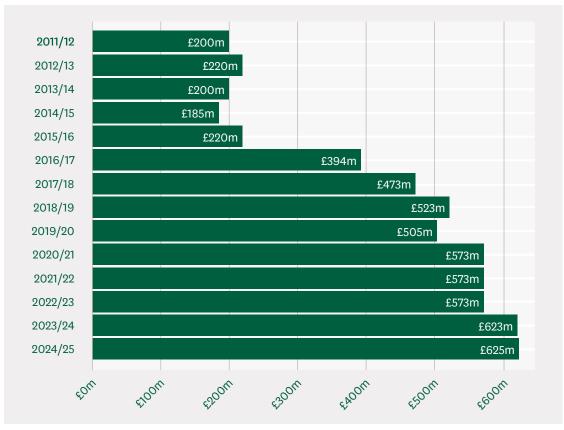
<sup>108</sup> Q139 [William Burgon]

<sup>109</sup> Gov.UK, Disabled Facilities Grant and Other Adaptations – External Review: main report (December 2018), accessed 15 April 2024, pp. 39–40

<sup>110</sup> Gov.UK, Disabled Facilities Grant and Other Adaptations – External Review: main report (December 2018), accessed 15 April 2024, pp. 176–177

<sup>111</sup> HM Treasury, Autumn Statement 2022, <u>CP 751</u>, November 2022, para 5.61 in House of Commons Library, <u>Proposed adult social care charging reforms (including cap on care costs)</u>, Number 9315, November 2022, pp. 15–16

NHS England & Improvement.<sup>112</sup> In April 2023, the Government announced an additional  $\pounds$ 102 million in DFG funding to local authorities invested over 2023/24 and 2024/25.<sup>113</sup> This will increase total central government spending on DFGs from £573 million in 2022/23 to £625 million in 2024/2025, as illustrated in the chart below.<sup>114</sup>



#### DFG Allocations 2011 - 2025

Source: Foundations, DFG Allocations, accessed 15 April 2024

60. This funding is allocated to individual local authorities by a distribution formula. The current DFG distribution formula has developed through incremental reforms over time. It is based on an index of potential DFG need in each region and local authority, which considers: the number of claimants of disability related benefits; the proportion of the population aged 60 or over; and the proportion of the housing stock that is not owned by local authorities.<sup>115</sup>

61. Evidence we received has suggested that the current funding distribution formula does not allocate funds fairly, based on local need.<sup>116</sup> In recognising this, the 2018 External Review recommended that a new formula be designed to allocate funds "based on the number of people with a disability, income (from benefits data), tenure split (from

<sup>112</sup> House of Commons Library, Disabled facilities grants for home adaptations, Number 03011, April 2023, p. 12

<sup>113</sup> Gov.UK, Next steps to put People at the Heart of Care (April 2023), accessed 15 April 2024

<sup>114</sup> Foundations, DFG Allocations, accessed 15 April 2024

<sup>115</sup> Gov.UK, Disabled Facilities Grant and Other Adaptations – External Review: main report (December 2018), accessed 15 April 2024, pp. 124–125

<sup>116</sup> Annex 2. See also, for example, Inclusion London (DPH0017); Centre for Ageing Better (DPH0038)

[the Department's] data) and regional building costs".<sup>117</sup> The Government has previously acknowledged that the current DFG distribution formula is not working effectively. For example, in March 2022, the Department for Health & Social Care announced that:

[The Department for Health & Social Care] will look at the way DFG funding is allocated to local authorities. This will help ensure better alignment with local demand so that more adaptations reach those who need them most. The government will consult on a new approach in 2022 [...]<sup>118</sup>

This consultation has not yet taken place.<sup>119</sup>

#### Discretionary grants: Oxford City Council case study

62. Local authorities have the power to use their DFG allocation to fund discretionary grants in support of the wider wellbeing and independence of disabled people, so long as they have an agreed local Housing Assistance Policy (HAP) in place.<sup>120</sup> During our visit to Oxford City Council in February 2024, we heard how its Housing Improvement Team has developed a suite of discretionary grants to support residents, including:

- **Discretionary DFG:** a top-up grant for applicants who are unable to secure funding from other sources to pay for adaptations costing more than the £30,000 upper limit of the mandatory DFG;
- Safe and Secure Grant: maximum £1,000 in cases involving older disabled people, to meet the cost of minor works to enable independent living, prevent falls and/or enable hospital discharge. We heard one case study example of a disabled person who was able to be discharged from hospital when this grant was used to purchase low-cost kitchen appliances which supported them in making a home accessible; and
- **Relocation Grant:** financial assistance to support disabled people with the costs associated with moving into an accessible home, either within or outside of the Oxford City Council local authority area.<sup>121</sup>

63. During our visit, we also met housing officers from across England who agreed that the DFG distribution formula does not appropriately account for local need, and therefore does not distribute funds fairly between local authorities. Officers described how some local authorities receive more generous allocations, allowing them to offer an extensive range of discretionary grants, whilst others receive a much more limited allocation and subsequently must focus their allocation on the mandatory DFG. Furthermore, some officers told us they had started to develop a local HAP, seeking to emulate Oxford City Council's successful model, but that they had not progressed plans due to their local authorities' individual financial circumstances.<sup>122</sup>

<sup>117</sup> Gov.UK, Disabled Facilities Grant and Other Adaptations – External Review: summary (December 2018), accessed 15 April 2024, p.7

<sup>118</sup> Gov.UK, People at the Heart of Care: adult social care reform (March 2022), accessed 15 April 2024

<sup>119</sup> House of Commons Library, Disabled facilities grants for home adaptations, Number 03011, April 2023, p.23

<sup>120</sup> The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (SI 2002/1860)

<sup>121</sup> Annex 2

<sup>122</sup> Ibid.

64. We welcome the Government's decision to increase overall DFG funding allocations to local authorities in 2023/24 and 2024/25. However, the current DFG distribution formula is unfair and does not distribute funds according to local need. Oxford City Council sets a good example for how local authorities across England should develop local policies to offer small discretionary grants to support the wider needs of disabled people. The Government must establish a new distribution formula which is clearly based on local need and therefore fairer. In particular, the new formula must distribute funding with consideration for the current and projected number of disabled people; average income; and regional building costs in each local authority area.

#### Support and advice

#### Local authorities

65. We heard from several disabled people that local authority support with navigating the DFG process is often "pot luck", such is the variation in support provision. Jacquel Runnalls, Co-opted Lead on Accessibility and Inclusive Design at the Royal College of Occupational Therapists Specialist Section in Housing, described the lack of advice and support as "a minefield" for disabled people.<sup>123</sup> We also heard of the significant barriers which neurodivergent people face in navigating the DFG, as complex processes such as the DFG means test are not designed with consideration for their needs.<sup>124</sup> One neurodivergent person who had applied for a DFG told us of their frustration that:

"The forms that need to be filled in are hard to understand and long, and when I try and talk to someone I am transferred around and dismissed. There needs to be a neurodivergent specific pathway."<sup>125</sup>

66. When we questioned local authority officers about the variations in support between different local authorities, some told us of their desire to promote the DFG to disabled residents more proactively. However, they noted that this could put additional demand on their DFG allocation and have an impact on waiting lists and the quality of their service. There is a clear need for such awareness campaigns across England—26% of disabled respondents to our online survey said they had not even heard of the DFG.<sup>126</sup>

67. When we asked the Parliamentary Under-Secretary of State for Housing and Homelessness what work the Department is doing to improve local authority support and DFG awareness across England, she highlighted the Department's funding of Foundations, an organisation which she described as "an adviser to local authorities on this grant".<sup>127</sup> She added that "[...] it [Foundations] can help publicise the grant. It runs a website, Adapt My Home, which has a lot of information."<sup>128</sup> Whilst the Foundations website does have some information and self-assessment tools for members of the public, Foundations' resources are primarily targeted at local authorities.<sup>129</sup>

126 Annex 1

<sup>123</sup> Q3 [Jacquel Runnalls]

<sup>124</sup> Annex 1; Annex 3

<sup>125</sup> Anonymous response to the Committee's online survey, see Annex 1

<sup>127</sup> Q118 [Felicity Buchan MP]

<sup>128</sup> Q128 [Felicity Buchan MP]

<sup>129</sup> Foundations, About us, accessed 15 April 2024

68. The current provision of local authority support for disabled people seeking to adapt their homes is inconsistent across England. This can result in additional barriers for disabled people as they navigate the DFG process. The Government should expand Foundations' remit to improve its DFG guidance and self-assessment tools for disabled people, to improve public awareness of the DFG and to support applicants and their advocates as they navigate the process. These updated resources should be developed to account for the specific needs of neurodivergent people.

#### Landlords

69. Disabled people in the private rented sector and in social housing may have to seek their landlord's permission to make accessibility adaptations to their home. Currently, the Equality Act 2010 stipulates that landlords cannot unreasonably withhold consent for home adaptations that improve accessibility for disabled tenants.<sup>130</sup> Despite this, we heard instances of some landlords still refusing to grant permission for reasonable accessibility adaptations, such as grab rails or a ramp.<sup>131</sup> Some disabled people in the private rented sector also told us that they were wary of even requesting adaptations, due to the risk of being subject to a section 21 'no fault' eviction.<sup>132</sup>

70. In contrast, The National Residential Landlords Association highlighted research which found that most landlords (68%) were open to investing in adaptations with the DFG, but that over half of landlords (52%) cited a lack of demand from tenants as a significant barrier to making adaptations.<sup>133</sup> It argued that there must be greater incentives for landlords to encourage them to retain accessible homes in the private rented sector.<sup>134</sup>

71. The Renters (Reform) Bill is intended to increase protections for tenants in the private rented sector.<sup>135</sup> The Bill makes provision for a Private Rented Sector Landlord Ombudsman, which the Government says "will give tenants the tools to challenge their landlord without the need to go to court and will provide private tenants the same access to redress as is the case in other essential services and markets".<sup>136</sup> However, the Bill does not set out the types of complaint that the Ombudsman will consider.<sup>137</sup> The Government says that "this will allow the Ombudsman sufficient discretion to take into account the individual circumstances of each complaint".<sup>138</sup>

72. We asked the Parliamentary Under-Secretary of State for Housing and Homelessness about instances of landlords refusing to allow adaptations, and she said that "[i]f it is an adaptation that does not affect the structure or the fabric of the house, then it is quite clear that the permission should not be unreasonably withheld."<sup>139</sup> The Director for Planning

132 Annex 1; Annex 3. See also, for example, Inclusion London (DPH0017); Shelter (DPH0036)

<sup>130</sup> Equality Act 2010, section 190

<sup>131</sup> Annex 1; Annex 3; Disability Rights UK, Greater Manchester Coalition of Disabled People (DPH0015); The Chartered Institute of Building (CIOB) (DPH0021); Shelter (DPH0036); District Councils Network (DPH0039)

<sup>133</sup> National Residential Landlords Association (DPH0010)

<sup>134</sup> Ibid.

<sup>135</sup> Renters (Reform) Bill, HL Bill 74 (as brought from the Commons)

<sup>136</sup> Renters (Reform) Bill, <u>HL Bill 74</u> (as brought from the Commons), Part 2, Chapter 2; DLUHC, <u>Guide to the Renters</u> (Reform) Bill (May 2023), accessed 15 April 2024

<sup>137</sup> DLUHC, Guide to the Renters (Reform) Bill (May 2023), accessed 15 April 2024

<sup>138</sup> Ibid.

<sup>139</sup> Q143 [Felicity Buchan MP]; Equality Act 2010, section 190

Reform and Housing Quality at the Department, added that "the National Residential Landlords Association published guidance in 2021 and only last month a further fact sheet for landlords" regarding the DFG.<sup>140</sup>

73. It is unacceptable that any landlords should refuse disabled tenants permission for reasonable accessibility adaptations, especially where these adaptations have been approved as part of a DFG application. The Government must continue its work with landlord associations and housing associations across England to issue DFG guidance to landlords, to reduce instances of refusal of accessibility adaptations. Once the Renters (Reform) Bill comes into force, the new Private Rented Sector Landlord Ombudsman must consider all complaints involving a landlord's refusal to grant permission for accessibility adaptations, and must ensure that this service is properly communicated to disabled people. This would empower disabled people with greater access to redress without the need to go to court, thereby reducing the pressure on the justice system and the costs to the residents.

## **Conclusions and recommendations**

#### Barriers to accessible housing

- 1. Disabled people are not a homogeneous group with a single set of housing needs. Rather, Government policy must seek to address the many barriers which disabled individuals face, which vary widely. Too often too many disabled people are failed by current housing policy. We have been particularly pained to hear of the impact on disabled people's dignity, health and wellbeing of living in unsuitable accommodation. It is intolerable that many disabled people are living in unsuitable accommodation for years without hope. It is essential that the Government, local authorities, and the housing sector work together to prioritise disability inclusion and address the barriers that disabled people are currently facing. (Paragraph 9)
- 2. We have found little evidence that the Department for Levelling Up, Housing and Communities is fully recognising the housing needs of disabled people, let alone treating disabled people's needs as a priority in housing policy. In particular, it is deeply concerning that the Government's new Disability Action Plan fails to directly address housing at all, despite clear evidence of the knock-on effect of housing on all aspects of disabled people's lives. Moreover, the only substantive reassurance that the Minister for Housing and Homelessness was able to provide us with was that she had "heard from lots of people on the ground" in her capacity as the Ministerial Disability Champion. *We recommend that the Government should take action based on the concerns that the Minister has heard*. (Paragraph 15)

#### Increasing the supply of accessible homes

- 3. We welcome the Government's announcement that it intends to make the M4(2) accessibility standard mandatory for all new build homes. This amendment to building regulations is an important policy change which will greatly increase the availability of accessible homes for disabled people. However, we are deeply concerned that the Department has made little progress towards implementing this policy in practice. (Paragraph 26)
- 4. Moreover, it is unclear why the Department did not seek to launch the further 'technical consultation' soon after its July 2022 announcement of its M4(2) policy change. The delay to implementation continues to afflict the daily lives of thousands of disabled people who are searching for accessible new build homes, while stakeholders from across the sector remain "left in the dark", with little clarity as to the timeline for implementing the M4(2) policy change. (Paragraph 27)
- 5. The Building Safety Regulator's (BSR) timeline to run a full technical consultation process for six months, starting on an undecided date between May and July 2024, would make it unlikely that the M4(2) baseline policy could be implemented until spring 2025, at the earliest. This is an excessively long timeline considering the sector's demand for certainty and the evidence that there is likely to be widespread consensus among responses. (Paragraph 28)

- 6. It is imperative that the Government's M4(2) policy commitment is now implemented as soon as possible. If this is not done, thousands of disabled people will continue to be left with their housing needs unmet. Accordingly, we recommend that:
  - The BSR should launch the technical consultation immediately with an expedited timeline that is made public;
  - The BSR and the Department should allocate additional resources to ensure that the consultation response is published within a maximum of six weeks of the consultation closing date, rather than the planned 12 weeks; and
  - The BSR should complete the full technical consultation process within four months, rather than the six months currently planned. (Paragraph 29)
- 7. We support the Minister for Housing and Homelessness's call for local authorities to assess their local need for M4(3) wheelchair user standard homes. However, we do not believe that the Government's National Planning Policy Framework (NPPF) goes far enough to match this ambition. *At the next NPPF review, the Government must include an explicit requirement for local authorities to assess the local need for homes at M4(3) wheelchair user standard. The NPPF should also encourage local authorities to include a required minimum percentage of M4(3) standard homes in their local plan, with the precise figure based on their local need assessment. If the Government does not make these changes at the next NPPF review, the Department must set out in writing to us, upon publication of the revised NPPF, how it plans to increase the supply of new homes built to the M4(3) standard to meet the needs of wheelchair users. (Paragraph 33)*
- 8. We are concerned that most local authorities do not keep a register of the accessibility of their own housing stock, despite some disabled people living in temporary accommodation for years while waiting for accessible social housing. The Government must require all local authorities to keep a register of accessibility of homes in their own housing stock and require local authorities to keep a detailed record of all accessible social housing within their local authority area. Local authorities should be encouraged to publish this information so that disabled people can access this information in appropriate accessible formats. (Paragraph 36)
- 9. The proposed new Property Portal presents a compelling opportunity to improve information about the accessibility of properties in the private rented sector. This would provide a clear benefit to disabled people. Once the Renters (Reform) Bill comes into force, the Secretary of State must use its provisions to require landlords to include information about the accessibility of their property/properties in their entries in the private rented sector database. This must include any specific accessibility features or adaptations that are already installed, in order to better support the housing needs of disabled people in the private rented sector. (Paragraph 39)
- 10. We are surprised that the Department does not hold any data on the number of new builds completed to the M4(2) and M4(3) standards in England, especially given that local authorities are already required to provide data on the supply of new homes to central Government annually. *The Department must require local authorities to report on the supply of new homes at [a] M4(2) standard and [b] M4(3) standard*

specifically in their annual data submission to the Department. The Department must publish this data annually as part of the 'Housing supply: net additional dwellings' statistical release. (Paragraph 42)

11. The Government should provide funding, in line with the new burdens doctrine, to local authorities to ensure that they can carry out these additional requirements and duties to the best of their ability. (Paragraph 43)

#### Adapting homes: the Disabled Facilities Grant (DFG)

- 12. The Government-commissioned External Review of the Disabled Facilities Grant (DFG) in 2018 made several appropriate and valuable recommendations on DFG funding, eligibility, and the delivery process, based on comprehensive evidence. It is therefore deeply disappointing that the Government has not published a response to the Review and has not acted upon its main findings, despite prolonged calls for it to do so. *The Government, in response to this Report, must therefore set out:* 
  - *its response to each of the External Review's recommendations in full;*
  - what action it has already taken to address each recommendation in the Review since it was published in 2018; and
  - a timeline for the future implementation of each of the DFG reforms in line with those External Review recommendations which the Government accepts. (Paragraph 49)
- 13. The £30,000 upper limit on individual DFG applications is sufficient to cover the cost of most DFG applications. However, the fact that the upper limit has not changed since 2008, despite recent rising construction costs, means the DFG does not meet the needs of some applicants whose adaptations cost more than £30,000. Consequently, a small number of disabled people who require more complex adaptations may struggle to afford to self-fund the home adaptations they need. *The Government should immediately review the £30,000 upper limit on individual DFGs, with consideration for regional variation in construction costs, and set new regional upper limits. Going forward, the new upper limits must also take account of inflation and construction costs. (Paragraph 52)*
- 14. Whilst we recognise the need for the DFG means test to be a well-evidenced process, the current DFG means test is unnecessarily complex and leads many applicants to drop out of the DFG process entirely. We are also concerned that the means test's passporting provisions can result in unfair 'cliff-edges' for applicants when they move into work. *The Government should reform the means test to ensure it does not disproportionately penalise working disabled people, by introducing more gradual tapering of personal contributions for disabled people when they move into work*. (Paragraph 57)
- 15. The Government must also simplify the means test. The Government should consider including assessment for the DFG as part of a reformed social care means test, as recommended by the External Review in 2018. (Paragraph 58)

- 16. We welcome the Government's decision to increase overall DFG funding allocations to local authorities in 2023/24 and 2024/25. However, the current DFG distribution formula is unfair and does not distribute funds according to local need. Oxford City Council sets a good example for how local authorities across England should develop local policies to offer small discretionary grants to support the wider needs of disabled people. *The Government must establish a new distribution formula which is clearly based on local need and therefore fairer. In particular, the new formula must distribute funding with consideration for the current and projected number of disabled people; average income; and regional building costs in each local authority area.* (Paragraph 64)
- 17. The current provision of local authority support for disabled people seeking to adapt their homes is inconsistent across England. This can result in additional barriers for disabled people as they navigate the DFG process. *The Government should expand Foundations' remit to improve its DFG guidance and self-assessment tools for disabled people, to improve public awareness of the DFG and to support applicants and their advocates as they navigate the process. These updated resources should be developed to account for the specific needs of neurodivergent people. (Paragraph 68)*
- 18. It is unacceptable that any landlords should refuse disabled tenants permission for reasonable accessibility adaptations, especially where these adaptations have been approved as part of a DFG application. The Government must continue its work with landlord associations and housing associations across England to issue DFG guidance to landlords, to reduce instances of refusal of accessibility adaptations. Once the Renters (Reform) Bill comes into force, the new Private Rented Sector Landlord Ombudsman must consider all complaints involving a landlord's refusal to grant permission for accessibility adaptations, and must ensure that this service is properly communicated to disabled people. This would empower disabled people with greater access to redress without the need to go to court, thereby reducing the pressure on the justice system and the costs to the residents. (Paragraph 73)

## Annex 1: Online survey

On 18 January 2024, we launched an online survey to seek disabled people's views and experiences of finding or adapting suitable housing. The survey was promoted to disabled people's organisations across England. The survey received 996 responses between 18 January and 15 February 2024. 488 of these respondents explicitly stated that they were disabled. Other respondents included carers and Disabled People's Organisations.

We recognise that the respondents to the online survey are unlikely to reflect the demographics of all disabled people in England fully. Nonetheless, the online survey has facilitated us in gathering the views of those who wanted to interact with our inquiry and tell us about their experiences or opinions.

#### Summary

The online survey contained five main questions which asked people about their views and experiences of accessible housing, and the Disabled Facilities Grant (DFG). In this section, we summarise the responses we received to each question.

Question 1 asked "What is your experience of finding or adapting housing that is suitable for disabled people?" Selected quotes from responses to this question are referenced throughout this Report. The 'word cloud' below illustrates an overview of the most frequent words respondents used in answer to question 1:



Question 2 asked "What more could be done to support disabled people to access suitable housing?" We have categorised responses to this question into six main themes (see bar chart below) but we do recognise that some responses included more specific recommendations.

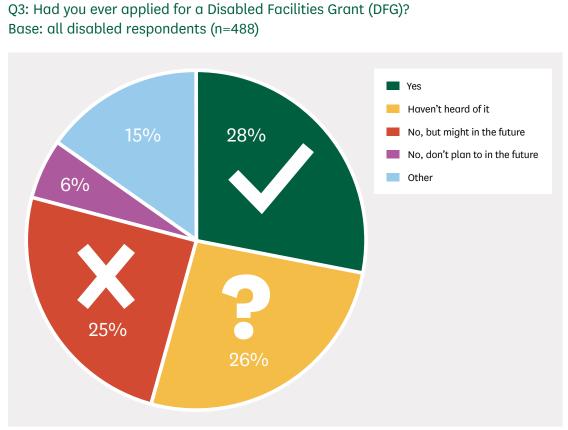
## Most recommendations to better support disabled people centred around changes to building regulations

Q2: What more could be done to support disabled people to access suitable housing? Base: all respondents (n=996)



Questions 3-5 asked about the Disabled Facilities Grant (DFG).

Question 3 asked "Have you ever applied for a Disabled Facilities Grant (DFG)?" As shown in the chart below, 28% of disabled respondents said they had previously applied for a DFG, whilst 26% of disabled respondents said they had not heard of the DFG.

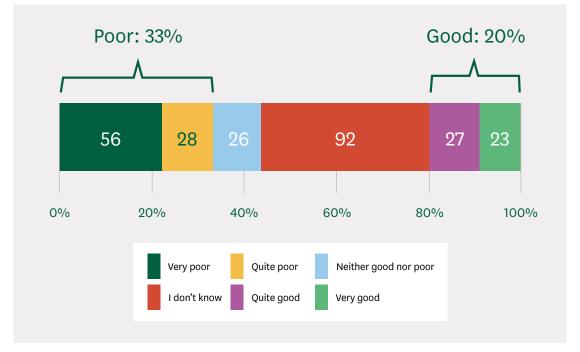


Over a quarter of disabled respondents have not heard of the DFG

Question 4 asked "How would you rate your experience of applying for the Disabled Facilities Grant?" 33% of disabled respondents who had applied for the DFG said they had a poor experience of applying, whilst only 20% said they had a good experience, as shown in the chart below.

# Only 1 in 5 disabled respondents who had applied for the DFG said their experience of applying was good

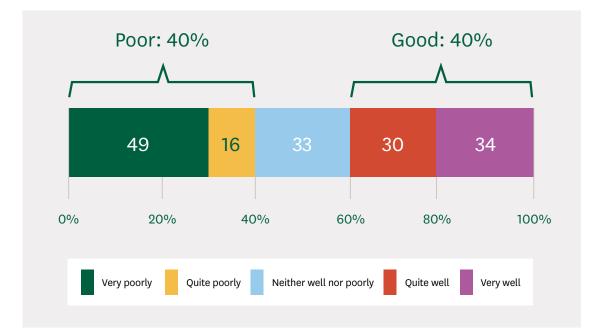
Q4: How would you rate your experience of applying for the DFG? Base: all disabled respondents who had applied for the DFG (n=252)



Question 5 asked "To what extent did the Disabled Facilities Grant support you in making the changes needed to the property?" Disabled people reported mixed experiences of how the DFG had supported them overall to access the adaptations they needed, as shown in the chart below.

### Around 4 in 10 disabled respondents reported poor experiences with the DFG supporting them to make changes needed to their property

Q5: To what extent did the DFG support you in making the changes needed to the property? Base: all disabled respondents who had applied for the DFG and had had work completed (n=162)



# Annex 2: Visit to Oxford

On 22 February 2024, we visited council officers and disabled residents in Oxford. The purpose of the visit was to explore how the Disabled Facilities Grant (DFG) supports home adaptations in the city and across England, in particular in Oxford. The visit comprised of a:

- presentation and discussion with Oxford City Council's Home Improvement Agency team;
- discussion with residents who shared their experiences of adapting their homes to be more accessible; and
- roundtable discussion with district council officers from across England.

A summary of the key issues raised in each session is provided below.

### Presentation and discussion with the Home Improvement Agency

We received a presentation from Oxford City Council's Home Improvement Agency (HIA), which included an overview of the HIA's services and discretionary grants, and case studies of how the HIA has supported disabled people in Oxford. The HIA is a frontline team which includes caseworkers, surveyors, in-house occupational therapists, and an apprentice handyperson.

Since 2017, the HIA has sought to publicise its work to Oxford residents proactively, including by developing six leaflets which offer advice and support on accessing each of the HIA's services:

- Disabled Facilities Grants for adults,
- Disabled Facilities Grants for children,
- Heating,
- Small repairs handyperson service,
- Larger repairs and assistance, and
- DFG advice for landlords.

HIA staff explained how Oxford City Council's 'Housing Assistance and Disabled Adaptations Policy'—a local Housing Assistance Policy—allows the HIA to use its DFG allocation to fund discretionary grants and services in support of the wider wellbeing and independence of disabled people in Oxford.<sup>141</sup> The HIA's discretionary grants include:

• **Discretionary DFG:** a top-up grant for applicants who are unable to secure funding from other sources to pay for adaptations costing more than the £30,000 upper limit of the mandatory DFG;

<sup>141</sup> Oxford City Council, Housing Assistance and Disabled Adaptations Policy (October 2023), accessed 15 April 2024

- Safe and Secure Grant: maximum £1,000 in cases involving older disabled people, to meet the cost of minor works to enable independent living, prevent falls and/or enable hospital discharge. We heard one case study example of a disabled person who was able to be discharged from hospital when this grant was used to purchase low-cost kitchen appliances which supported them in making a home accessible; and
- **Relocation Grant:** financial assistance to support disabled people with the costs associated with moving into an accessible home, either within or outside of the Oxford City Council local authority area.

HIA staff also highlighted support they have delivered in collaboration with external health and care services, including carbon monoxide detectors; falls prevention items, such as non-slip mats and grab rails; and dementia-friendly home appliances, such as telephones—all of which are installed at low or no cost for disabled residents.

### **Discussion with residents**

We met with three residents who shared their experiences of seeking accessible homes in Oxford. Each had received support from the HIA, including support with applying for the DFG. We would like to thank these residents for talking to us so openly and powerfully about the challenges they have faced and the support they received. These residents asked to remain anonymous. Below is an anonymised summary of the discussion and the issues raised:

- Resident A is a wheelchair user. They live in a new build flat. Their landlord took months to respond to a request for permission to make adaptations to the property. The communal areas of the property are not accessible—there are several fire doors before getting to their front door.
- Resident B is a person with mobility impairments. They did not realise they were entitled to any support with home adaptations, so spent 10 years struggling in their home. This was exacerbated by a fire in the property, which caused significant damage. They were eventually referred to the HIA by their GP, which they said "changed [their] life".
- Resident C is a parent of a disabled child. Their child initially needed smaller adaptations, but their child has needed further adaptations in recent years. They used the DFG to install a wet room. Resident C now campaigns for greater accessibility in housing, and through this work has heard "horror stories" from parents across England.

During the discussion, the residents suggested the following recommendations to the Government:

- There must be more M4(2) accessible homes. In particular, there is a shortage of accessible ground floor flats in Oxford;
- There should be a minimum percentage of wheelchair accessible homes;

- The accessibility standards should be better enforced, to ensure the standard is fully met;
- Disabled people should be involved in decision-making in the housing sector, both through meaningful engagement and as staff of organisations, such as social housing providers; and
- Disabled people must be included in public life more widely. Disability should have its own government department.

### Roundtable with district council officers

We joined a roundtable meeting with district council officers, from across England, who lead on housing adaptations and other services which support disabled people's housing needs. Cllr Hannah Dalton, DCN housing spokesperson and Leader (Independent–Residents Association) Epsom & Ewell Council, chaired the roundtable meeting. Below is a summary of the discussion and the issues raised.

### **Disabled Facilities Grant**

Overall, council officers believed that the Disabled Facilities Grant (DFG) is a helpful tool to adapt more homes to meet the requirements of disabled residents. However, officers agreed that the DFG upper limit of £30,000 is insufficient to cover the cost of some adaptations, especially with the rising cost of building materials and labour. One officer described a pattern of insufficient DFG funding having a knock-on on the social care budget in their local authority. Another highlighted the increasing complexity of cases.

Most officers also agreed that the DFG means test is in urgent need of reform, as its complexity results in many cases taking several months to process. One council officer described how they have recently had to prioritise a small number of cases to address a backlog, and as a result are helping fewer disabled people.

Several officers argued for a need to review the DFG allocation distribution formula. Some officers highlighted that whilst some councils can offer extensive discretionary grants, others are struggling to process the mandatory grant due to their smaller allocation. Oxford City Council was upheld as a 'best practice' model, which other local authorities would like to replicate but lacked the funding to do so.

### Planning and building regulations

Council officers agreed that demand for accessible homes is far outweighing supply across all tenures. As well as adapting existing properties, council officers agreed that more new homes need to be built to the 'Approved Document M' accessibility standards. Several officers highlighted the Government's proposals in the 2022 'Raising accessibility standards in new homes' consultation response, including the proposal to mandate the M4(2) standard as the minimum requirement for all new homes. One officer described including planning requirements for a proportion of accessible homes on new developments, which developers had not delivered on viability grounds. Most officers also agreed that disability and accessible housing supply should have greater emphasis in the Government's National Planning Policy Framework.

### Social housing and the private rented sector

Council officers highlighted cases of disabled people in social housing and the private rented sector (PRS), whose housing providers or landlords had been reluctant to give permission for home adaptations. Despite the shortage of accessible homes, several officers were having to encourage local housing associations and PRS landlords not to remove adaptations once disabled residents left their properties.

One officer explained that to get agreement from some social housing providers, they had previously had to agree to remove adaptations should the resident vacate the property, including by removing a shower and reinstalling a bath. Another council officer emphasised that this was often a cost issue for social housing providers—that providers often need new tenants quickly, and it is usually cheaper for them to remove adaptations rather than leave a property empty to offer to a disabled person.

# Annex 3: Engagement session with disabled people

On 4 March 2024, we held a hybrid engagement session in Parliament with disabled people. This session was an opportunity for us to meet with disabled people and hear participants' views and experiences of finding or adapting suitable housing directly. 20 disabled people attended the session—some in-person and some remotely. We invited participants living in social housing, temporary accommodation, the private rented sector, and their own homes. Participants included people with physical impairments, hidden impairments, and neurodivergent people.

The session was structured around three main questions. A summary of themes raised by the participants in response to the questions posed is provided below, although it is not an exhaustive list of all the issues raised.

### What has been your experience of finding housing that is suitable for your needs?

"I had to fight to be housed [...] I don't think people understand how exhausting it is to fight at every point."

One person described having to wash in a paddling pool in their kitchen for a prolonged period while waiting for adaptations to make a shower accessible. Another shared their experience of requesting an accessible entrance at the front of their social housing property over many years, which their landlord had denied due to the "aesthetics" and "not wanting to look like a care home". This had made the individual reliant on the use of a side door, next to a foul-smelling bin store.

Several participants described the impact of their housing situation on their mental health. They told us how inaccessible housing often has a knock-on impact on all aspects of disabled people's lives, for example not being able to visit friends' homes, but rather being dependent on people coming to visit them.

Many participants had experience of long waiting lists for accessible social housing. We heard from one person who had been on a waiting list for accessible accommodation for 16 years, including 13 years spent in temporary accommodation. Some participants also expressed frustration at cases of accessibility adaptations being "ripped out" of social housing when a tenancy ended, instead of the property being let to another disabled person.

In the private rented sector, participants shared their experiences of landlords refusing to make adaptations. One person explained that once they had found a suitable private rented home, they didn't "push" for adaptations for fear of being evicted.

### What support have you received in finding suitable housing?

"You only receive help when you are in a dire situation."

"The only way I get help is through shaming my council on social media."

"I asked for an accessible route into the show home. They just rolled their eyes."

Many participants stated that there was not enough accessible information available for disabled people in their search for an accessible home. Several disabled people told us that they did not know where to go for help but felt that the onus is often on the individual to keep pushing for the support they need.

The participants reported mixed experiences in the support they had received from their local authorities. Most agreed that local authority support is often "pot luck"–depending on where a disabled person lives and the officer they speak to, they may experience different levels of support. One disabled person described being "treated with contempt" by their council and was left feeling that the DFG was not always appropriate for meeting complex needs. On the other hand, another participant who applied for a DFG in a London borough felt they were well supported by their local authority to get the adaptations they needed in a reasonable timeframe.

Another common theme was that several participants reported being met with hostility, rather than empathy, when they had sought support in the past. Some participants felt that local authority staff and landlords often lacked an understanding of the variation or severity of disabilities, and were often not trained on how best to support disabled residents.

# What more should the Government do to support disabled people to access suitable housing?

### "There's no repercussions [for developers] for breaching accessibility standards."

## "It is absurd to think disabled people can work if you aren't giving them a stable place to live."

The most frequent response to this question was to build more new accessible homes across all tenures, and to ensure the M4(2) accessibility standard is enforced effectively once it becomes the national baseline standard.

Other suggestions included:

- Increase the maximum DFG amount and reform the DFG means test;
- Reduce the wait times for local authorities to process DFGs and for works to be completed;
- Restore the 100% central government funding of DFGs for housing associations;
- Introduce greater protections for tenants in the private rented sector;
- Encourage collaboration between all public services to better support disabled people;
- Improve training for local authority staff and others to better understand disabled people's needs;
- Encourage better information about the accessibility of properties on property search sites;

- Require councils to hold information about the accessibility of their own properties; and
- Ensure representation of disabled people in local authority and housing association leadership.

### Formal minutes

### Monday 20 May 2024

### **Members present**

Clive Betts, in the Chair

Bob Blackman

Kate Hollern

Andrew Lewer

Mary Robinson

Mr Steve Tuckwell

### Disabled people in the housing sector

Draft report (*Disabled people in the housing sector*) proposed by the Chair, brought up and read.

Ordered, That the report be read a second time, paragraph by paragraph.

Paragraphs 1 to 73 read and agreed to.

Summary agreed to.

Annexes agreed to.

Resolved, That the Report be the Seventh Report of the Committee to the House.

Ordered, That the Chair make the Report to the House.

*Ordered*, That embargoed copies of the Report be made available, in accordance with the provisions of Standing Order No. 134.

### Adjournment

Adjourned till Monday 03 June at 3.30pm

### Witnesses

The following witnesses gave evidence. Transcripts can be viewed on the <u>inquiry publications</u> page of the Committee's website.

### Monday 5 February 2024

**Mikey Erhardt**, Policy and Campaigns Officer, Disability Rights UK; **Christina McGill**, Co-Chair, HoME coalition (Housing Made for Everyone), Director of Social Impact and External Affairs, Habinteg Housing Association; **Ms Jacquel Runnalls**, Co-opted Lead in Accessibility and Inclusive Design, Royal College of Occupational Therapist's (RCOT) Specialist Section in Housing

Adrian Dobson, Executive Director Professional Knowledge and Standards, Royal Institute of British Architects (RIBA); **Mr Timothy Douglas**, Head of Policy and Campaigns, Propertymark; **Sam Stafford**, Planning Director, Home Builders Federation; **Victor Chamberlain**, Member of the Local Infrastructure & Net Zero Board, Local Government Association (LGA)

### Monday 18 March 2024

**Felicity Buchan MP**, Parliamentary Under-Secretary of State (Housing and Homelessness), Department for Levelling Up, Housing and Communities; **William Burgon**, Director for Regeneration, Housing and Planning, Department for Levelling Up, Housing and Communities; **Philip White**, Director of Building Safety, Building Safety Regulator <u>Q1–28</u>

Q29-59

Q60-164

# Published written evidence

The following written evidence was received and can be viewed on the <u>inquiry publications</u> page of the Committee's website.

DPH numbers are generated by the evidence processing system and so may not be complete.

- 1 Action Disability training and consulting (DPH0006)
- 2 Anonymised (DPH0005)
- 3 ANUK/Unipol National Codes of Standards (DPH0014)
- 4 Blakeway, Richard (Housing Ombudsman, Housing Ombudsman Service; and Housing Ombudsman, Housing Ombudsman Service) (DPH0042)
- 5 Bristol City Council (DPH0034)
- 6 Centre for Ageing Better (DPH0038)
- 7 Chartered Institute of Housing (CIH) (DPH0020)
- 8 Disability Rights UK; and Greater Manchester Coalition of Disabled People (DPH0015)
- 9 District Councils Network (DPH0039)
- 10 Dockerill, Mrs Vanessa (DPH0033)
- 11 Expert Link (DPH0026)
- 12 Gloucestershire Health and Social Care NHS Foundation Trust; Gloucestershire County Council and One Gloucestershire Integrated Care System, ICS. (DPH0012)
- 13 Habinteg Housing Association (DPH0031)
- 14 Hewitt, Mrs J (Access and Inclusive Environments Specialist, Buro Happold) (DPH0037)
- 15 Hft (DPH0008)
- 16 Housing Made for Everyone (HoME) coalition; and Habinteg (DPH0030)
- 17 Inclusion London (DPH0017)
- 18 King, Mrs Sharon (DPH0009)
- 19 Langford, Hannah (DPH0046)
- 20 Lewis, Samantha (Solicitor, Anthony Gold Solicitors) (DPH0045)
- 21 Local Government Association (DPH0035)
- 22 McNeice, Stephen (DPH0041)
- 23 Midland Heart Limited (DPH0024)
- 24 Migrant Help (DPH0025)
- 25 Muscular Dystrophy UK (DPH0027)
- 26 National Network of Parent Carer Forums (DPH0016)
- 27 National Residential Landlords Association (DPH0010)
- 28 Papworth Trust (DPH0028)
- 29 Perry, Fleur (DPH0019)
- 30 Propertymark (DPH0001)

- 31 Publica Group Ltd (Cotswold, Forest of Dean and West Oxfordshire District Councils) (DPH0011)
- 32 Ramsey, Pat (Bureau Manager, Ipswich Disabled Advice Bureau) (DPH0047)
- 33 Royal College of Occupational Therapists (DPH0018)
- 34 Royal College of Occupational Therapists Specialist Section in Housing (DPH0044)
- 35 Royal College of Occupational Therapists Specialist Section in Housing (DPH0007)
- 36 Royal Institute of British Architects (RIBA) (DPH0013)
- 37 Shared Lives Plus; and Homeshare UK (DPH0023)
- 38 Shelter (DPH0036)
- 39 The Challenging Behaviour Foundation (DPH0029)
- 40 The Chartered Institute of Building (CIOB) (DPH0021)
- 41 Voluntary Organisations Disability Group (VODG) (DPH0040)

# List of Reports from the Committee during the current Parliament

All publications from the Committee are available on the <u>publications page</u> of the Committee's website.

### Session 2023–24

Number	Title	Reference
1st	Financial Reporting and Audit in Local Authorities	HC 59
2nd	Council Tax Collection	HC 57
3rd	Financial distress in local authorities	HC 56
4th	Electoral Registration	HC 58
5th	Shared Ownership	HC 61
6th	The Finances and Sustainability of the Social Housing Sector	HC 60
1st Special	Financial Reporting and Audit in Local Authorities: Government Response to the Committee's First Report	HC 536
2nd Special	The Committee's Past Recommendations & the Work of Successive UK Governments	HC 797

### Session 2022–23

Number	Title	Reference
1st	The regulation of social housing	HC 18
2nd	Long-term funding of adult social care	HC 19
3rd	Exempt Accommodation	HC 21
4th	Draft Strategy and Policy Statement for the Electoral Commission	HC 672
5th	Reforming the Private Rented Sector	HC 624
6th	Funding for Levelling-Up	HC 744
7th	Reforms to national planning policy	HC 1122
8th	Pre-appointment hearing for the role of Local Government and Social Care Ombudsman and Chair of the Commission for Local Administration in England	HC 1819

### Session 2021–22

Number	Title	Reference
1st	The future of the planning system in England	HC 38
2nd	Local authority financial sustainability and the section 114 regime	HC 33
3rd	Permitted Development Rights	HC 32

Number	Title	Reference
4th	Progress on devolution in England	HC 36
5th	Local government and the path to net zero	HC 34
6th	Supporting our high streets after COVID-19	HC 37
7th	Building Safety: Remediation and Funding	HC 1063
8th	Appointment of the Chair of the Regulator of Social Housing	HC 1207

### Session 2019–21

Number	Title	Reference
1st	Protecting rough sleepers and renters: Interim Report	HC 309
2nd	Cladding: progress of remediation	HC 172
3rd	Building more social housing	HC 173
4th	Appointment of the Chair of Homes England	HC 821
5th	Pre-legislative scrutiny of the Building Safety Bill	HC 466
6th	Protecting the homeless and the private rented sector: MHCLG's response to Covid-19	HC 1329
7th	Cladding Remediation—Follow-up	HC 1249