

# 8 WAYS TO GET A HOUSE

A guide to different housing options and how they are funded



**The Challenging  
Behaviour Foundation**

making a difference to the lives of people with severe learning disabilities



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## ABOUT THE CHALLENGING BEHAVIOUR FOUNDATION

The Challenging Behaviour Foundation (CBF) exists to demonstrate that individuals with severe learning disabilities who are described as having challenging behaviour can enjoy normal life opportunities when their behaviour is properly understood and they receive appropriate individualised support. The CBF supports families, professionals and other stakeholders through education, information, research and partnership working to enable this to happen and works strategically to influence national policy and practice.

### OUR AIMS ARE:

1. To provide information and support to parents and professionals caring for individuals with severe learning disabilities and challenging behaviour
2. To demonstrate how local service provision for individuals with severe learning disabilities and challenging behaviour can be improved, and to actively facilitate such provision on a national basis
3. To highlight the needs of those with challenging behaviour and to influence policy on their behalf
4. To promote research into challenging behaviour associated with severe learning disabilities and to disseminate the results of such research so that practical benefits are gained

We believe that we can achieve most by working together.

## ACKNOWLEDGEMENTS

The Challenging Behaviour Foundation would like to thank Maurice Harker for providing the original material for this guide. We would also like to thank all the families who shared their experiences and all those who provided input to the drafts.

Finally we would like to thank the Rix-Thompson-Rothenberg Foundation for funding towards the development of this resource.

Last updated: May 2017

# CONTENTS

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<b>INTRODUCTION .....</b>	<b>4</b>
<b>SECTION 1: Registered Care Homes .....</b>	<b>6</b>
<b>SECTION 2: Rented Social Housing .....</b>	<b>10</b>
<b>SECTION 3: Rented Private Sector Housing .....</b>	<b>15</b>
<b>SECTION 4: Social Housing from Capital Programme .....</b>	<b>21</b>
<b>SECTION 5: Home Ownership &amp; the Use of Discretionary Trusts .....</b>	<b>26</b>
<b>SECTION 6: Shared Ownership .....</b>	<b>30</b>
<b>SECTION 7: Buy to Let .....</b>	<b>36</b>
<b>SECTION 8: Remaining in the Family Home &amp; Other Family Solutions .....</b>	<b>40</b>
<b>SECTION 9: Key Points &amp; Summary .....</b>	<b>44</b>
 <b>APPENDIX 1: Benefit Changes .....</b>	 <b>47</b>
<b>APPENDIX 2: Useful Publications .....</b>	<b>49</b>
<b>APPENDIX 3: Strategies, Policy &amp; Best Practice .....</b>	<b>52</b>

# INTRODUCTION

People with **learning disabilities**<sup>1</sup> or **autism**<sup>2</sup> and complex needs have the same rights as everyone else to appropriate local housing and support.

“The vision for people with more complex needs is the same as for everyone: inclusion and participation in all areas of community life, including living independently and having paid work. To assume that some people cannot, and will never, achieve these is to set a ceiling on what progress can be made, both by an individual and by society.” (Valuing People Now, 2009).

This resource has been developed to enable families who have a relative with a learning disability or autism and complex needs to work in partnership with others to plan proactively for positive living options for their relative.

Where the person lives, who they live with, the design and layout of their home and how they are supported is very important and has a significant impact on behaviour. It is therefore essential to plan properly for future housing to meet the needs of an individual and this should form an important element of the individuals **Person Centred Plan**<sup>3</sup>.

A planning guide “*Planning Your House*” is available from the Challenging Behaviour Foundation.

This guide “*8 ways to get a House*” is to help you and your relative think about the different types of accommodation and how they are funded. We explain the different types of accommodation. To keep the options to a manageable range the following are proposed as 8 ways to get a house.

- Registered care homes
- Rented social housing
- Rented private sector housing
- Social housing from capital programme
- Home ownership & the use of discretionary trusts
- Shared ownership
- Buy to let
- Remaining in the family home & other family solutions

Each option is described briefly, with a list of key advantages and disadvantages, followed by what to do next.

Benefits changes are described in the appendices, giving an introduction to Universal Credit.

As well as the range of accommodation options (“what we want”), there is also a range of ways in which we go about finding a place to live (“how to get it, find it & keep it”).

## Key Point

**It is important to be on the local authority housing register. Make sure you put your relatives name on the housing list as soon as you can as it is a formal record of his/her need for housing and may help you later on.**

## JARGON BUSTER

1. **Learning disability:** A learning disability is usually diagnosed at birth or in early childhood and is a lifelong disability. Signs a child is not developing at the same rate as other children of the same age may be noticed by a range of people such as health visitors, paediatricians, GPs or family members, prompting a formal assessment leading to a diagnosis.

“Learning disability includes the presence of:

- A significantly reduced ability to understand new or complex information, to learn new skills (impaired intelligence), with;
- A reduced ability to cope independently (impaired social functioning);
- Which started before adulthood, with a lasting effect on development.” (Valuing People)

2. **Autism:** Autism is a lifelong condition which results in the person having difficulty with:

- Social communication (e.g. problems using and understanding verbal and non-verbal language, such as gestures, facial expressions and tone of voice)
- Social interaction (e.g. problems in recognising and understanding other people’s feelings and managing their own)
- Social imagination (e.g. problems in understanding and predicting other people’s behaviour and imagining situations outside their own routine).

Many people with autism may experience some form of sensory sensitivity or under-sensitivity, for example to sounds, touch, tastes, smells, light or colours. People with autism often prefer to have a fixed routine and can find change incredibly difficult to cope with.. Autism is known as a spectrum condition, Asperger syndrome is a form of autism.

3. **Person centred plan:** “Put simply, person-centred planning is a way of discovering what people want, the support they need and how they can get it. It is evidence-based practice that assists people in leading an independent and inclusive life. It shifts power from professionals to people who use services.” (Personalisation through Person-Centred Planning, Department of Health, 2010).

# Registered Care Homes

# 1. REGISTERED CARE HOMES

A residential care home provides a 'complete' service of accommodation and care support. Group homes, shared housing, or larger residential services can all be care homes. An overall fee is paid.

An establishment providing residential accommodation together with nursing or personal care has to register with, and will be regularly inspected by the **Care Quality Commission (CQC)**<sup>1</sup>. This is important because individuals have few rights as residents of a care home, personal income is very limited, the owner can sell up the business (meaning your relative may have to move) and it is not the individual's own home.

## Key Question

*I've heard Local Authorities aren't funding residential care homes anymore. Is this true?*

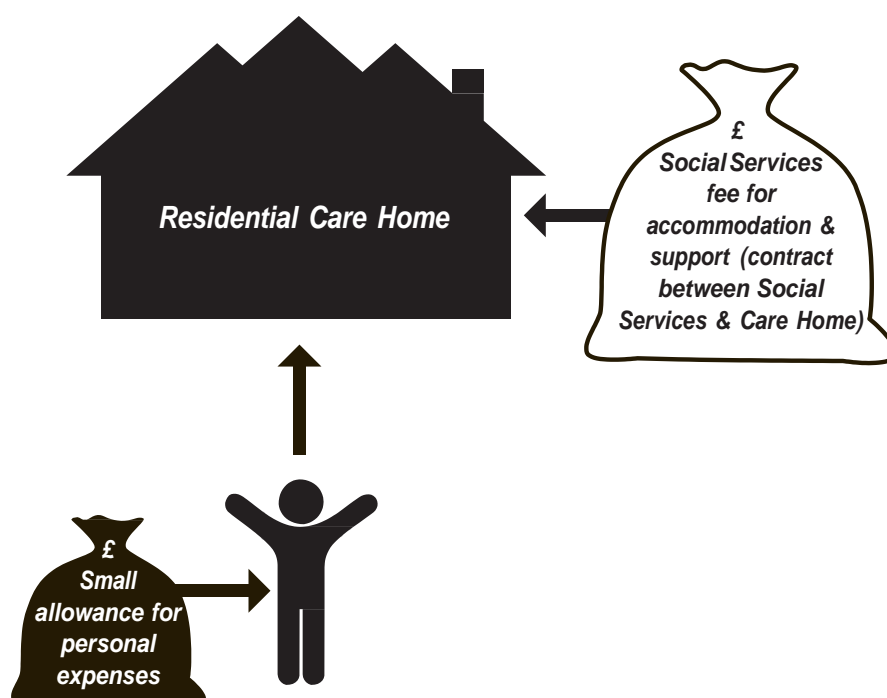
Registered care homes are still a major part of the supply of accommodation for people with learning disabilities. However, national and local policy since 1990 has been toward support and care for people in their own home. "Residential care is a less popular option than in the past. Most Local Authorities are seeking to reduce their dependence on residential care and national policy favours alternatives that can offer a more personalised approach." (Residential Care Guide. Rental series – number 2; ValuingPeopleNow, 2010).

The views of the individual, as well as family or other advocates when the person lacks **capacity**<sup>2</sup> should be taken into account when making the decision about where an individual should live.

## RESIDENTIAL CARE HOME

Figure 1. Illustration of the funding for a residential care home.

(Please note this is an illustration only & cannot convey all the complexities of the funding arrangements).





## THE ADVANTAGES OF RESIDENTIAL CARE HOMES:

1. Registered care homes give the opportunity for group living and company for people who want it. A variety of domestic arrangements and shared responsibilities are possible.
2. Outcomes for residents in smaller homes are known to be better than for those living in larger and more institutional settings.
3. Independent monitoring is required by the Care Quality Commission.
4. It is simple and quick to arrange if suitable vacancies are available.

## THE DISADVANTAGES OF RESIDENTIAL CARE HOMES:

1. Some registered care homes can be institutional.
2. There is an unavoidable financial pressure to fill vacancies limiting choice about who lives together.
3. If your relative finds it difficult to live with other people with learning disabilities who display challenging behaviour, residential care may not be the best option.
4. Individuals have less direct personal income from benefits, Income Support and disability allowances, and are not eligible for **Housing Benefit<sup>3</sup> or Supporting People grants<sup>4</sup>**.
5. Most of the benefits go directly towards paying for housing, food, bills, and care and they will receive a small personal allowance.
6. In registered care homes personal rights are more limited, there may be less control over life style, access to the community, social activities and choice.
7. If the care home can't meet your relative's needs they may ask them to move out. Notice periods can be short e.g. 28 days, which doesn't allow much time to find an alternative.

## REAL LIFE EXAMPLE

David is twenty seven years old and lives in Hampshire with four other young men who all have a diagnosis of severe learning disabilities or autism and some have significant challenging behaviour. The home is run by a care company and the staff are well trained and caring. The quality of staff employed has improved in recent years and they are people who David knows and trusts. The local authority pays the care home fees and he gets a small allowance from government funds (I am his appointee and receive his benefits), which I top up with a personal allowance. I have successfully fought for extra funding to allow David to receive more one to one support hours as he likes to get out on his own with carers, for walks by the sea or in the countryside. This has been easier to organise now that he has his own Motability car and a team of qualified drivers.



David

David's sisters have moved to the West Midlands and have their own families now, and as my health has deteriorated in recent years, I may also move to that area and then look to find David a new home near to us all.

Residential care is not perfect but if you find a place with really committed and caring staff who are trained in looking for ways to meet an individual's specific needs and desires, it can work well.

• **Carol Lowe** - Family Carer



## WHAT TO DO

- Draw up your own list of requirements to be met.
- You can find out more about local care homes from the Care Quality Commission including the most recent reports on the service. Reports are available on the CQC website: [www.cqc.org.uk](http://www.cqc.org.uk) or by phoning: 03000 616161.
- Talk to other families who use the service.
- Find out if Social Services recommend a registered care home.
- Find out if they recommend any particular providers or services.
- Think about privacy, life style, independence, security etc.
- Check how a care home would provide access to ordinary activities outside of the home.
- Think about how local it is, as it may be hard to maintain contact with friends and family if the care home is far away.
- Check if the care home staff are adequately trained to support your family member.
- If it's not right for you and your relative move on to the next sections of the guide.

### JARGON BUSTER

1. **Care Quality Commission (CQC):** The CQC is the independent regulator of health and social care in England. The CQC inspect and report on care provided by the NHS, local authorities, private companies and voluntary organisations. [www.cqc.org.uk](http://www.cqc.org.uk) Tel: 03000 616161.
2. **Capacity:** "Refers to the mental ability of a person to make a particular decision at a particular time, whether minor like when to eat, or major, like whether to move house." (Making decisions a guide for advice workers; Office of the Public Guardian, 2007).
3. **Housing Benefit:** provides help with paying rent to people on a low income. A person may be entitled to Housing Benefit if they are on other benefits, work part time or work full time on a low wage. Claim forms and guidance can be found at: [www.gov.uk/browse/benefits](http://www.gov.uk/browse/benefits) An entitlement checker is available at: [www.gov.uk/benefits-adviser](http://www.gov.uk/benefits-adviser)
4. **Supporting People Grants:** Supporting People is a government programme which aims to provide a better quality of life for vulnerable people to live more independently. Supporting People funding is now given as a grant to local authorities. Contact your local authority for information about the funding available in your area. You can find contact details for your local authority online at: [www.gov.uk/find-your-local-council](http://www.gov.uk/find-your-local-council)

# Rented Social Housing

## 2. RENTED SOCIAL HOUSING

### Using existing *Registered Social Landlords*<sup>1</sup> or Council Accommodation

To access rented social housing your relative will need to be on the Local Authority housing register.

Renting from a **Housing Association**<sup>2</sup> or the council usually (but not always) costs less than renting from a **private landlord**<sup>3</sup>, or home ownership. Sometimes this is called 'social housing' or 'affordable housing'. If you are on a low income or claiming benefits (e.g. **Income Support**<sup>4</sup> / **Employment Support Allowance (ESA)**<sup>5</sup>) the full rent will usually be covered by **Housing Benefit**<sup>6</sup>.

A **needs assessment**<sup>7</sup> carried out by Social Services should include identifying housing needs and help with getting social housing. The two council departments (housing and Social Services) should co-operate.

For ordinary social rented housing, people with learning disabilities and autism are in competition with families, single people and older people who are all in need of housing. There is a very limited supply of specialist supported housing for people with learning disabilities and autism.

### Key Question

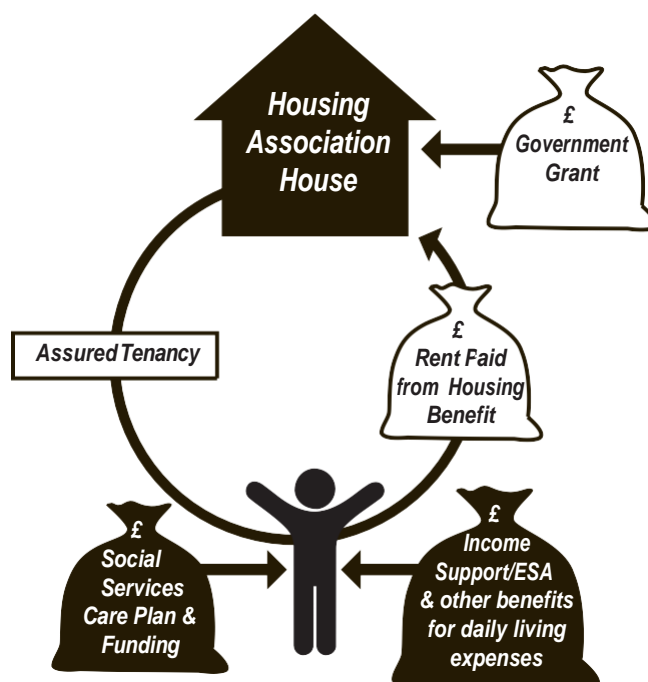
#### ***What is Supported Housing?***

Supported Housing is a term used by Housing Associations to describe a wide range of types of service where care and support is provided to people in their own homes (rather than in a residential care home). It includes sheltered housing, group homes, extra care housing, shared houses or self-contained flats. Some areas also offer a 'Move on service'. The purpose of the supported housing schemes is to provide housing with support, to enable people to gain independent living skills for a short period of 2 - 5yrs and then to move on into further independent living options as identified via 'move on assessment of needs'. Not every Authority has this type of service, make enquiries with your Local Authority.

## RENTED SOCIAL HOUSING

Figure 2. Illustration of the funding for rented social housing.

(Please note this is an illustration only & cannot convey all the complexities of the funding arrangements.)



### ADVANTAGES OF RENTED SOCIAL HOUSING:

1. Very secure **tenure**<sup>8</sup> can be permanent. Councils and housing associations are usually happy for you to stay there for a long time.
2. Housing Associations will rent to someone on benefits and rent is likely to be within Housing Benefit levels (i.e. Housing Benefit payment will cover cost of rent).
3. No need to pay a deposit.
4. Social landlords are responsible for most repairs and all maintenance.
5. Available to people who want to share or to couples with a **joint tenancy**<sup>9</sup>.
6. Social Services and housing departments can co-operate on allocations and new specialist developments.
7. You will have a tenancy agreement which provides you with rights and responsibilities (see page 12 Key Question for more information).

### DISADVANTAGES OF RENTED SOCIAL HOUSING:

1. Competition for places. You will need to need find out about **allocation schemes**<sup>10</sup> and you may have to wait.
2. Councils and Housing Associations vary in the quality and standards of housing available.
3. There may be limited choice of available property in the area/location desired.
4. Repairs service and property standards can vary, but usually they are at least adequate.
5. There might not be any properties that meet your needs.
6. Some larger estates might not feel safe or welcoming.

## REAL LIFE EXAMPLE

Only three minutes from Kings Cross station, sits the bungalow that my daughter, Victoria, lived in safely and successfully for twenty years.

Desperation made us, with another family, rescue our daughters from Social Services residential care and set them up in a home of their own. Both women had profound intellectual and multiple disabilities including complex health needs. This was one of the first schemes to give independence, choice and control to two very disabled women. Our two families were pioneers, innovators, and prepared to take risks. A tenancy for a new three bedroom bungalow was offered from the council, and a service provider was chosen.



*Jean & Victoria on her estate*

The funding came from Social Services/health pooled budget, the Independent Living Fund and the care component of their DLA. Good support is expensive because staffing levels need to be high and Victoria had one-to-one throughout the day: for personal care two-to-one; and a shared waking night. The quality of life since living independently changed dramatically and was very high.

There were many difficulties over the years. Two service providers did not have their contracts renewed; repairs were neglected in the house forcing the tenants to live elsewhere for six months. Victoria sadly died peacefully on 22 Sept 2013. Her house mate Lisa continues to live in the bungalow and has been joined by a new flatmate and together they will continue living like Victoria, proving that people with profound learning disabilities and complex health needs can have tenancies and do live successfully in the community.

• **Jean Willson OBE** - Victoria's mum

*For more detail see "Home at Last" Pat Fitton and Jean Willson (1995)*

## WHAT TO DO

- ➔ Find out if ordinary Council or Housing Association housing is available and would be suitable – Social Services should advise.
- ➔ Put your relatives name on the housing list as soon as you can as it is a formal record of his/her needs for housing
- ➔ Decide if your requirements can be met from an ordinary **letting**<sup>11</sup>.
- ➔ Get a copy of the local allocations scheme and how to apply from your local Council.
- ➔ Find out what the rent is and if you will qualify for Housing Benefit.
- ➔ Find out if there is a Housing Association locally used to meeting more complex needs. Ask your Local Council, for contact details.
- ➔ Can your design, location, space for staff, security requirements etc. be met?
- ➔ If not, go on to the next pages.

## JARGON BUSTER

1. **Registered social landlords:** are government funded not-for-profit organisations that provide affordable housing. As well as developing land and building homes, they also maintain properties and collect rent.
2. **Housing Associations:** are independent, not-for-profit organisations that provide low cost “social housing” to meet specific housing needs. They may provide, build, improve or manage houses for sale or rent.
3. **Private landlords:** (also known as commercial landlords) are private individuals or companies who own property that is independent of the Local Authority or registered landlord sector. In some cases landlords will have their properties managed by a letting agent whilst others deal with tenants directly.
4. **Income Support:** is a benefit payment to help people on a low income. It is for individuals who don't have to sign on as unemployed e.g. for individuals with severe learning disabilities.
5. **Employment and Support Allowance (ESA)** offers financial support to people who are too ill to work due to illness or disability. There are two groups; in the work-related activity group people have regular interviews with an adviser, in the support group people don't have interviews and receive a higher rate of financial support.
6. **Housing Benefit:** see Jargon Buster on page 9.
7. **Needs assessment:** is carried out by the Social Services department of an individual's local Council and is the first step towards getting help and support with care. The assessment looks at an individual's needs and determines what services and support a person is entitled to under the Care Act 2014.
8. **Tenure:** Conditions on which a property is held e.g. length of lease.
9. **Joint tenancy:** An arrangement where two or more people equally share accommodation rights of a property.
10. **Allocation schemes:** each Council must have an allocation scheme which sets out the priorities and procedures for allocating housing. The fact that a person is eligible does not guarantee they will be allocated accommodation. An applicant's priority is determined by the allocation scheme and the demand/availability of social housing in the area.
11. **Letting:** A process where a landlord rents to a tenant.

# Rented Private Sector Housing



### 3. RENTED PRIVATE SECTOR HOUSING

The competition for social rented housing means that it may be appropriate to consider private renting.

This includes:

- Renting from a recommended **private landlord**<sup>1</sup>
- Renting from charities, such as Mencap's Golden Lane Housing
- Renting from family members or a **family trust**<sup>2</sup>

Many young people start with housing in a private rented flat, for example as students, and this may be an option for your relative. Renting from a private landlord can provide more choice, but it usually costs more, with higher rents and a **deposit**<sup>3</sup> against any damage (often 4-6 weeks rent, but this varies, and is paid in advance before moving in). Housing Benefit may not cover the full rent, which will mean you will need to find a way to fund the difference. A **discretionary housing payment**<sup>4</sup> may be available as a short term measure.

The Local Council may have arrangements for private landlords to **lease**<sup>5</sup> properties to the Council or a Housing Association. This should provide greater security and affordable rents. The amount of rent that will be paid is called the **Local Housing Allowance**<sup>6</sup> and depends on how many bedrooms the property has.

A number of private landlords sometimes offer help for a variety of reasons, and it is wise to check their reliability and track record. A charity or trust could also be a private landlord and they may offer better quality housing and provide longer notice periods.

Sometimes a private landlord will buy a property to rent to a particular person. You might be able to arrange for them to buy a home that meets your needs.

## Key Question

### *Can I sign a tenancy agreement for my son?*

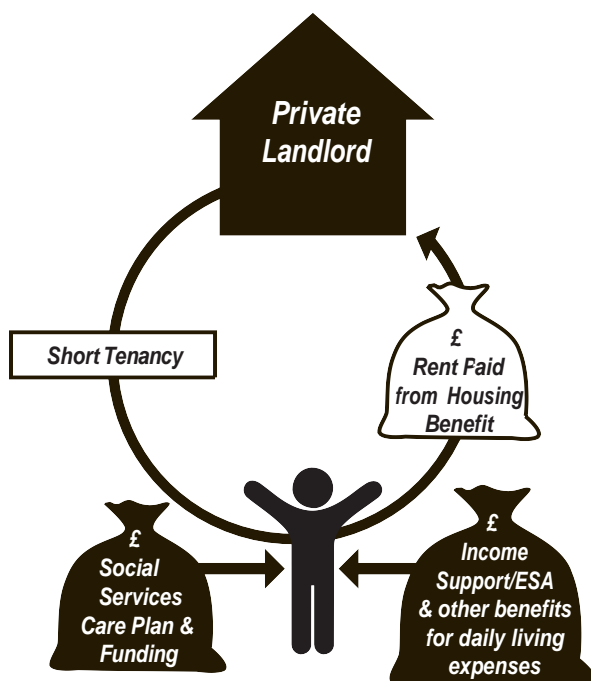
You cannot sign a tenancy agreement on behalf of another adult. First decide if your son has the **capacity**<sup>7</sup> to take the decision. A person can be said to have capacity if they are able to understand the essential basics of a tenancy e.g. the basic concept of money, payment for the home, rules to be kept etc. If your son can understand the basics of having his own tenancy he can sign the tenancy. It is a good idea to record how this was explained to him and how he demonstrated his understanding.

If your son does not have the capacity to understand the tenancy agreement you can apply to the **Court of Protection**<sup>8</sup> to be appointed as a Finance **Deputy**<sup>9</sup> to act on your son's behalf. This would give you the legal standing to sign the tenancy agreement. For more information see:

- Challenging Behaviour Foundation information sheet "Getting legal Deputyship for property or welfare decisions."
- Connect housing "Your tenancy agreement. An easy read guide" [www.connecthousing.org.uk](http://www.connecthousing.org.uk)

## PRIVATE OR CHARITY RENTED

Figure 3. Illustration of the funding for renting from the private sector or a charity.  
(Please note this is an illustration only & cannot convey all the complexities of the funding arrangements.)



## ADVANTAGES OF PRIVATE RENTED HOUSING:

1. It extends the choice of available property.
2. It can be a quick solution – no need to wait for too long.
3. It may be useful source of a suitable property.
4. It can be a good way to try out living with a friend or partner.
5. It works better through leases arranged with the Council or a Housing Association – ‘private sector leasing’.
6. You don’t have to join a waiting list.
7. It can be easier to find a home that is right for you.

## DISADVANTAGES OF PRIVATE SECTOR RENTED HOUSING:

1. Insecure **shorthold tenancies**<sup>10</sup>, i.e. it can be short term and may not be permanent. When the tenancy finishes the landlord can ask you to leave.
2. Private landlords vary in quality.
3. Repair services and property standards are variable.
4. Rent levels may exceed Housing Benefit levels & the difference will have to be funded.
5. Landlord may refuse to let to someone whose only income is from benefits.
6. Landlord may refuse to let to someone who displays **challenging behaviour**<sup>11</sup>.
7. A private landlord usually asks for a deposit before your relative can move in. This is a lump of money than can be the same as one month’s rent or more. When your relative moves out you get the money back, as long as the landlord agrees the property hasn’t been damaged.
8. Sometimes they will ask someone with a paid job to be a ‘guarantor’. This is someone who will agree that, if you can’t pay the rent, they will pay it for you. They will have to sign a contract to agree to this. Sometimes family carers are asked to be a guarantor.

## REAL LIFE EXAMPLE

When my son's care home announced that it needed to close, giving us and our local authority only 2 months to find an alternative for a young man with autism and challenging behaviour, we were worried about how this could be done in such a short period of time without causing him emotional distress.

We decided that it would be better for him not to go into a new residential care home but to try a "Supported Living" package, which meant that we had to find a house for him to rent which was separate from the provider who would come in as domiciliary care. We put Rhys' name down for social registered housing (not for profit housing provider registered by the council, also known as housing association) but he had to go onto a waiting list, until something suitable was available.

Fortunately we found a small house in the middle of a quiet village, near to us, that was available to rent from a private landlord. We then asked our local authority to grant him "Housing Allowance" to cover the cost of his rent. Having his own home meant that the care staff are aware that it is his home and not a residential setting where he has to fit in. He settled in very well and enjoyed going shopping for groceries to fill his kitchen cupboards and fridge! Rhys lived happily in the private rented accommodation for a year, enjoying his first taste of having his own home, until a social house came up.

• **Jackie Edwards** - Rhys' mum



*Jackie, Rhys & Wayne (Support Worker) in Rhys' garden*

## WHAT TO DO

- ➔ Find out if there are charities or others who want to help (See Appendix of CBF Guide 'Planning your House' for details of national charities. Contact your local carers centre for details of local charities).
- ➔ Contact potential housing providers to ask if they know about taking on tenants with complex needs.
- ➔ Ask if they offer the kind of accommodation required.
- ➔ Look at some examples of charity or family funded solutions.
- ➔ Check whether Housing Benefit paid will cover the rent. If not decide how the difference will be funded.
- ➔ Discretionary housing payment may be applied for through your local authority benefits section. Discretionary Housing Payments are for people receiving Housing Benefit who require further financial assistance with their housing costs.

## JARGON BUSTER

1. **Private landlord:** see Jargon Buster on page 13.
2. **Family trusts:** are a way of looking after money, investments or property for people who may not be ready or able to manage them themselves. They can also be used to ensure that family property and finances are passed on in the way the family wishes.
3. **Deposit:** A sum of money (usually 4-6 weeks rent) paid by a tenant prior to moving in.
4. **Discretionary Housing Payments:** Discretionary housing payments can help top-up housing benefit if someone is facing hardship, including if they have been affected by recent housing benefit changes. A discretionary housing payment won't be a long-term answer.
5. **Lease:** A legal document by which the owner of a property lets it to another party for a specified length of time.
6. **Local Housing Allowance (LHA):** is the housing benefit paid to most tenants who rent from private landlords. The amount of LHA you can get usually depends on how many bedrooms the home has, and the maximum rent allowed for properties in your area. Information on LHA rates in your area is available from your local council. You can find contact details for your local council online at: [www.gov.uk/find-your-local-council](http://www.gov.uk/find-your-local-council)
7. **Capacity:** see Jargon Buster on page 9.
8. **Court of Protection:** "The specialist Court that deals with cases relating to capacity issues." (Making decisions a guide for advice workers; Office of the Public Guardian, 2007).
9. **Deputy:** A deputy is someone (usually a family member) appointed by the Court of Protection to deal with a specific issue e.g. signing a tenancy or a range of issues to help a person who lacks capacity.
10. **Shorthold tenancies:** are the most common type of tenancy agreement in the rented private sector, setting out the rights and obligations of the landlord and the tenant. It is used where the tenant is an individual, or group of individuals, rather than a company. The term is for a minimum of six months.
11. **Behaviour described as challenging:** "Behaviour can be described as challenging when it is of such an intensity, frequency, or duration as to threaten the quality of life and/or the physical safety of the individual or others and it is likely to lead to responses that are restrictive, aversive or result in exclusion." (Challenging behavior – a unified approach; RCPsych, BPS, RCSLT, 2007)

# Social Housing From Capital Programme

## 4. SOCIAL HOUSING FROM CAPITAL PROGRAMMES

Every local Housing Authority carries out housing needs surveys and should identify the needs of individuals with learning disabilities where there is a shortage of appropriate housing. The Local Authority can then encourage bids to the **Homes and Communities Agency**<sup>1</sup> who manage government funding for housing. For individuals who need specially designed housing this provides the opportunity for greater space and higher build standards.

There are a range of priorities for funding and there will be competition to secure the funds.

### Key Question

***I need ground floor accessible accommodation, what can I do?***

Many people with a learning disability or autism also have physical or sensory disabilities and need accessible and adapted accommodation suited to their needs. This is often in limited supply. The council should know what is available and which Housing Associations may be able to help.

The Homes and Communities Agency programme for new development is well suited to providing new build accommodation to wheelchair accessible standards. If there is a shortage the local authority could encourage local Housing Associations to bid for funding for such accommodation. When social services with local Occupational Therapists know that individuals require accommodation it can help to develop a specification. Social services would be expected to budget for the revenue funding needed for people's support costs as a condition for the approval of a Housing Association bid.

To find out about the work of the Homes and Communities Agency visit:

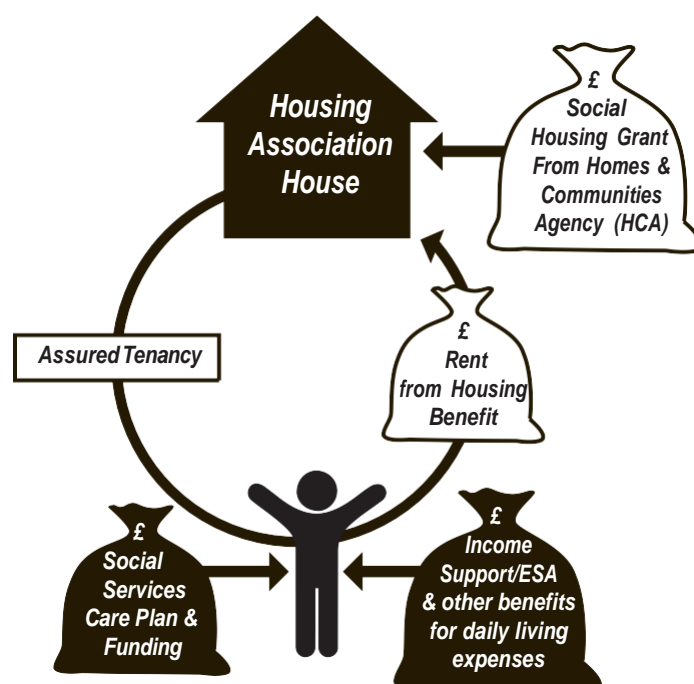
[www.homesandcommunities.co.uk/ourwork/care-support-specialised-housing-fund](http://www.homesandcommunities.co.uk/ourwork/care-support-specialised-housing-fund)





## SOCIAL HOUSING FROM CAPITAL PROGRAMMES

Figure 4. Illustration of the funding for social housing from the capital programmes  
(Please note this is an illustration only & cannot convey all the complexities of the funding arrangements.)



### THE ADVANTAGES OF SOCIAL HOUSING FROM CAPITAL PROGRAMMES<sup>2</sup> ARE:

1. It can deliver accommodation of a good standard, to meet individual needs for example new build, cluster flats accessible to individuals with physical disabilities.
2. Adaptations can be made to a property to make it suitable for individuals who display destructive behaviour e.g. polycarbonate (virtually unbreakable) windows, boxed in pipes/under floor heating.
3. **Assistive technology**<sup>3</sup> can be incorporated into the design.
4. Low risk, should offer secure sustainable tenancies at affordable rents.
5. If local housing strategies and Social Services and housing work closely together they can commission for unmet housing needs.

### DISADVANTAGES OF SOCIAL HOUSING FROM CAPITAL PROGRAMMES ARE:

1. Need building land and planning permission.
2. There is competition for capital grants.
3. Takes time for development (2+ years) not a quick fix solution.
4. Local statistics never reflect the need for specialist housing due to the low registration of people with learning disabilities on housing registers.

## REAL LIFE EXAMPLE

Hilary has a dual diagnosis of autism and Down Syndrome and additionally severe learning difficulties; with almost no verbal communication. When Hilary went to college there was a unique model of combining education and housing. She was a tenant for almost 3 years with Aldwick Housing Association and had her own contract and tenancy agreement. She had a seamless Living and Learning model of education for 52 weeks a year with St. Elizabeth's College. Housing Benefit covered the cost of the rent to Aldwick Housing Association. As Hilary is a "Secret Domestic Goddess" the skills we have worked on from when she was a toddler came into the limelight whilst she was at college and in her own flat. In the near future we hope she will buy her own house and share with another young lady.



Hilary

• **Janine** - Hilary's mother / unpaid carer

## WHAT TO DO

- ➔ Ask your local Council if there are special housing schemes locally you can look at.
- ➔ Support people to register for social housing to support future planning for specialist housing.
- ➔ If there is an unmet need locally ask if there are any plans to provide accommodation to meet it ("we haven't got anything" is not good enough).
- ➔ Take the question if necessary to the housing department, **Partnership Board**<sup>4</sup>, Social Services, Councillors etc.
- ➔ It may be better to work with other families to take up the cause.
- ➔ Make friends and influence people, can you create a local solution?
- ➔ Is there an experienced Housing Association or support service provider who will help?

## JARGON BUSTER

1. **Homes and Community Agency:** a public body who provide funding for affordable housing in England. [www.gov.uk/government/organisations/homes-and-communities-agency](http://www.gov.uk/government/organisations/homes-and-communities-agency) Tel: 0300 1234 500.
2. **Capital programmes:** The Homes and Communities Agency are given money by the government and they invite specialist housing providers to bid for this funding. The amount of money that is available and the aim of the programmes change over time. Check the Homes & Communities website to see what funding is currently available.
3. **Assistive technology:** “any product or service designed to enable independence for disabled and older people” (King’s Fund Consultation, 2001).
4. **Partnership Board:** Learning Disability Partnership Boards were set up in 2001 in each local authority in England following the publication of Valuing People. The purpose of the boards is to agree local strategy and priorities to support people with learning disabilities and to monitor progress.

# Home Ownership and the Use of Discretionary Trusts

## 5. HOME OWNERSHIP AND THE USE OF DISCRETIONARY TRUSTS

### HOME OWNERSHIP

A property can be acquired by a disabled person using an **Interest Only Mortgage**<sup>1</sup> repaid by **Income Support**<sup>2</sup> or **Employment & Support Allowance (ESA)**<sup>3</sup>. It is possible to get mortgage interest on a loan of up to £100,000 paid through Support for Mortgage Interest. There is no help with capital repayment. Some lenders will provide interest-only mortgages.

The owner has a high degree of choice of their home but there is all the responsibility of looking after it including funding repair and maintenance costs, which can be high or unexpected.

#### Key Question

***I've heard a Discretionary Trust can help plan for the future, including funding housing need, what is it?***

A Discretionary Trust is a legal arrangement whereby money, investments or property are managed by trustees for the benefit of others including people with learning disabilities. It is a way of making long term financial provision for people with learning disabilities as the capital held in the Trust is not taken into account when assessing entitlement to state benefits like Income Support.

For more information see "Discretionary Trusts: A Guide for Families; Housing Options & Valuing People Team, Revised edition, 2010".

### OWNERSHIP BY A TRUST

A Discretionary Trust can be used to buy a property or to pass on a family property. If family carers set up a Discretionary Trust, then the Trust can own the property.

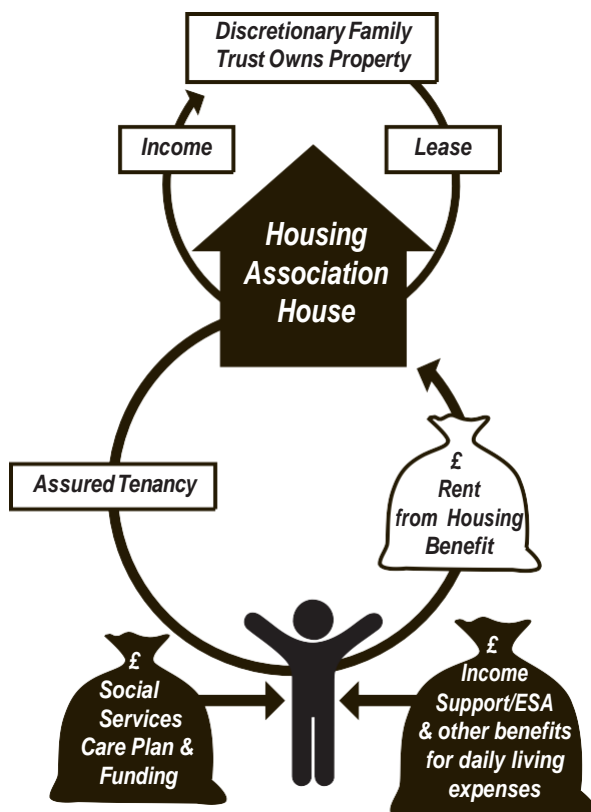
The Trust can rent the property directly to the person with a learning disability or autism but the situation on paying rent is complex. It may also be possible to claim Housing Benefit for the rent provided it is not considered to be 'a contrivance'. (There is a Housing and Support Alliance Factsheet "Buying to rent to a disabled person" which explains more). Trustees will need to make arrangements for and fund repairs and maintenance.

Alternatively, the Trust can lease the property to a Housing Association. The Housing Association will then rent it to the person with a learning disability or autism and complex needs. The person is likely to be eligible for Housing Benefit, which will be paid to the Housing Association. The Housing Association can be responsible for repairs and maintenance depending on the contract. The Trust can fund the repairs and maintenance via income made from leasing the property to the Housing Association.

## DISCRETIONARY TRUST OWNERSHIP

Figure 5. Illustration of the funding for Discretionary Trust ownership

(Please note this is an illustration only & cannot convey all the complexities of the funding arrangements.)



### ADVANTAGES OF HOME OWNERSHIP & DISCRETIONARY TRUSTS:

1. Both home ownership and the use of Discretionary Trusts can provide a high degree of choice and control, and a high level of security of tenure.
2. It works better if a Trust is used as the property owner to take on management responsibility.
3. A way of providing some financial protection for the future.

### DISADVANTAGES OF HOME OWNERSHIP & DISCRETIONARY TRUSTS:

1. Up front legal and **conveyancing**<sup>4</sup> costs must be met.
2. The person with a learning disability or autism and complex needs may not be able to fund the management and maintenance needed.
3. If the individual is on benefits there may be difficulties in paying for both routine repairs and more expensive longer-term maintenance.

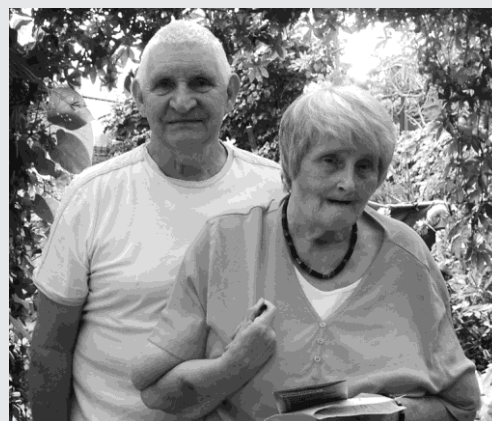
## REAL LIFE EXAMPLE

At the moment my sister Sheila and I share a house (see Section 8: Remaining in the Family Home and Other Family Solutions for more details).

Sheila has severe learning disabilities. I have put the following plans in place should I precede my sister, into the after life. I have a will that states that my trustees will activate my Discretionary Trust. My house will be placed into this fund along with any assets I may have e.g. money, valuables etc. with a clear statement that my sister can live in this house, for the duration of her life. As I would not be living in the house anymore, my trustees will be able to apply for Housing Benefit, this will then be paid into the Discretionary Trust. This money can help pay for any personal item like house insurance, repairs, food etc.

I have also made it clear that my part of the house can be let to another person with learning disabilities, which could generate more funds that can be paid into my Discretionary Trust. This additional money will go towards supporting the house and will be managed by the trustees of my Discretionary Trust.

• **Don Jones** - Brother



Don and his sister Sheila

## WHAT TO DO

- ➔ Make sure the extra benefits of choice are worth the extra work and set up costs.
- ➔ Make sure there is someone who can manage the property.
- ➔ For those dependent on benefits, direct ownership or direct inheritance is problematic and use of a Trust is likely to avoid these problems.
- ➔ Families with property which can be passed on or with assets they can use, have got extra options – see section 7 Buy to Let for more details.

### JARGON BUSTER

1. **Interest only mortgage:** A type of mortgage in which the borrower only repays the interest on the loan for the duration of its term and repays the full loan amount at the end of the mortgage period.
2. **Income support:** see Jargon Buster on page 13.
3. **Employment & Support Allowance:** Employment & Support Allowance, see jargon buster on page 13.
4. **Conveyancing:** The legal process surrounding the transfer of ownership from buyer to seller.



# Shared Ownership

## 6. SHARED OWNERSHIP

Shared ownership enables the person to buy a share of the property and pay rent on the rest. It does not mean that they share the property with other people: it is the ownership that is shared with a Housing Association or a charity.

For example, Sam, who has a learning disability, buys a bungalow which costs £200,000. Sam takes out a mortgage for £100,000 so he owns 50% of the property, the remaining 50% (£100,000) is owned by a Registered Social Landlord who charges Sam a rent of £60 per week. Sam is not in employment and his benefits cover the cost of the mortgage interest and the rent.

The property is normally funded from a combination of the following sources:

- A grant from the Homes and Communities Agency, or an interest-free 'loan' from family or a family trust
- The housing provider's loan (funded by part of the rent)
- The shared owner's mortgage (e.g. Interest Only Mortgage) funded via ***Support for Mortgage Interest***<sup>1</sup>

Some Housing Associations develop small estates including shared ownership properties for sale but it is also possible to use shared ownership to buy ordinary houses, flats or bungalows for sale on the open market, providing a high degree of choice. The normal shared ownership lease places the responsibility for repairs and maintenance on the leaseholder and this can be a problem.

There is a scheme called ***Home Ownership for people with a Long-term Disability (HOLD)***<sup>2</sup>, which makes home ownership easier if you have a long-term disability.

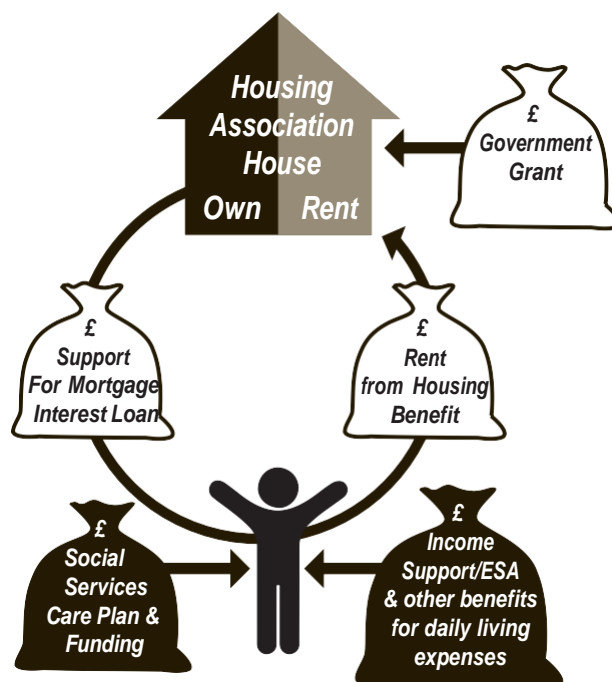
## Key Question

***At times my daughter can be very destructive, how are the higher maintenance costs for wear and tear managed?***

The additional cost can be built into the maintenance element of the rent or it may be considered as a separate social care cost. Usually a tenancy will expect the property to be looked after and deliberate damage would be charged to the tenant. Where destructive behaviour is related to an individual's learning disabilities and the person is unable to understand the consequences of their behaviour, a provisional budget for potential damage needs to be put in place and agreed. The agreement, between the tenant, social services and the housing provider should formally set out who will pay for what. The actual costs need to be regularly monitored and the budget adjusted accordingly.

## SHARED OWNERSHIP

**Figure 6. Illustration of the funding for shared ownership.**  
(Please note this is an illustration only & cannot convey all the complexities of the funding arrangements.)



## ADVANTAGES OF SHARED OWNERSHIP:

1. It extends the choice of available property.
2. It is secure and permanent.
3. It can cost less than full ownership and enables greater choice of property.
4. The Housing Association may be responsible for repairs and maintenance (depends on lease).
5. Family money can sometimes be used to help buy the property.

## DISADVANTAGES OF SHARED OWNERSHIP:

1. Initial costs (including deposit, legal and survey fees).
2. Difficult to arrange for people who wish to share a home; e.g. if a couple decide they no longer want to live together.
3. Shared owner may be responsible for repairs and maintenance costs which could be high (depends on lease, see page 26 for more detail).
4. At the end of the mortgage the capital on the mortgage won't be paid off (interest only mortgage).  
Therefore the mortgage will have to be renewed, or renegotiated.
5. Recent changes in the benefit system may mean the interest repayments on the mortgage are not fully covered by Support for Mortgage Interest and additional funds will be required from other sources.
6. If the Housing Association goes into insolvency and ceases trading, then any money invested in the property could be lost.
7. Not all Registered Providers offer **Help to Buy**<sup>3</sup> and even fewer know about HOLD. The first step is to contact what is called a "zone" agent – a leading Registered Provider that knows about low cost home ownership in your area.
8. Registered Providers have to follow lots of rules and regulations set down by the Homes and Communities Agency. These include limits on size and value of property and also rent levels. These sometimes mean it is difficult to get a big enough property, with room for a carer or for necessary adaptations, in an acceptable area.
9. Registered Providers have to bid to the Homes and Communities Agency for funding for HOLD allocations. These may not be enough or there may be no allocations in some areas of the country.

## REAL LIFE EXAMPLE

Andrew's house is a 'shared ownership' i.e. he has invested a small amount of money and has a landlord who has invested the remainder of the cost. The landlord, Mencap's housing branch Golden Lane, charges rent, which includes a component for maintenance. Housing Benefit pays the rent.

It was a complicated process led by Andrew's person centred plan which identified it was essential that he lived where he was born, where he grew up, where his family lives and where he is known. His name had to be on the council's housing list and I had to get confirmation that they could not provide suitable accommodation. As he needs someone to sleep-in at night, he needed a 2-bedroomed property. We searched in vain for a house with 2 bedrooms. There are limited 2-bedroomed properties in the area. New build was unsuitable – just too fragile! Others had no front garden, out of the front door and straight onto the road – too dangerous. It was finally agreed that we could have a 3-bedroomed house which, in fact, was no more expensive than a 2-bedroomed house.

Eventually we found a nice semi with a garage, in a cul de sac, with enough car parking space to reduce impact and annoyance on neighbours.

Andrew moved in just before Christmas 2005. He introduced himself to his neighbours via some handmade Christmas cards and was delighted to receive a card from everyone in the cul-de-sac in return.

• **Jan Seamer** - Family Carer



Andrew outside his house

## WHAT TO DO

- ➔ Find your local Housing Association expert for HOLD. Regional details available from: [www.homesandcommunities.co.uk/homebuy\\_agents](http://www.homesandcommunities.co.uk/homebuy_agents)
- ➔ Ask if they can provide a one off solution that meets the individual's requirements.
- ➔ Read the briefings on the Housing and Support Alliance website [www.housingandsupport.org.uk](http://www.housingandsupport.org.uk)
- ➔ Get expert advice e.g. on mortgages visit: [www.mysafehome.info](http://www.mysafehome.info)
- ➔ If the individual lacks capacity to enter into a mortgage agreement a **Deputy**<sup>4</sup> will need to be appointed (see CBF information sheet "Getting legal deputyship for property or welfare decisions" for more information).
- ➔ Shared ownership can work using family assets instead of a grant – as described in section 5 (page 26).

## JARGON BUSTER

1. **SMI:** Support for Mortgage Interest (SMI) means that homeowners on certain benefits including Income Support/Employment & Support Allowance may be eligible for help towards mortgage interest payments.
2. **HOLD:** Home Ownership for people with Long term Disabilities (HOLD) is a programme funded by the Homes and Communities Agency to help disabled people become home owners. To find regional details see: [www.gov.uk/affordable-home-ownership-schemes/shared-ownership-scheme](http://www.gov.uk/affordable-home-ownership-schemes/shared-ownership-scheme)
3. **Help to Buy:** is a government funded initiative designed to help people who cannot afford to buy a home that suits the needs of their household.

To be eligible for Help to Buy:

- Your annual household income must be less than £80,000 (£90,000 in London)
- You must be a first time buyer or you used to own a home but can't afford to buy one now
- You must live in England

For more information see [www.ownyourhome.gov.uk/scheme/shared-ownership/](http://www.ownyourhome.gov.uk/scheme/shared-ownership/)

4. **Deputy:** see Jargon Buster on page 20.

# Buy To Let



## 7. BUY TO LET

Some properties are purchased by people specifically to rent out to others. A buy to let mortgage is a type of mortgage specifically designed for people buying a property with the intention of letting it out.

### RENTING FROM FAMILY MEMBERS OR A TRUST

A family member, charity or trust could also be a private landlord and they are likely to offer better security and standard of housing.

In theory, parents (or other relatives) could use a **buy-to-let mortgage**<sup>1</sup> to provide rented housing for their relative with a learning disability or autism (i.e. the family member can purchase a property to rent, become a private landlord, and rent the property to their relative.) This could work with or without other people with learning disabilities sharing the property: all the tenants would have assured shorthold tenancies.

Where a family Discretionary Trust owns a property, the beneficiary usually lives there rent free. However, it may be possible to charge rent which is eligible for Housing Benefit. Renting part of the parental home (e.g. a bedsit or annexe) can also be eligible for housing benefit (see factsheet Renting to Relatives: <https://www.housingandsupport.org.uk/renting-accommodation-to-relatives> for more information).

### CHARITIES AND BUY TO LET

Some charities (Golden Lane Housing, set up by Mencap, is an example) provide rented housing for people with learning disabilities, paid for by loans and from rents (met through Housing Benefit). Because rent will usually not cover the housing costs and any loan needed this will require either investment from the families concerned or some other source. Golden Lane and Mencap Trust Company offers a range of solutions where properties can be gifted to a Trust for somebody's long term benefit, see: [www.mencap.org.uk/advice-and-support/our-services](http://www.mencap.org.uk/advice-and-support/our-services)

#### Key Question

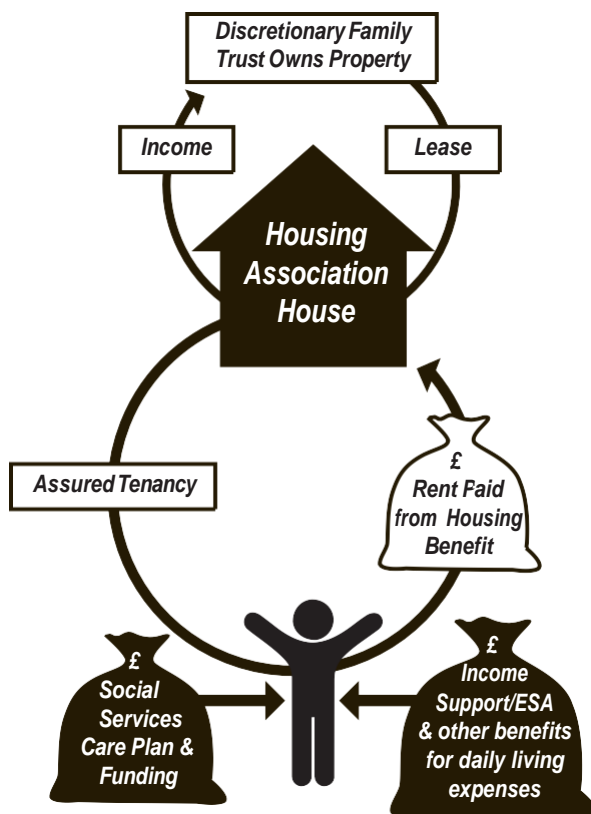
***I'm thinking of buying a property to let to my son. Is this possible?***

As long as it was clearly a commercial arrangement, the tenant(s) should be entitled to housing benefit (if eligible). The parents would be advised to discuss this in advance and **before** buying a property, rather than assume that it will be acceptable.

## DISCRETIONARY TRUST BUY TO LET

Figure 7. Illustration of the funding for Discretionary Trust buy to let.

(Please note this is an illustration only & cannot convey all the complexities of the funding arrangements.)



### ADVANTAGES OF BUY TO LET:

1. Extends choice of available property.
2. Quick solution – no need to wait for too long.

### DISADVANTAGES OF BUY TO LET:

1. Insecure shorthold tenancies, may not be permanent.
2. Rent required may exceed Housing Benefit levels.
3. The plan may need some family investment.
4. Local authority may dispute arrangements as being contrived. See Housing & Support Alliance factsheet Renting to Relatives for more information.

### WHAT TO DO

- ➔ You need good professional financial, tax and legal advice.
- ➔ Using family investment gives longer term security, property could be sold and used for a move.
- ➔ Charity, Housing Association or Trust partners can be useful agencies for holding property – there are some very helpful specialists

## JARGON BUSTER

1. **Buy to let mortgage:** A type of mortgage specifically designed for people buying a property with the intention of letting it out.

# Remaining in the Family Home and Other Family Solutions

## 8. REMAINING IN THE FAMILY HOME AND OTHER FAMILY SOLUTIONS

It seems likely with increasing use of individual or personalised arrangements that more creative family solutions will emerge.

This can include staying in the family home but with additional support and care services provided. This may need to consider the affordability of building improvement or change. In the longer term the family home could be passed on to a son or daughter.

### Key Question

*I rent a council house can this pass to my daughter when I die?*

**Succession<sup>1</sup>** is potentially an important route for people with learning disability or autism who are already living in social rented housing but where the tenancy is held by their relative. It should be noted that succession only takes place when the tenant dies – not if they move out and it only applies to a relative who is living in the property at the time of death – not if they are living elsewhere.

If the landlord is the Local Authority then the son or daughter has a right to succeed to the tenancy provided there has not already been a succession. But in all cases there is nothing to prevent the landlord granting a new tenancy to the son/daughter or other relative. If the landlord is a private landlord there is no right to succession and no guidance or regulation which says a tenancy should continue.

Others have developed annexe building solutions by adapting the family home to provide self-contained accommodation and more independence for a disabled relative.

Another option is to use the family home site to provide new build self-contained accommodation in the garden. A family whose daughter had physical disabilities was provided with a purpose built bungalow and a direct payments package was used to employ support staff.

If this is an option there are a number of specialist Housing Associations that work with Local Authorities and families to provide shared ownership for people with learning disabilities. For more details and lists of specialist providers look at the Learning Disability England website (previously Housing and Support Alliance) ([www.housingandsupport.org.uk/shared-ownership-and-help-to-buy](http://www.housingandsupport.org.uk/shared-ownership-and-help-to-buy))

## FAMILY SOLUTIONS

*Figure 8. Illustration of the funding for staying put.*

(Please note this is an illustration only & cannot convey all the complexities of the funding arrangements.)



### ADVANTAGES OF FAMILY SOLUTIONS:

1. Staying on in the family home may feel like the most logical solution.
2. Familiarity with the area and existing networks.
3. May allow for continuing family carer support.

### DISADVANTAGES OF FAMILY SOLUTIONS:

1. Is it the best solution and is it sustainable?
2. What happens when family members become older? Are plans in place?
3. Funding may not cover the cost of repairs to the family property or specialist equipment/furniture.

## REAL LIFE EXAMPLE

My Sister, Sheila is an adult with a severe learning difficulties, she lived with our mum and dad all her life. After our parents passed away, I set up a trust in her name and appointed four Trustees. We have just one house, the family home, where we both live. My sister has Direct Payments paid into the Trusts bank account. This is for the sole purpose of paying her Personal Assistants (PA's). I did not want to manage the money side; the wages, paying tax or National Insurance contributions.



*Sheila in her car*

The Trust employs eight PA's on a seven day a week, twenty four hour a day basis. An accountant does all the necessary deductions and pays the wages, then I am sent a copy of the wage slips. We have also appointed a team co-ordinator to arrange holidays and training.

I live in the middle of this support as this is where I can advise when PA's need any personal information about my sister. I understand this will not be for everyone but for me this is a perfect way of having a sister and just being her brother. We have very independent lives but I can always be there if needed. I have made plans to ensure Sheila's independence if she outlives me (see Section 5: Home Ownership & the Use of Discretionary Trusts for more details).

• **Don Jones** - Brother

## WHAT TO DO

- ➔ Make sure staying put is not just putting off a better long term solution.
- ➔ If it is just for the time being, make a plan for stage 2.
- ➔ If the person wants to share with others make sure the terms are fair.

### JARGON BUSTER

1. **Succession:** a legal term used when a person inherits a tenancy when the tenant dies. The person who inherits a tenancy is called a "successor".

# Key Points



## 9. KEY POINTS

There are a wide range of housing options and each one needs to be carefully considered, it is therefore essential to start planning as early as possible. The best outcomes are likely to be achieved by involving the individual as far as possible as well as everyone who knows the person well to develop a person centred solution. The key points to remember are:

1. For people with learning disabilities identifying the type of home that will be best for each individual requires careful consideration. Special attention should be given to the space and design needed for the individual and for the staff, to the need to manage and minimise risks while promoting independence.
2. Potential support providers need to be involved early on in the process. They have ideas and expertise and the housing and support providers should help to shape and deliver the plans.
3. Housing Associations (Registered Social Landlords) are a good way of getting purpose designed solutions. They can use a government grant for the purpose. They also have existing properties to let.
4. Charities or private landlords have to manage without a grant but they can produce quick off the peg solutions – for simpler or interim solutions if they will meet your needs.
5. Commissioning special housing takes time and requires local authority support for plans and access to grants. So start planning early!
6. Shared ownership has the potential to deliver 'tailor made' solutions usually for single occupation or possibly two sharing. The combination of funding makes a higher standard and wider choice affordable.
7. Family investment isn't possible for everyone but families with savings or assets can use those to part or wholly fund property which can be held in a trust or by a charity or Housing Association.

## PROBLEM SOLVING

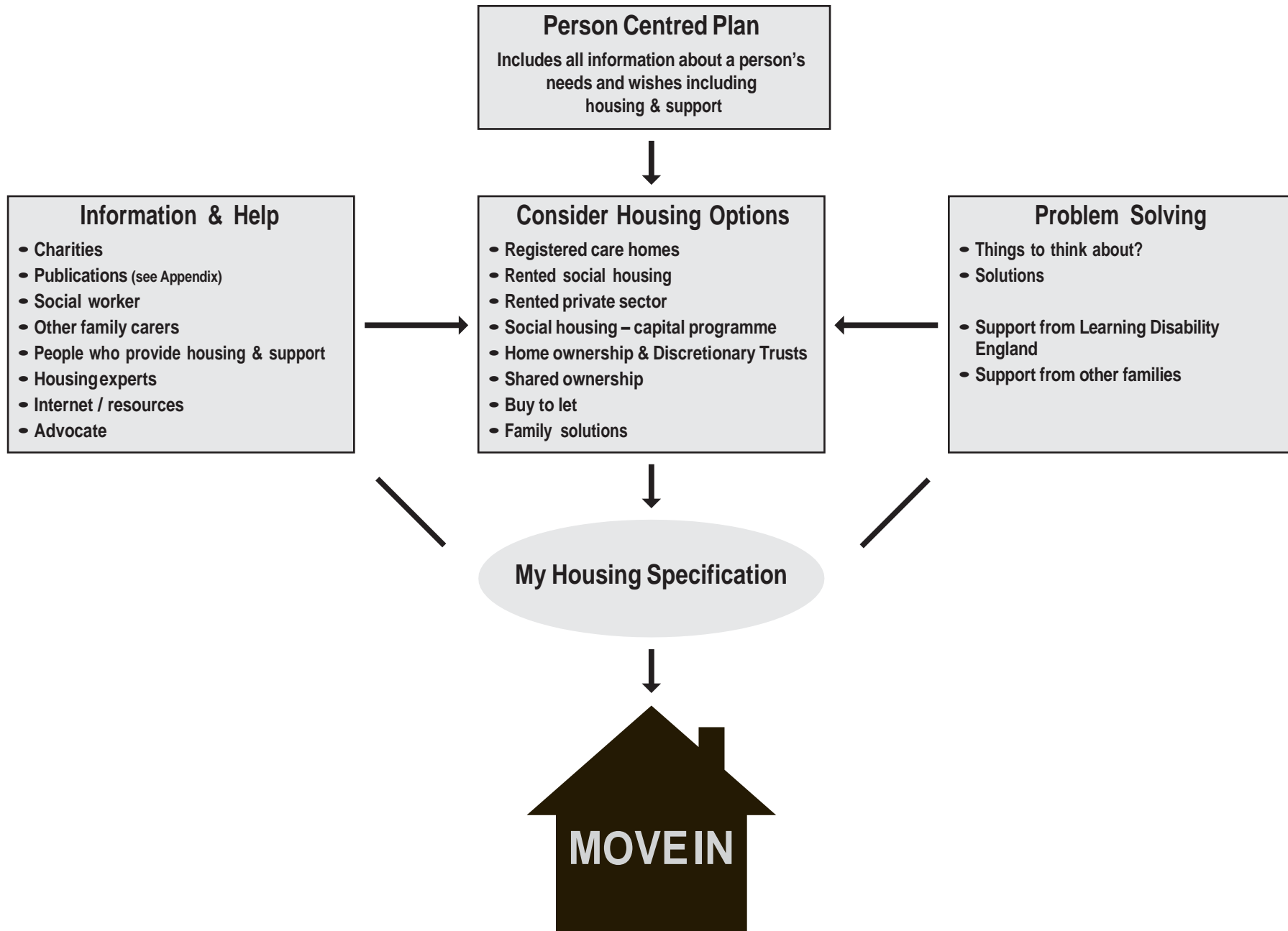
Learning Disability England offer independent housing advice to members on 0300 201 0455. Membership is currently £12 a year for family carers.

Linking up with other family carers can be a great way of problem solving and sharing experiences.

For family carers who have a relative with a learning disability Mencap has a 'Family Hub' to enable families to connect online: <https://www.mencap.org.uk/familyhub>

For family carers who have a relative with severe learning disabilities and challenging behaviour the Challenging Behaviour Foundation has a Family Carers' Email Network and Family Linking Scheme to put you in touch with other families.

## SUMMARY



# Appendix 1

# Benefit Changes

## APPENDIX 1: BENEFIT CHANGES

### Universal Credit

The Government want to make the benefits system easier to understand. They are doing this by bringing 'means-tested' benefits into one payment. These are the benefits that are based on how much money you have, called Universal Credit.

The benefits that will come together to be Universal Credit are:

- Income Support
- Income Related Jobseeker's Allowance
- Income Related Employment Support Allowance (but not Contributory ESA)
- Housing Benefit
- Working Tax Credit
- Child Tax Credit

Working age people who receive these benefits will get Universal Credit.

Everyone will get the same basic amount, like they do for Jobseeker's Allowance. Extra money will be available for some people for disability, children, housing or caring. Any other benefits you get, like DLA/PIP or Council Tax, will not be affected by this change.

There will be a cap on the amount of money you can get with Universal Credit. Universal Credit will be paid every month, this is because most people who work are paid every month and the Government think this will help people get used to how they will be paid when they work.

Most people's Universal Credit will be paid to them directly. They will have to use their housing benefit to pay their landlords themselves. However, if you are vulnerable, they might still pay it on your behalf. Most people will be expected to manage their Universal Credit on the internet.

**Universal Credit started for some people in October 2013 and it is planned that a full roll-out of universal credit will be complete by March 2022.**

# Appendix 2

# Useful Publications

## APPENDIX 2: USEFUL PUBLICATIONS

### Easy Read Tenancy and Support Agreements

A guide showing a simple version of tenancy and support agreements with notes for users.

*National Housing Federation, 2009*

[www.housing.org.uk](http://www.housing.org.uk)

### Finding a Place to Live

A guide to an individual looking for accommodation, carers and professionals.

*Jenny Pannell and Maurice Harker, 2010*

*Housing & Support Alliance*

### Gadgets, Gizmos and Gaining Independence

Assistive Technology and People with Learning Disabilities the rapidly changing capacity of technology to help people manage independently.

*Nigel King and Alicia Wood, 2006*

*Advance Housing*

### Getting legal Deputyship for Property or Welfare Decisions

Information sheet for family carers who wish to apply to the Court of Protection to be appointed as a 'deputy' for their relative. A practical step by step guide to the application process.

*The Challenging Behaviour Foundation, 2017*

### Learning Disability England (formerly Housing and Support Alliance)

A wide range of useful publications. All publications by the Housing and Support Alliance can be downloaded from:

[www.housingandsupport.org.uk](http://www.housingandsupport.org.uk)

### Living in the Community: Housing Design for Adults with Autism

A detailed guide to designing and furnishing a house for someone with autism, based on research of autistic people's environmental needs.

*Andrew Brand, Helen Hamlyn Centre, Royal College of Art, 2010*

### **Making decisions: A guide for family, friends and other unpaid carers**

Act 2005 for family and friends which explains the law about mental capacity, how decisions should be made on financial, health and other matters, the role of doctors, lawyers and other professionals and where to go for expert help and advice (OPG602).

*The Challenging Behaviour Foundation, 2017*

### **My Home and Money**

For families and support providers, some of the detail of managing income and expenditure in supported housing.

*Housing & Support Alliance,  
Jenny Pannell and Maurice Harker, Dimensions 2007*

### **Setting up a Trust – Do you want to leave property or money to your relative?**

This guide provides information about the different types of trusts and how they work housing.

*Mencap 2017*

### **The Real Tenancy Test**

Tenancy rights in supported living. Provides a quick test to be used in supported living and tenancy based supported living and tenancy based supported housing to determine if real tenancy rights are being met.

*Mencap 2017*

### **Your guide to the Care Act: What you need to know about social care in England**

[www.disabilityrightsuk.org/care-act-guide](http://www.disabilityrightsuk.org/care-act-guide)

### **The National Framework for NHS Continuing Healthcare and NHS-funded Nursing Care**

An important guide to defining costs and services to be part of the health service. Last updated June 2016.

[www.gov.uk](http://www.gov.uk)

# Appendix 3

# Strategies, Policy & Best Practice



## APPENDIX 3: STRATEGIES, POLICY & BEST PRACTICE

### **Building the Right Support**

A national plan to develop community services and close inpatient facilities for people with a learning disability and/or autism who display behaviour that challenges, including those with a mental health condition.

[www.england.nhs.uk](http://www.england.nhs.uk)

### ***The fundamental standards***

Guide to the standards below which your care must never fall, from the Care Quality Commission.

[www.cqc.org.uk](http://www.cqc.org.uk)

### ***Ensuring Quality Care***

Core principles for the commissioning of services for children, young people, adults and older people with learning disabilities and/or autism who display or are at risk of displaying behaviour that challenges.

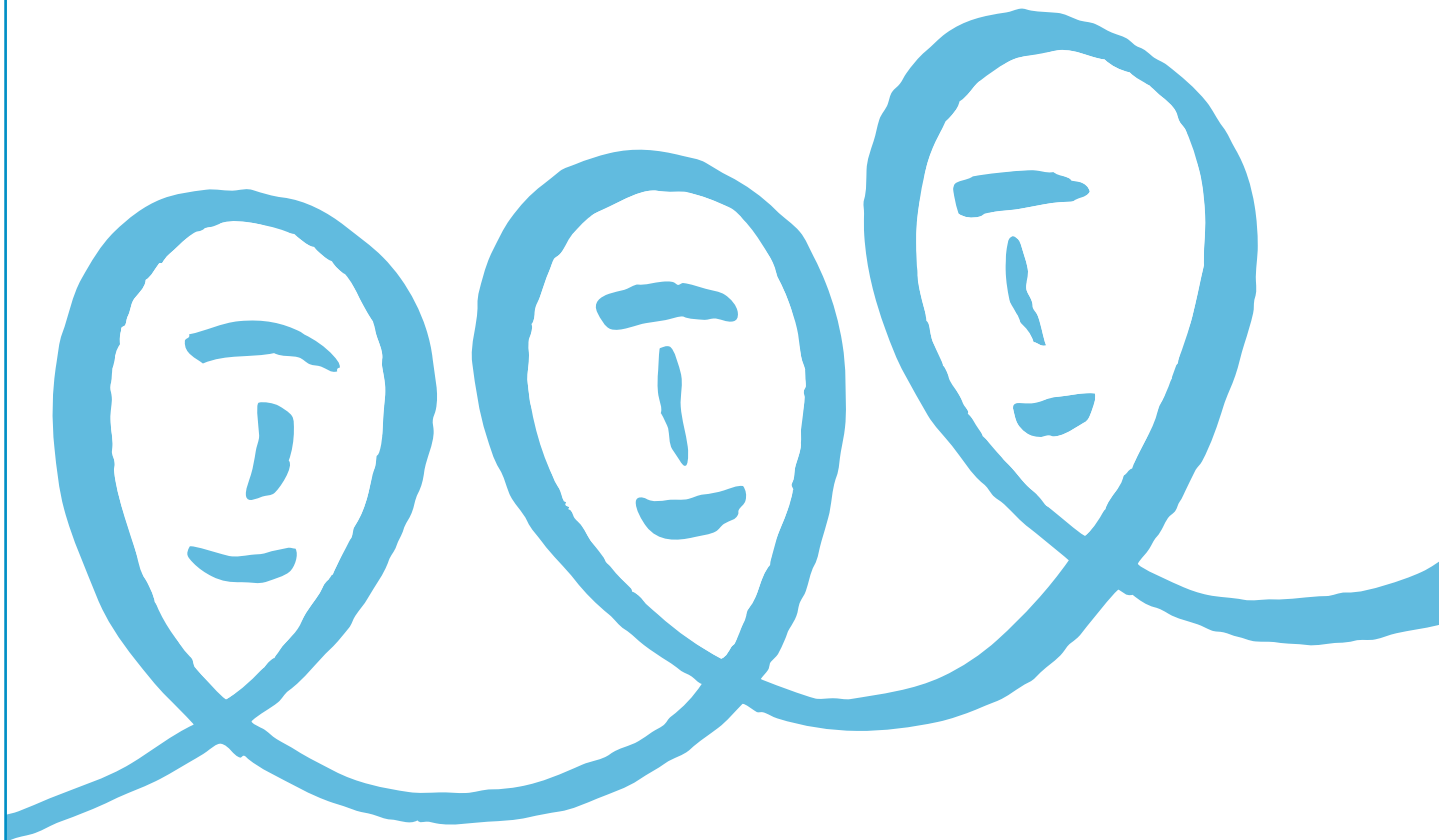
[www.local.gov.uk](http://www.local.gov.uk) (Publications Gateway reference 01197)

### ***There is an Alternative***

Person centred support in the community is described in 10 case studies about people with learning disabilities.

[www.housingandsupport.org.uk](http://www.housingandsupport.org.uk)

While every care has been taken in the compilation of this resource, the Challenging Behaviour Foundation cannot be held responsible for any errors or omissions, nor accept responsibility for any goods or services mentioned.



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Last updated: May 2017



**making a difference  
to the lives of people with  
severe learning disabilities**

