

Age UK's written response

Decent Homes Standard Review Criterion C

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Age UK's Response

This is Age UK's written response to proposed changes to the following elements of criterion C of the Decent Homes Standard:

- Removing multiple choice from essential facilities
- Adding additional facilities: ventilation, home security, safety requirements, digital connectivity, communal areas and neighbourhood, waste management, floor coverings, disability access.

Key points:

- Age UK agrees with the proposal to remove the multiple choice element from essential facilities. Allowing a home to fail on two requirements without failing on the standard as a whole just means that various failings can be ignored.
- Age UK would welcome the inclusion of disability access as an additional requirement.
- It is important to acknowledge the distinction between accessibility and adaptations and these factors should be dealt with separately.
- Accessibility should be included as a regulatory requirement but given how few homes are currently accessible, it would have to be introduced through retrofit over a period of time.
- Supporting adaptations should be included as a requirement and clarity provided in additional guidance as well.
- A greater emphasis on accessibility would be transformational for older people. Over time the number of homes in which older people could live independently and safely would increase substantially.
- Together with greater access to timely adaptations, this would be a significant step towards creating a housing sector capable of providing good homes for an ageing population.

Consideration 2 - Remove multiple choice from essential facilities

2.1 Do you agree that we should update criterion c so that properties that lack any of the listed facilities or services are no longer meeting the standard, in the following circumstances:

- The facilities listed in criteria c remain unchanged (i.e. the list set out above)?
- The age of kitchens and bathrooms is removed from the list of facilities (as set out in consideration 1 above)?
- The list of facilities is updated to include home security, additional safety requirements, digital connectivity, waste management services, disability

access and ventilation (as set out in considerations 3 – 8 below)? i.e if the list of facilities is longer do you think we should keep multiple choice.

Please consider costs, benefits and feasibility in your response.

Yes.

We think the criterion should be updated so that properties lacking any one of the listed facilities or services are no longer meeting the standard, and that the list of facilities should be updated to include disability access. If a home can continue to fail on two of the criteria before failing the standard it would be easy to ignore accessibility failings and there would be less incentive to raise standards.

2.2 Do you think this change would benefit tenants? Please consider tenant safety, health and wellbeing in your response.

Yes.

We think this would benefit tenants. It would be transformational for older people who would have a proper choice of homes where they could continue to live a full, independent life if they become less mobile with age.

We know that most people want to age in their own home and at the moment few homes are designed to achieve this. The dire shortage of accessible homes leaves older people with few options. Many older people therefore live in homes with, for example, baths that are difficult to get in and out of, no grab rails, steps up to the front door and steep, narrow staircases. This is unsafe, leads to unnecessary falls, restricted lifestyles and implications for the loneliness, isolation, and well-being of the individual.

It also puts additional and unnecessary pressure on the social care system as older people turn to adult social care for help with daily tasks such as bathing which they could do themselves if their homes were accessible.

Consideration 7 - Add disability access

111. We are considering the following options:

a) Make no regulatory change and include disability adaptations in non-statutory guidance which will accompany the DHS.

Or

b) Require landlords to support applications made to the Disabled Facilities Grant (DFG), local authority and charities for adaptations.

7.1 Do you think that any of the proposed options should be included in the DHS? If yes, which option and why? If not, why? Please consider costs, benefits, and feasibility in your response.

It is important to make the distinction between accessibility and adaptations.

By accessibility we mean the accessible features that are part of the basic structure of a home, for example walls strong enough to hold a grab rail, plumbing that can take a shower as well as a bath or stairs wide enough to take a stair lift.

Adaptations are the features added to a home to suit a person's particular disability for example, the grab rail which attaches to the wall, the shower installed instead of a bath, the stair lift attached to the stairs.

Accessibility and adaptations should be dealt with differently.

Accessibility

Accessibility ought to be included as a requirement in the Decent Homes Standard.

If homes are structurally accessible, then many adaptations are not required. If a home has fewer steps, then ramps and stair lifts are not needed. If doors are wider, wheelchairs can move around the home freely without any changes being required. Those adaptations that are required are much cheaper and easier to install. When a home is being renovated incorporating a bathroom wall that can take a grab rail is not expensive. Taking down the wall and replacing it with a stronger one when a grab rail is needed can be costly.

Very few homes are accessible so incorporating these structural features will take time. However, renovating homes without incorporating these features is a wasted opportunity, storing up costly problems for the future.

The current Decent Homes standard encourages retrofit to include accessibility through the guidance. It says:

“Landlords may also want to consider other factors when carrying out work to make homes decent. For example, ensuring that works undertaken do not make the home more difficult to use for a person with disabilities, considering lifetime homes and carrying out works in an environmentally sustainable way.”¹

Progress has been very slow though and this guidance has not produced the step change in accessibility which is required. Unless we build accessibility into our homes as a matter of urgency, too few homes will meet the standard required to house our ageing population. We know that our social care system is under immense pressure and the financial cost of supporting people to live in unsuitable homes is unsustainable. It is imperative that more homes are made more accessible so that older people can live independently without help. We also know that this is what older people want. Homes that facilitate independence can be transforming for safety, well-being, a sense of worth and avoiding feelings of loneliness and isolation.

So, accessibility should be a requirement of the Decent Homes Standard, not just encouraged through the guidance. Using the guidance has already been tried without success.

Given the current shortage of accessible homes, the requirement for homes to be accessible would have to be introduced through retrofit over a period of time. The requirements would have to be practical and take into account the limitations of our existing housing stock. There is no point making a top floor flat with five flights of stairs accessible but equally the requirements need to be sufficiently robust to make a real difference.

Adaptations

Age UK would also like to see adaptations as a requirement of the DHS standard and not just dealt with in the guidance.

The Fairer Private Rented Sector policy paper published by DLUHC in June 2022 sets out several types of landlord. 30% are thought to demonstrate good practice; 24% mixed compliance, 35% meeting the legal requirement; 11% with lower compliance and awarenessⁱⁱ. One can assume that the good practice group are likely to follow any good practice guidance on the DFG and adaptations. The Mixed Compliance and the lower compliance groups are characterised in the paper as follows:

Mixed Compliance - 24% of the private landlord population

- *Landlords likely to report mixed compliance with legislation, though many comply with good practice indicators*
- *Has some awareness of regulation changes but overall do not feel as though they have a good understanding of these*
- *Property is seen as a rental income and pension contribution.*
- *May not have carried relevant document checks but would have carried out safety checks.*
- *A bit more hands-off and may not know all the details of their property.*
- *Not a member of a landlord association and rely on GOV.UK and other online media and their letting agents for information.*

Meeting Legal Requirement - 35% of the private landlord population

- *Landlords likely to be compliant with most legislation, though less likely to be compliant with good practice indicators.*
- *Engaged and responsible, ensuring all legal and safety requirements have been carried out, especially relating to EPC and safety.*
- *Aware of upcoming changes that might affect letting practices and have some concerns about legislative changes.*
- *Property is viewed as source of investment income alongside other economic activities.*
- *Get information from GOV.UK, online forum and letting agentsⁱⁱⁱ*

Looking at these characteristics, we can assume that addressing adaptations through non-statutory guidance is likely to impact some of the Mixed Compliance group and rather less of the Meeting Legal Requirement group. Together with the Low Compliance group, these groups account for 70% of landlords. This will mean that if supporting a DFG application is only a guidance requirement, a substantial number of older tenants will not see any benefit.

Landlords are already under an obligation to allow reasonable adaptations. So, including the requirement to support an adaptation in the Decent Homes Standard is not placing any additional burden on them. It simply raises awareness and provides clarity.

However, option b only refers to adaptations to be made through the DFG. This does not cover other groups such as those who might pay for an adaptation themselves or those who are looking for a minor adaptation that does not require a DFG application. In many of the cases we see at Age UK, people try to fund adaptations themselves rather than going through the DFG process because administration of the DFG can be inefficient and slow.

The wording needs to be broadened so that all reasonable applications for an adaptation are supported, not just those that take place through the DFG.

So, we need a slightly different solution to the alternatives proposed. We need to include the two elements required - accessibility and also separately the obligation to support reasonable requests for adaptations. We need the wording on adaptations to include all applications, not just those funded by the DFG.

Additional guidance should provide detail so that there is as little controversy about what is required as possible.

7.2 How do you think each proposal would benefit tenants? Please consider tenant safety, health and wellbeing in your response.

As discussed above, older tenants need to be able to access adaptations in order to live safely, well and independently without the need for outside help. If over time more properties became structurally accessible, many adaptations would not be needed and those that were would be much cheaper and easier to install.

Clear requirements backed up by clear guidance would make the process quicker and less controversial. Adaptations are often needed at a stressful time, often after a crisis, often after discharge from hospital. Avoiding delay and lengthy discussion about what is and is not allowed would make a great difference to the individuals concerned.

Greater demand would drive better design which would also mean that more adaptations were installed before rather than after a crisis. People often only think about installing a shower or a grab rail after someone has fallen getting into a bath. Getting timely adaptations would be transformational for older tenants' safety.

7.3 What do you think should be covered in potential best practice guidance?

In addition to what is in the existing NRLA guidance it would be good to include:

- Time scales – how long should it take to complete various stages in the process so that support is timely
- Examples of good design – images of what is achievable
- Clear definitions and explanations of what the key words mean so that the legal requirements are set out in one place and easier to interpret e.g. support, reasonable, altering physical features, improvements, adjustments
- Examples of good practice in various situations to illustrate what is expected in law and in good practice; particularly focusing on situations which can be controversial such as the installation of showers, wet rooms and common parts. (Many older people need a shower rather than a bath. 55% of DFG applications are for the installation of a shower so clarity here is of particular importance^{iv})

The aim is to provide maximum clarity so that there is less scope for debate and controversy.

We also need clarity within the DFG process so that there is a consistent approach across different local authorities and all landlords are treated in a similar way. We know that local authorities currently have very different approaches to DFG payments and as the number of adaptations needed increases with an ageing population we need to see greater consistency.

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https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/7812/138355.pdf

ii <https://www.gov.uk/government/publications/a-fairer-private-rented-sector/a-fairer-private-rented-sector>

iii <https://www.gov.uk/government/publications/a-fairer-private-rented-sector/a-fairer-private-rented-sector>

iv https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/762918/DFG_Review_2018_Summary.pdf