



**Comhshaol, Pobal agus Rialtas Áitiúil**  
Environment, Community and Local Government

# **NATIONAL GUIDELINES FOR THE ASSESSMENT AND ALLOCATION PROCESS FOR HOUSING PROVISION FOR PEOPLE WITH A DISABILITY**

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## Definitions

**Advocate** means a person who acts on behalf of, or assists a person with a disability in their interactions with official bodies or voluntary organisations.

**Approved Housing Body (AHB)** – Housing Associations, (also known as Approved Housing Bodies), are non-profit organisations whose purpose is the provision and management of housing for households who are in housing need. Provided they meet certain criteria, voluntary housing associations can apply for “approved status” from the Minister at the Department of the Environment, Community and Local Government under Section 6 of the Housing (Miscellaneous Provisions) Act 1992.

**CALF** means Capital Advance Leasing Facility which is a Department of the Environment, Community and Local Government funding scheme to assist Approved Housing Bodies to provide housing.

**Congregated Settings** were defined for the purpose of the project as living arrangements where ten or more people share a single living unit or where the living arrangements are campus-based.

**Housing Authority** means the authority, in most cases the local authority but currently could include Town or Borough Councils that has a statutory responsibility to provide housing support to an individual who is assessed as being in need of this support.

**Housing Strategy for People with Disabilities** means the National Housing Strategy for People with Disabilities 2011 – 2016

**HSE** means Health Service Executive

**National Implementation Framework** means the document that was prepared to drive the implementation of the Housing Strategy for People with Disabilities 2011 - 2016

**Payment and Availability Agreement** is an agreement signed by the Housing Authority and the Approved Housing body stating that the AHB will make the property available for social housing for a specific period in exchange for a percentage of the market rent.

**Service Provider** means the organisation that is providing medical or social care to the person with the disability.

**Strategy** means the National Housing Strategy for People with Disabilities 2011 – 2016

**Transitioning** means moving from institutional care to more independent community based living.

## 1. Executive Summary

The purpose of these national guidelines is to assist in streamlining the management of the housing assessment and allocation processes for people with disabilities, including those living in the community and those transitioning to the community from residential care, as set out in the Government's National Housing Strategy for People with a Disability 2011 – 2016 (The Strategy). The Guidance has been developed as an enhancement and replacement of the existing Protocol for the Provision of Housing Support to People with Disabilities, May 2013.

The Guidance must be used in conjunction with the existing guidance on assessment and allocations process currently applied by Housing Authorities and shall also supplement existing local arrangements, as appropriate. The guidance has been developed by the Housing Agency in conjunction with a range of stakeholders.

The Strategy and the associated National Implementation Framework, which are joint publications by the Department of Environment, Community and Local Government and the Department of Health were developed as a part of a coherent framework, in conjunction with the Government's mental health policy, A Vision for Change and the Report of the Working Group on Congregated Settings, to support people with disabilities in community based living with maximum independence and choice.

The vision of the Strategy is ***to facilitate access, for people with disabilities, to the appropriate range of housing and related support services, delivered in an integrated and sustainable manner, which promotes equality of opportunity, individual choice and independent living***. This should be achieved within the mainstream housing environment.

One of the key objectives of the strategy is to provide mainstream access to the full choice of housing options, as required, to people with disabilities in order to allow them to obtain a sustainable tenancy and to support them in living as independently as possible.

The four categories of disability referred to in the Strategy are:

- (a) sensory disability
- (b) mental health disability
- (c) physical disability and
- (d) intellectual disability

This Guidance has a number of **key messages** that should be adhered to when assessing the specific housing needs of people with a disability. These are:

1. **Local authorities** are responsible for the **provision of housing services** in accordance with the Housing (Miscellaneous Provisions) Act, 2009, while the **provision of relevant health and personal social services** is the responsibility of the **Health Service Executive**.
2. **All people with disabilities are entitled to apply for an assessment of housing need** to their local Housing Authority whether they are currently homeless, about to leave

custody/treatment centre, living in the community, in residential/institutional care or nursing homes.

3. A **full Social Housing Support Application** form must be submitted to the applicant's local Housing Authority for assessment purposes. This form can be completed by an applicant with their advocate or recognised service provider. In the event that a person with a disability has agreed/requested in a written, verbal or other appropriate method (depending on their disability), that an individual or service provider act in the capacity as **advocate for the applicant**, the Housing Authority must engage as appropriate with this individual or service provider.
4. People with a disability **shall not be deemed adequately housed** when their current address is a congregated setting, institution, hospital/nursing home, community based group home, or when they, although an adult, remain in the family home due to their personal circumstances and/or support needs, including their need for adapted living conditions where the family home is unsuitable.
5. The Housing Authority shall endeavour to make the process of **applying for, being assessed for and being allocated a home as easy as possible** for a person with a disability including providing documentation in a user friendly manner.
6. **Double certification** is acceptable where one is from a medical professional and the other from a service provider. (See 5.1.).
7. Where a person with a disability is **transitioning from a congregated setting** to community based living by means of stepping down from congregated setting facility to high supported independent living initially and then on to more independent living as their capacity grows, or where the person's understanding of their own desires or needs change over time, the Housing Authority shall facilitate this transition by allowing the person **reapply to be assessed for inclusion** on the Housing List (full assessment required) or the Transfer List whichever is appropriate.
8. Recommendation 7 of the Report of the Working Group on Congregated Settings 'Time to Move on from Congregated Setting – A Strategy for Community Inclusion' is that **person-centred principles** should **guide the new support model** that will allow people with disabilities, whether from a congregated setting or institutional care setting, to live in dispersed housing with tailored supports.
9. Applications from people transitioning from Congregated Setting shall be deemed as having a housing need based on the housing need criteria that their ***current accommodation is an institution, emergency accommodation or a hostel*** under the Social Housing Assessment Regulations 2011.
10. The provision and level of **Rent Supplement** must be determined in a fair and equitable manner in line with the **policies** of the Department of Social Protection. It should be noted that the Government has approved the introduction of the Housing Assistance Payment (HAP). HAP will transfer responsibility for recipients of rent supplement with an established

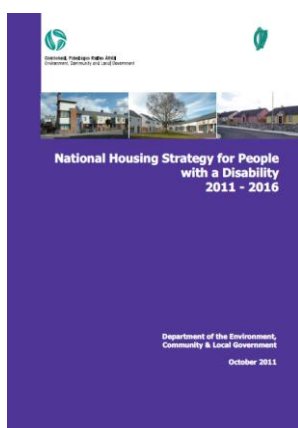
social housing need from the Department of Social Protection to housing authorities, with roll out due to commence in 2014.

### ***Scope of this Document***

The National Guidelines for the Assessment and Allocation Process for Housing Provision for People with a Disability is designed to provide guidance on the process for housing provision for all people with disability whether living in an institution or as part of the community. Section 3 and Section 5.3.5 places an emphasis on people transitioning from congregated settings as the process of the transitioning of residents that have lived under institutional care for many years is a complex and difficult one. The Guidance will aim to distinguish where there are different or additional requirements for people who are transitioning, from those for people making a housing application from the community.

## **2. Policy Context**

### ***2.1. National Housing Strategy for People with a Disability***



The National Housing Strategy for People with a Disability is the Government strategy to address the housing needs of people with disabilities over the period 2011 to 2016.

The commitment to the development of the housing strategy was set out in the social partnership agreement, Towards 2016, and underpinned in the 2007 housing policy statement, Delivering Homes, Sustaining Communities in recognition of the fact that people with disabilities often had fewer choices in terms of accessing and maintaining appropriate accommodation.

Implementation of the Housing Strategy is also a key commitment under the Government's new National Disability Strategy Implementation Plan which was published in July 2013. The Strategy supports the Plans high level objective that people with disabilities should be supported to live ordinary lives in ordinary places, participating in the life of the community. An Easy-To Read version of the strategy designed for people with intellectual disabilities is also available.

### ***2.2. Towards 2016***



The vision set out in the social partnership agreement was that people with disabilities should have the opportunity to live a full life with family and as part of their community. The agreement sets out that this should be achieved through a long-term goal of ensuring access to public spaces, buildings, transport, information, advocacy and other public services and appropriate housing. The agreement places the person at the centre of the policy development. The agreement also looked for an interagency approach to the policy delivery.

### 2.3. Housing Policy Statement 2011



The Government's Housing Policy Statement, published in June 2011, states

*'A society can be judged by how it treats its most vulnerable. This is the case whatever the prevailing economic conditions. A good framework of supports is in place to provide for the housing needs of vulnerable and disadvantaged households.'*

*These include:*

- *supports available for older people and people with disabilities under the Capital Assistance Scheme;*
- *the existing suite of housing adaptation grants;*
- *a new housing strategy for people with disabilities;*
- *interventions intended to alleviate homelessness; and*
- *the provision of Traveller specific accommodation.*

*Delivering more and better outcomes for vulnerable, disadvantaged and special needs households.....will be a key priority for the Government. ....'*

### 2.4. Report of the Working Group on Congregated Settings



The Working Group on Congregated Settings chaired by Mr Pat Dolan, Local Health Manager, was set up in 2007 by the Health Service Executive to develop a national plan for transferring approximately 4,000 people with disabilities from 72 facilities in over 20 counties to community based living.

The Working Group defined a Congregated Setting as a facility where 10 or more people reside in a single living unit or where living arrangements are campus based.

The groups work culminated in the publishing of their report in June 2011 'Time to Move on from Congregated Settings – A Strategy for Community Inclusion', which makes a total of 31 recommendations in order to provoke action to deliver on Government Policy towards community based living for people with disabilities. The report recommends that people moving out of institutions should move to 'Dispersed Housing' - apartments and houses of the same types and sizes as the majority of the population live in, scattered throughout residential neighbourhoods among the rest of the population – with a maximum of four people with a disability sharing together. The process of moving people from institutions to community housing should take seven years, from 2012 to 2019.



For individuals moving from Congregated Settings, the individual's housing and support plan should, where possible, be directed and prepared by the individual with the appropriate support of their advocate, HSE or Service Provider. It will discuss the housing needs and choices of the individual. The **Person Centred Plan** shall be completed prior to the person presenting to the Housing Authority for assessment of need and will help to inform this process. The report also recommends a change in the approach to the provision of support to people with disabilities. The recommended approach is person centred.

People with disabilities must be given the support they need to live independently and to be part of their local community. The person centred plans are central to this process and this plan must be in place for each individual prior to their consideration for housing support. The plan is prepared with the individual by the HSE or Service Provider.

The contents of the plan, regarding the housing options and the support that will be provided following the provision of the housing support, must be articulated to the Housing Authority to demonstrate the commitment to the individual by the HSE and to demonstrate that the supports will be in place to allow the person to live independently. This will be done by the completion and submission of the Summary Support Plan.

This Person Centred Plan must be reviewed on a continual basis to ensure that it reflects the current needs of the individual. It is important that if there are changes to the person's needs, following the agreement of this change with the individual, their families, advocate etc. that the HSE or HSE Provider informs the Housing Authority of these changes, and that it is acceptable to the Housing Authority to ensure the sustainability of the tenancy.

In the event that any party to the arrangement has identified a change in the needs of an individual and notifies the HSE or Service Provider, they must review the Person Centred Plan to make any changes necessary, in agreement with the individual and any relevant third parties. There must be ongoing information sharing between the parties including the housing provider i.e. Housing Authority or approved housing body to ensure that, as an individual's needs change, the services/housing option cater for this. The person with the disability must be central to this ongoing process and must have a voice in the process.

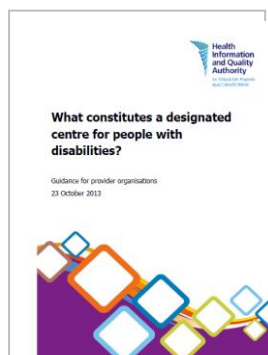
### ***2.5.A Vision for Change***



It should be noted that people living in mental health service settings were not included in the report from the Congregated Settings Working Group. There are some recommendations about housing for people in mental health services settings in the policy set out in the Vision for Change – Report of the Expert Group on Mental Health Policy. This report recommends the development of a plan to bring about the closure of psychiatric hospitals. The HSE 2014 service plan mentioned that an implementation plan for the last 3 years of a Vision for Change is being developed – a standard model of care.

The National Housing Strategy for People with a Disability (Chapter 9) states that in developing such a strategy the complex housing needs of people with a mental health disability must be identified and addressed effectively to assist recovery. In the absence of such a strategy people with a mental health disability should be treated in the same manner as people with other disabilities and that their Person Centred Plan should guide their housing options. The Implementation Framework for the Housing Strategy for People with a Disability incorporates specific actions for people with mental health disability.

## 2.6 What Constitutes a Designated Centre for People with Disabilities

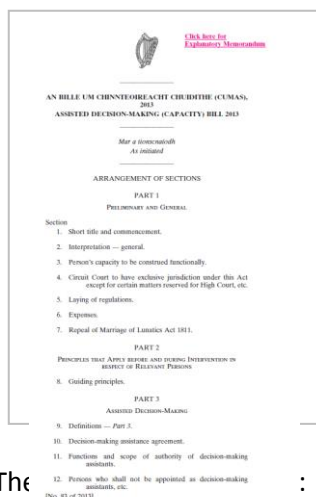


HIQA has become legally responsible for the registration and inspection of residential services for children and adults with disabilities, including respite services. Services potentially coming under this remit include HSE run services and services provided by organisations funded under sections 38 or 39 of the Health Act 2004.

This is a guidance document for providers of residential services for people with disabilities.

Service providers will have to carefully consider the contents of this guidance document in relation to each residential service that they operate so as to ensure that they are aware of their requirements to register all services falling within the definition of a Designated Centre.

## 2.7 Assisted Decision – Making (Capacity) Bill 2013



The purpose of the Bill which was published in July 2013 is to reform the law and to provide a modern statutory framework that supports decision-making by adults and enables them to retain the greatest amount of autonomy possible in situations where they lack or may shortly lack capacity.

The Bill will provide principles that will preserve the independence and dignity of people with reduced capacity. It proposes a change from the all or nothing status approach currently to a flexible and functional definition.

The Bill will provide principles that will preserve the independence and dignity of people with reduced capacity. It proposes a change from the all or nothing status approach currently to a flexible and functional definition.

- Presumption of capacity to make decisions unless the contrary is demonstrated,
- No intervention shall be made unless it is necessary,
- Person will only be treated as unable to make a decision when all practicable steps have been made to help the person to make a decision have been unsuccessful,
- Any act or decision made must be done in a way that is least restrictive of the persons rights and freedoms,
- Any act or decision made must give effect to the person's will and preference.

Capacity is only assessed in relation to the matter in question and only at that time.

There are three types of decision making supports proposed under the Bill to respond to the range of support needs of individuals:

- **Assisted Decision-making** – An individual may appoint a decision making assistant through a formal decision-making assistance agreement.
- **Co-decision Making** – an individual can appoint a Co-decision maker to make decisions jointly with him or her under a co-decision making agreement approved by the Circuit Court.
- **Decision Making Representative** – An individual who is unable to make decisions even with help can have a decision making – representative appointed by the Circuit Court.

An Office of Public Guardian will be established to replace the Wards of Court Office within the Court Service to manage capacity-related matters for adults.

### 3. The Stakeholders in the Congregated Settings Transitioning Process

There are many stakeholders to the transitioning process, each with vital roles and responsibilities to ensure that the process is a seamless one for the individuals transitioning. The success of the transitioning process is wholly dependent on all stakeholders working together in a collaborative manner to ensure the best outcomes for people with disabilities.

The Stakeholders to the process are: -

- The individual transitioning and their family, depending on the capacity and wishes of the individual,
- Service Providers,
- Health Service Executive,
- Department of Health,
- Department of Environment, Community and Local Government,
- Housing Authorities,
- Approved Housing Bodies/Irish Council for Social Housing and
- Other relevant agencies and departments which can support people with disabilities to partake of education and employment opportunities, etc.

Each stakeholder has responsibilities that must be adhered to in order to ensure that the supports required by the individuals transitioning to their new homes are in place during the process and when they have moved into their new home.

Responsibilities and requirements from each Stakeholder are as follows:

#### The individual transitioning

Where appropriate the individual transitioning has the responsibility to articulate where and how they wish to live. This may be directly or through a family member, an advocate or their Service Provider. There may be a role for an Assisted decision Maker or a Co-decision Maker in this process in order to ensure that the individuals will and preferences are given effect.

#### Service Provider

In many cases the Service Provider will be the first point of contact for an individual that is preparing to move out of their current accommodation in a Congregated setting to a more

community based environment and independent living. It is important that the Service Provider provides the support that is required by the individual and this may take many forms.

The Service Provider must:

- Support the individual in the preparation of their Person Centred Plan,
- Support the individual in identifying their future housing needs,
- Support the identification of the Support Package that will be required by an individual to live a more independent life,
- Identify individual support costs and continue to provide funding for residents in their new housing environments,
- Ensure that the correct information is provided to the individual to allow them to make an informed decision regarding their wishes for their new accommodation,
- Support the individual in completing their Social Housing Support application form including the Summary Support Plan form,
- Where appropriate, liaise with the other stakeholders on behalf of the individual,
- Provide the appropriate support for an individual in their new housing environment,
- Continually review with an individual their support and adapt to the changing needs of the individual over time.

The Service Provider should recognise that the person may well have needs that go beyond the scope of services currently available. The Person Centred Plan should not be limited to the services currently available from that Service Provider.

#### Health Service Executive (HSE)

The HSE could have a dual role in the lives of people living in a congregated setting. In some cases the HSE is the direct service provider to an individual and will act as outlined above where this is the case. In addition the HSE is the current funding agency of all of the Congregated Settings in the provision of block grants to approved service providers for the support of residents. The HSE is also one of the main drivers of the deinstitutionalisation of residents from congregated settings.

The HSE must:

- Perform the role as outlined above when they are providing the support of residents directly,
- Identify individual support costs and continue to provide funding for residents in their new housing environments,
- Continue to take a leading role in deinstitutionalisation by
  - Providing data regarding overall strategy for the transitioning of individuals from congregated settings to Community Based Living,
  - Provide data on the people that are ready to move towards independent living.

#### Department of Health

The Department of Health's mission is to improve the health and well-being of people in Ireland in a manner that promotes better health for everyone, fair access, responsive and appropriate care delivery and high performance.

In relation to services for people with disabilities, the Department's role is to provide the policy and legislative framework to enable the ongoing strategic development, monitoring and evaluation of the performance of health and social services to support people with a disability to live in the community. This includes working with other Government Departments, the HSE and relevant agencies to enhance people's health and well-being.

In the context of advancing cross-departmental housing issues the Department of Health oversees, supports and monitors the HSE's implementation of various recommendations, key measures and actions. These include the 'National Implementation Framework of the Value for Money and Policy Review of the Disability Services Programme', [2013] and the implementation of the HSE's report 'Time to Move on From Congregated Settings - A Strategy for Community Inclusion', [2011].

#### Department of Environment, Community and Local Government

The Department of the Environment, Community and Local Government has overall responsibility for developing and implementing housing policy for people with disabilities, both for those living in the community and those who will be transitioning from institutional care in the coming years.

The Department's role is to provide the policy framework to enable the delivery of a range of housing options and solutions and to work with other Government Departments, housing authorities, HSE and relevant agencies in supporting people with disabilities to access and maintain appropriate housing suited to their changing needs within sustainable communities.

#### Housing Authorities

The Housing Authority, normally the Local Authority, recognises that while it has a key role in facilitating the transition of people from congregated Settings it has an overarching role in the provision of social housing supports for all eligible persons with a disability, including people currently living independently, or with families or in other arrangements.

Section 4.1 of this document outlines the various supports that may be available to people with disabilities through the local authority.

For people transitioning from Congregated Settings the role of the local authority will include:

- The facilitation of the transition by assessing the person for Housing Need based on the process outlined in these guidelines in conjunction with current policies,
- In the case where the leasing model is being used to provide the accommodation for an individual, the signing of a Payment and Availability Agreement with the Approved Housing Body and acting as the conduit for the funding under the agreement,
- The nomination to the AHB the appropriate person for a property, Local Authorities should ensure that timely nominations are made to the AHB. Consideration should be given to the development of a nominations protocol, similar to that agreed by ICSH members and the four Dublin local authorities for homeless persons, by the Housing and Disability Steering Groups locally,
- Agreement of the suitability of a property under the Social Leasing Initiative.
- In some cases acting as the housing provider if suitable accommodation is available within their existing stock and this accommodation becomes available at an appropriate time. If this is the case then the local authority will be the landlord for the

individual(s). However the Local Authority must take regard of the fact that the use of their own stock should not displace people already awaiting housing.

The Local Authority will be required to establish and chair at Director of Service level a Housing and Disability Steering Group. The role of the HDSG is covered in more detail in Section 4.2.1 below. Their role is for all people with a disability not specifically for people transitioning from congregated settings.

The Local Authorities are also the gateway to other housing options for individuals such as the Rental Accommodation Scheme or Rent Supplement payments. It should be noted that the Government has approved the introduction of the Housing Assistance Payment (HAP). HAP will transfer responsibility for recipients of rent supplement with an established social housing need from the Department of Social Protection to housing authorities, with roll out due to commence in 2014.

#### Approved Housing Bodies

The Approved Housing Bodies will be the main housing providers under the initiatives set out in the Housing Strategy for People with a Disability whether it is through the leasing or purchase models. As a result the AHB will become the landlord, in many instances, to the individual(s) transitioning and will have the normal responsibilities that are attributed to this role. Other roles include:

- Providing representation on national and local groups to assist in the delivery of the Housing Strategy,
- Accepting nominations from relevant Local Authorities,
- Liaising with the Service Providers in relation to Service Level Agreements,
- Sharing information as appropriate with other stakeholders,
- Ensuring necessary adaptations are carried out to ensure suitability of properties,
- Providing pre tenancy training to individuals in cooperation with the relevant service provider,
- Acting in their capacity as landlord on a day to day basis with their tenants.

#### Advocates

The National Advocacy Service or other groups or individuals that provide advocacy services may have a role in supporting the individual to decide and communicate their housing needs.

## **4. Housing Issues – All Housing Applicants**

### ***4.1 Housing Supports***

It is understood and accepted that the security of tenure is an important issue for people with disabilities. This is particularly important to an individual with severe and enduring mental health issues as well as people with progressive conditions and people with an intellectual disability. However there are a number of supports that people with a disability may wish to avail of in order to obtain a sustainable tenancy. These are:

- a) Social Housing owned and provided by their Housing Authority
- b) Social Housing provided by an Approved Housing Body
- c) Housing provided under the Rental Accommodation Scheme

- d) Housing provided under the Social Leasing Initiative
- e) Adaptation Grants

If other housing options are developed in the future information should be made available in a user friendly and accessible manner in order to allow people with disabilities to avail of the opportunities.

In general the above supports will require the applicant to apply to their Housing Authority for Social Housing Support and this is done by the completion and submission of the standard Social Housing Support Application Form to the Housing Authority. This form can be completed by the applicant or with the applicant by their nominated advocate or service provider. This Guidance document sets out how this application shall be treated once it is received in the Local Authority.

#### ***4.2 Housing Needs Strategies***

As outlined in the Executive Summary there are four categories of disability and these are specifically referred to in the Housing Strategy for People with a Disability. The four categories of disability are:

- (a) sensory disability
- (b) mental health disability
- (c) physical disability and
- (d) intellectual disability

Each local authority shall develop a disability specific housing strategy which sets out how the authority plans to meet the housing needs of all people with disabilities in the local area; those making an application from the community and those who are transitioning from a congregated setting. The strategy will be informed by the Housing Needs Assessment process and broader formalised consultation with relevant statutory agencies, service users groups and disability organisations. The strategy will form an integral part of local authority Housing Services Plans and will promote and support the delivery of accommodation for people with disabilities using all appropriate housing supply mechanisms. This strategy will also support longer term strategic planning.

#### ***4.3 Information Sharing***

The provision of sustainable housing solutions for people with disabilities whether from a congregated setting or for an individual already living in the community is reliant on an integrated working approach from agencies both statutory and voluntary. The approach must ensure that there is a defined understanding of each agency's role and responsibility. The agencies must work together to make sure that the best solution is found for the individual with the disability and that this solution is sustained into the future. This will require information sharing among the agencies including the housing provider i.e. local authority or approved housing body. This information sharing must be on an on-going basis to ensure that once the solution is identified and delivered that it is monitored to ensure that it continues to meet the needs of the individual.

The establishment of local authority led Housing and Disability Steering Groups, along with the development of local protocols, as appropriate, will provide a sound framework to support

effective interagency working and information sharing between relevant agencies involved in meeting the needs of people with disabilities.

#### **4.3.1. Housing and Disability Steering Groups**

The National Housing Strategy for People with Disability 2011 – 2016 stipulates that a Housing and Disability Steering Group shall be established in each county/city council area. The purpose of the group will be to support and enhance any current local interagency structures that exist in the area. Appendix 10 outlines the Terms of Reference for the Housing and Disability Steering Group. The group will facilitate better coordination and delivery of housing and related support services for people with disabilities. The role of the group will include:

- The overseeing of the implementation of the Housing Strategy including the Congregated Settings Transitioning Project,
- The monitoring of the agreed interagency protocols,
- The strategic planning for the short, medium and long-term housing need of people with disabilities in their administrative area through:
  - a review of the specifics of current housing need of people with disabilities on the Housing List including those making an application from the community and those transitioning from a congregated setting;
  - a review of current local provision for each disability sector, including how current mainstream housing solutions are addressing the needs of people with disabilities; and
  - the determination of actions and time bound targets to inform the disability sections of future Housing Services Plans for each authority.
- Ensuring that the success of the programme is monitored through feedback from people with disabilities themselves.
- Monitoring the provision of training for local authority staff to ensure they are equipped to implement the Housing Strategy

The Steering Group will be chaired by the Director of Services for Housing within the Local Authority and will have the following membership:

- Integrated Service Area Manager with additional representation from Mental Health if appropriate,
- Representative of each of the disability sectors namely sensory disabilities, mental health disabilities, physical disabilities and intellectual disabilities,
- Representatives from local Approved Housing Bodies to include, where possible, at least one such body that provides housing for people with disabilities.

The representatives from the disability sector shall be connected with an umbrella group or similar type of organisation. The representatives are not representing their own organisation but a particular disability sector and the membership of an umbrella group will allow for two way information flow on an on-going basis.

It is expected that the Steering Group will meet quarterly at a minimum and one of the options open to the group to drive actions is the establishment of short-term working groups that will be tasked with a single action focus. The Steering Group may need to meet more frequently in



the initial months in order to ensure that the momentum is maintained to drive the establishment of the group.

To date four Housing and Disability Steering Groups have been established in each of the four local authority areas identified for a pilot at the start of 2013, namely Cork City, Dublin, Limerick and Louth. These groups have met on a number of occasions with the initial emphasis on the putting in place of a process for the transitioning of people from congregated settings. This work will be on-going and the agenda of the groups extended to include other aspects of the Housing Strategy for People with Disabilities. The roll out of the Steering Groups to other local authorities has commenced and all local authorities will be expected to have their Steering Groups established in 2014. The nomination of appropriate people to the groups will be facilitated, where appropriate, by the Housing Agency.

#### **4.4 Assessment and Prioritisation**

The National Housing Strategy for People with a Disability has set out how the assessment of housing need is required not only to identify the current housing needs and preferences of individuals but also how future needs can be met for individuals. Any person aged 18 or over, may apply to a housing authority for social housing support including people with disabilities residing in institutions or as adults in the family home. The Strategy allows discretion, on a case by case basis, by the local authority that a person who is currently adequately accommodated could be assessed as having a housing need if there is a high probability that there will be a housing need arising in the future. For example if a person has a progressive condition such that their current housing will become inappropriate due to the worsening of the disability they should be considered for social housing support. This could also apply to an adult child still living at home with aging parents. This consideration will prevent crisis housing situations arising. Local authorities shall have flexibility in their Housing Allocation Policies to allow for the allocation of accommodation to an individual where a housing need arises irrespective of the fact that their current place of residence may have been adapted for the individual as a child.

Where an individual is in crisis e.g. sudden injury or death of an elderly parent that prevents the individual from returning home, the Housing Authority will examine the potential for the prioritisation of the individual's case for housing support. In the event that the person has an interest in the property that they cannot return to and it is felt that by the sale of this property the person will be unable to meet their own housing need then the Housing Authority shall not consider the individual as being adequately housed. The Housing Authority will fast track the assessment of the housing need of the individual and will work closely with the individual and any family members or advocates to ensure that the individual's housing need is met in order to prevent the individual from being referred to an institution or nursing home. (See Regulation 22 and 23 of the Social Housing Assessment Regulations 2011.) This will require the management of the local authority housing stock to allow for full usage of adapted properties.

In the event that the individual with the sudden injury is a tenant of a local authority the local authority will work with the individual, their family and/or advocate to ascertain the needs etc. of the individual. The local authority will consult with the appropriate personnel on the issue and make suggestion/recommendations regarding the accommodation provision which may

include adaptation of the existing property or transfer to a property more suited to the person's needs.

#### ***4.5 Property and Other Assets***

The existence of assets is covered by the current Social Housing Needs Assessment and further details on assets only apply if it is deemed that because of the existence of these assets there may not be a need of social housing support. The Department cannot fund accommodation for those deemed not to be in need of social housing support. In the case of people transitioning from congregated settings once individuals are prioritised the issue of assets will be checked and addressed in line with the Needs Assessment.

## **5. Protocol for Assessing the Housing Needs of People with Disabilities**

If a person or a member of a household with a disability or their advocate presents to the Housing Department seeking Social Housing Support then the following procedure should be followed:

### ***5.1. Application Form and Documentation***

- An applicant should complete the Social Housing Support Application Form and submit it to the Housing Section of their Local Authority. The individual's advocate or service provider may play a role in ensuring that the application form and all associated documentation is completed and submitted to the Local Authority. Where appropriate and where it is the wish of the applicant, permission should be given to co-correspond with the named advocate or named person within the service provider organisation. Information on the local advocacy services should be made available to applicants by the Local Authority.

The written consent of the person with the disability to the sharing of information with a named advocate should be obtained, if this is not possible, the housing authority should record that the person has given oral consent personally or through a family member or guardian.

- The application form for Social Housing Support should be checked to ensure that it is a correctly completed form and that it complies with the Social Housing Assessment Regulations 2011 as amended. If any additional information is required, the application should be returned to the applicant or their advocate requesting the information. Where permission for co-correspondence has been provided the advocate or service provider should be copied on correspondence.

Photographic ID – This is currently stipulated on the form as passport or driving licence, when the applicants current address is a congregated setting, institution, hospital/nursing home, community based group home the local authority shall accept a passport photograph witnessed by a Commissioner of Oaths or a member of An Garda Síochána.

Proof of Address – when the applicants current address is a congregated setting, institution, hospital/nursing home, community based group home the local authority shall accept a letter on headed paper from the current accommodation provider.

- Nature of the Disability: In the case of people with a disability who are known to and in receipt of the services of a recognised service provider a GPs note documenting the nature of the disability and accompanied by a detailed report from the service provider which outlines the level of the disability and the resulting needs will be acceptable. An occupational therapists report will be required as prescribed by the housing regulations where there is a specific adaptation to the property required.
- Support Plan Summary: Appendix 4 of this document contains the template for the **Support Plan Summary Form**. This form must be completed by the applicant who is transitioning from a **congregated setting** with their Service Provider. The form should give a description of the support to be provided to the individual transitioning that will allow the person to live independently or as independently as possible with assistance, who is currently providing the support and whether additional supports are likely to be required to enable more independent living, and if so, who will provide this support. This form must accompany all applications from individuals currently residing in congregated settings whether the application is being submitted by the individual or as part of a facilitated relocation. The form must be signed by applicant or their representative and Service Provider.
- Following receipt of all relevant documentation by the Local Authority the application is validated as a correctly completed application, it along with all documentation is referred for assessment. All housing applications once deemed complete must be assessed within **a 12 week period**.

## **5.2. Assessment of need**

- The application is assessed in line with the Local Authority's Housing Needs Assessment Policy.

Where the applicant has specific needs and preferences that require additional consideration regarding the type of social housing accommodation that would be suitable to their needs, it is advised that this need is determined as soon as possible to ensure that inappropriate accommodation is not offered to the applicant, and that a Housing Plan for the individual is developed. The Housing Plan will be prepared by the Housing Authority using the information that is provided on the Support Plan Summary and on the medical/service provider report. These individual plans will help to inform the work of the Housing and Disability Steering Group (see Section 7) in the preparation of a Plan to meet the housing needs and related supports for people with disabilities and may also inform the Local Authorities policies.

The application should be examined by the Housing Officer and the determination of an individual's specific needs or preferences will be informed by the Support Summary Plan or certification submitted with the application. The Housing Officer may refer the application to a Medical Referee, Social Worker or Occupational Therapist of the Housing Authority for review if they require clarification or additional information on the appropriate accommodation.

- This review will include examination of individual cases to ascertain and make recommendations on suitable housing design including layout, wheelchair accessibility and facilities within the house including the need for assistive technology. The examination will also make recommendation on the most suitable housing location for the individual taking into account their choice and circumstances such as access to services, nature of the community or access to gardens. Any particular functional needs relating to the disability that may be required will also be highlighted.
- The recommendation of the Housing Officer along with the comments/recommendations of the Medical Referee, Social Worker or Occupational Therapist is passed to the Director of Housing Services for decision.
- If the applicant is deemed not to qualify for Social Housing Support the local authority will write to them setting out the reasons why and will inform them of their right of appeal to the Ombudsman.
- If a need is established and the person qualifies for Social Housing Support then the individual is placed on the Housing List with the appropriate categorisation and with specific accommodation requirements detailed.
- The applicant and advocate, if appropriate, are notified that he/she has qualified for Social Housing Support and has been placed on the Housing Waiting List. The applicant is informed on whether a suitable property is available for them at this stage. If not the Housing Authority will inform the applicant that they will be in touch when a property becomes available. Information on alternative housing options should be made available in an accessible format to the applicant.

### **5.3.      *Allocations Process***

#### **5.3.1 Statement of Housing Accommodation**

A Statement of Housing Accommodation has been developed as part of this protocol and is contained in Appendix 11 of this document. The Statement of Housing Accommodation documents the housing accommodation requirements of an individual or household based on the assessment carried out by the Housing Authority. For example one bedroom ground floor accommodation that will require the installation of rail supports in the bathroom and the lowering of appliances in the kitchen area in line with the recommendations of the Occupational Therapist.

The statement should be issued to the applicant and if appropriate their advocate within one month of the applicant being notified that they have qualified for Social Housing Support.

#### **5.3.2.   Suitable Accommodation**

Where a property is being delivered under the Shared Accommodation Leasing Model for People with Disabilities the local authority shall determine a property suitable for the needs of an applicant taking recognition of the potential additional support requirements, including support workers, that may be required or where accommodation of a suitable size is not available.

### **5.3.3. Allocation of a property**

- When the applicant is being considered for a property (new or existing), the requirements as recommended by the appropriate person (Medical Referee, Social Worker or Occupational Therapist) must be taken into consideration and an inappropriate property should not be offered to the individual. Where the property is a new build property or where an incomplete property is identified the Housing Authority shall identify the potential tenant for the property and the tenant and their Occupational Therapist shall be engaged with at design stage to ensure that the requirements of the individual are catered for. This assessment shall include the future needs of the individual if their disability is of a progressive nature.
- Appropriate pre-tenancy training shall be provided to the applicant in a user friendly accessible nature and at a time that is suitable for the individual's needs. The Housing Authority or Approved Housing Body holds Pre Tenancy Meetings/Training with individuals on their rights and responsibilities. Where the individual wishes this meeting/training may be attended by their nominated advocate (formal or informal) along with the applicant.
- If the individual is engaged with the HSE or Service Provider, they will have a key role to play in ensuring that the individual is prepared for independent living and has the necessary personal and practical supports in place. This role shall include practical issues around living in the property and the training and support to be given shall form part of the person centred plan prepared for the individual. It is of extreme importance that the supports are put in place to ensure that the person can sustain the tenancy and the resulting independence.
- If an appropriate property is found then any adaptations recommended by the Occupational Therapist or other appropriate qualified person must be carried out and certified. The certification to be used in an individual local authority should be agreed by the Housing and Disability Steering Group (see Section 4.3.1.) which consists of the Local Authority Director of Housing Services, HSE representation equivalent to Area Manager, representatives from each of the four disability sectors and from local approved housing bodies.
- A tenancy agreement is signed with the applicant once the property is available for occupancy. The Tenancy Agreement used should be user friendly and appropriate to the disability of the individual. The Tenancy Agreement will have been explained to the prospective tenant at the Pre-tenancy Training/Meeting with the Housing Authority or AHB. If the Tenancy is with an Approved Housing Body this will be required to be registered with the Private Residential Tenancy Board.

### **5.3.4 Post Property Allocation**

The appropriate supports from the HSE/Service Provider must be put in place for the individual and any services already being provided by the state should be assessed and continued if appropriate. A local protocol will be put in place between the Approved Housing Body/Housing Authority and the HSE/Service Provider to ensure that the appropriate supports are

maintained for the individual. The operation and effectiveness of local protocols will be monitored through a subgroup of the Housing and Disability Steering Group in each area. All parties to the process must continue to engage with the individual for as long as is appropriate. Any reduction in support must be deemed appropriate by all parties and must not be funding driven.

If there is a breach of the Tenancy Agreement the Housing Authority/Approved Housing Body shall engage with the individual and the HSE/Service Provider/advocate to address the issue at an early stage and ensure that the behaviour does not continue and jeopardise the person's ability to sustain the tenancy.

### **5.3.5 Applications from Persons from Institutional Care/Congregated Setting**

The **Housing Authority, HSE, AHB and Service Provider** shall work closely together to deliver on the vision of the Report from the Congregated Settings Working Group, The Vision for Change and the National Housing Strategy for People with a Disability 2011-2016 to ensure that the housing need and housing choice of people moving from congregated settings or other institution/nursing homes are met in an effective and efficient manner.

Applications from people transitioning from Congregated Settings shall be managed by the local authority under the housing need criteria of "**whether the current accommodation is an institution, emergency accommodation or a hostel**" under the Social Housing Assessment Regulations 2011. As this is a ring-fenced project set down in the Congregated Settings Working Group Report and that the accommodation in part is being provided through ring-fenced funding, the local authority shall have a new category of Congregated Settings. This will allow for easy reporting on the waiting lists, assessment and allocation of properties. This will also allow people to be dealt with in a timely manner and that the implications of their inclusion on the Housing Waiting Lists can be easily identified by the Local Authority.

- Where an individual independently presents to a Housing Authority from a Congregated Setting Facility or Institutional Care setting including Community Group Home or Nursing Home seeking Social Housing Support, their application should be assessed in line with the standard protocols as set down in this document. The Housing Authority **shall not** deem the individual adequately housed based on the current address where the person normally resides.
- It is expected that the application for Social Housing Support will be submitted to the Housing Authority in which the Congregated Setting Facility or Institutional Care Setting is located.
- It is normal practice to seek Social Housing Support from the Housing Authority whose administrative area the applicant currently resides in; however, an applicant can seek housing support from any Housing Authority once they can provide a satisfactory connection to the area and the Housing Authority has some discretion in this regard. The Summary Support Plan completed by the applicants and HSE/Service Provider must demonstrate that this is feasible, particularly in terms of the continuation of relevant support services.

- Each local authority will be required to hold the applicants transitioning from congregated settings on their housing list in an appropriate manner as to allow for the timely allocation of the properties to the individuals that they have been sourced for within their existing Allocations Policy.
- The Person Centred Care Plan must be agreed and a synopsis provided to the Local Authority as part of the Social Housing Support Application Form in the prescribed template contained in Appendix 4.
- The appropriate supports from the HSE/Service Provider must be put in place for the individual and any services already being provided by the state should be assessed and continued if appropriate. A protocol will be put in place between the Housing Authority and the HSE/Service Provider to ensure that the appropriate supports are maintained for the individual. The Summary Support Plan should guide and inform this protocol. The protocols effectiveness shall be monitored through the subgroup of the Local Housing and Disability Steering Group and all parties to the process must continue to engage with the individual for as long as is appropriate. Any reduction in support must be deemed appropriate by all parties and must not be funding driven.
- Where the needs of a person with a disability change as a result of developing capacity or deteriorating conditions, or perhaps because their understanding of independent living changes with experience, the Housing Authority shall facilitate this transition by allowing the person reapply to be assessed for inclusion on the Housing List (full assessment within the relevant eligibility criteria) or the Transfer List whichever is appropriate.

## 6. Interagency Cooperation for People Transitioning from Congregated Setting

Effective interagency cooperation is an essential mechanism in meeting the housing needs of people with disabilities. All relevant stakeholders must work together at both national and local level to ensure that the person with the disability is placed at the centre of the process with individuals actively supported to live full, inclusive lives at the heart of the family, community and society whether the individual is transitioning from Congregated Settings or living in the community.

It is proposed that people living in **congregated settings** will move to dispersed forms of housing in ordinary communities, provided mainly by approved housing bodies and on occasion from the housing authorities own stock. They will have the same entitlement to mainstream community health and social services as any other citizen, such as GP services, home help and public health nursing services and access to primary care teams and access to specialised services and hospital services based on an individual assessment. They will get the supports they need to live independently and to be part of their local community.

The delivery on the vision of the National Housing Strategy for People with Disabilities along with the Report of the Congregated Settings Working Group and a Vision for Change poses significant challenges to all stakeholders, including the person with the disability, their families, disability service providers, the HSE, various Government Departments and statutory bodies, and representative organisations. It will require a need for a major change programme. This radical change is not the sole responsibility of one individual, group or statutory body but rather

a collaborative responsibility shared between the person with a disability, their family and carers/people who support them, a multiplicity of agencies, Government and society as a whole.

However, the vision is committed to ensuring a person centred approach to the provision and sustaining of viable housing options for people with disabilities. In order to achieve this, the two stakeholders that must work most closely together with the person with the disability at local level are the housing authorities and the HSE. Where there is both an accommodation and care element to meeting need, there is a requirement for the establishment of a robust interagency framework to ensure that each body is committed to collaborative working and is fully clear with regard to individual roles and responsibilities. This framework should be supplemented by the development of local protocols between the two agencies to ensure that the housing option chosen by the person with the disability is sustained into the future, and that each agency fulfils its responsibilities to the person with the disability. The Local Authorities and the HSE will work closely with the Approved Housing Bodies in this regard.

A suite of national protocols has been developed by the Department of Environment, Community and Local Government and Department of Health which provide for improved coordination between housing authorities and the HSE in relation to the delivery of services for people with disabilities. The Protocol at Appendix 2 sets out arrangements for coordination, between the housing authorities and the HSE, in relation to the provision of on-going revenue funding for health service related support costs, by the HSE, where necessary, for social housing projects provided by approved housing bodies for people with a disability. The Department of the Environment, Community & Local Government provides funding for the development of these projects through the capital funding schemes or through revenue based funding for the provision of accommodation, e.g. involving leasing type arrangements.

**The provision of revenue funding for on-going health service related support costs is a matter for the HSE.**

The Protocol at Appendix 3 governs the liaison arrangements between housing authorities and the Health Service Executive in relation to the coordination of housing services provided for people with a mental health disability. This protocol sets out arrangements for cooperation and coordination between housing authorities and the Health Service Executive (HSE) in addressing the housing and related support needs that arise as a result of a mental health disability.

Housing and Disability Steering Groups should review these protocols periodically to ensure that they are being implemented effectively at local level and, where appropriate, develop further protocols to ensure effective interagency working in order to address the housing and related support needs of people with disabilities living in the community and transitioning from institutional care.

## **7. Advocacy**

There are a number of different types of advocates both formal and informal, included among these are:

1. Self-Advocates
2. Family advocates
3. Informal advocates from Service Provider



4. Informal advocates from outside of the Service Provider
5. Formal Advocates such as National Advocacy Service ,Inclusion Ireland and Irish Advocacy Network Ltd.

The role of advocates is important within the process of people transitioning from Congregated Settings and it is extremely important that all stakeholders to a case understands the role of the advocate, but it is equally important that the advocate understands their role within the process.

It is important that each of the stakeholders have staff who are appropriately trained to deal with people with the various disabilities and that there are a number of existing courses that can be availed of. A list of some of these courses is contained in Appendix 7 of this document.

The establishment of Housing Advice Centres by Local Authorities as set out in the Housing Strategy for People with a Disability 2011 – 2016 will assist self-advocates as well as family and informal advocates to access information in a user friendly manner.

### ***7.1 Assisted Decision Making Capacity Legislation***

The Assisted Decision-Making (Capacity) Bill 2013 introduces a range of new decision making supports that an individual that may have difficulty making decisions may avail of (see Section 2.7). The Bill provides protection from liability for informal decision-makers in relation to personal welfare and healthcare decisions where the decisions are needed and there are no formal decision-making arrangements in place. The informal decision makers are bound by the guiding principles of the Bill and must take account of the will and preference of the individual.

## **8. Funding Arrangements**

Local authorities must examine innovative ways of providing housing for people with disabilities. This work shall form part of the role of the Housing and Disability Steering Groups in their input into the Housing Services Strategic Plan. The Director of Services within the local authority will drive this work as Chair of the Steering Group and will work in consultation with the other members of the group to develop the Plan. Some options that should be considered are:

- Improvement in access in a percentage of casual vacancies where other works are being carried out, even if the property is not to be allocated on that occasion to a person with a disability;
- Percentage of housing being provided through regeneration or new build projects to be designated as housing for people with disability, or as easily adaptable at minimal cost and effort.
- Universal Design of all new build projects to accommodate people of all ages, sizes, abilities and disabilities without adaptation

### ***8.1. Funding Framework for People Transitioning from Congregated Settings***

The Housing Strategy for People with a Disability is being broadly implemented within existing resources, however, there are significant financial implications arising in relation to the deinstitutionalisation aspects of the Strategy. The transitioning of up to 4,000 people with disabilities from institutional care to more appropriate community based housing solutions will prove challenging for all stakeholders involved. It is expected that the transitioning programme will be completed in 2019, therefore, a sustainable funding framework must be established in

order to meet the additional social housing need arising over this period. Agreement was reached between the Department of Environment, Community and Local Government and Department of Health in relation to the provision of funding to commence the transitioning programme in 2013, with €1 million being made available from Department of Health Vote. Further funding has been secured for 2014 and funding for future years will be determined in the context of the annual Estimates process and within the framework of the Value for Money and Policy Review of Disability Services, which was published in 2012 by the Department of Health.

In relation to funding to support people with disabilities to maintain their tenancies, an interagency protocol will be developed by the Housing Subgroup between the HSE and housing authorities with regard to tenancy sustainment services and costs.

### **8.2. Pilot Areas**

Four pilot areas were identified for 2013 in order to deliver on some elements of the Housing Strategy for People with a Disability. The selection of the pilot areas allowed for intensive work around the establishment of the Housing and Disability Steering Groups, and working with Service Providers in the areas to try to explore the options available, and the challenges that exist for people transitioning from Congregated Settings. The introduction of the pilots did not, however, limit the working of, or participation of, any other service provider or local authority around the country in assisting people to transition from a Congregated Setting.

The four pilot areas are: -

- |               |            |
|---------------|------------|
| 1. Cork City, | 2. Dublin, |
| 3. Limerick   | 4. Louth.  |

## **9. Accommodation Delivery**

Local Authorities are expected to prepare a 5 Year Strategic Plan by end of 2014 to identify the housing need for all people with a disability in their administrative area, and how this accommodation can be delivered. The plan must examine the existing housing list and any potential demand from people with a disability living in the community and those transitioning from Congregated Settings. Local authorities must look at innovative ways of meeting the housing need, and must plan for an adequate supply of properties within possible changing future housing market conditions. The preparation of the plan shall be actioned through the Housing and Disability Steering Group in each of the local authority area. It is expected that some provision may be from the local authority housing stock, however, it is not expected that this provision will be capable of fulfilling the housing need and as a result the approved housing bodies will assist in meeting this housing need. There are a number of models for housing provision that are expected to be used. These include Capital Assistance Scheme Programme, Social Housing Leasing Programmes and Regeneration Programmes. In respect of those transitioning from congregated settings for whom accommodation is being secured under the social housing leasing initiative, the following sets out the general criteria of the scheme that will be applied in respect of applications received by DECLG in this regard.

### ***9.1 Social Housing Leasing Initiative: Long-Term Lease Arrangement with Private Landlords***

Under the Social Housing Leasing Initiative AHBs can source and secure housing units from private landlords using a long term lease. AHB's fund the lease payments on these properties by entering into a legal agreement in the form of a Payment and Availability Agreement with the relevant local authority, under which the AHB agrees to make properties available for social housing, in return for a monthly or quarterly payment for periods between 10 and 20 years. Each unit/proposal must be approved by the Department of Environment, Community and Local Government in advance. For properties leased by an AHB from a private property owner, the maximum payment approved by the Department to the AHB is 80% of the prevailing market rent.

In respect of properties sourced by AHB's for persons transitioning under congregated settings, the standard criteria of the leasing scheme will generally apply. The accommodation sourced should always meet the needs of the person/household being accommodated. In recognition of the potential additional support, including support workers, that may be required, or where accommodation of a suitable size is not available, proposals will be accepted for assessment which would normally, under the scheme, be considered an over-accommodation of needs. For example, to cater for two people transitioning from Congregated Settings with live-in support requirements, a proposal in relation to a 3-bedroom house will be accepted. The requirement for the additional room or other reason for such accommodation will need to be set out in each proposal submitted for approval.

The Payment and Availability Agreement provides for the local authority to have nomination/allocation rights to the properties. Any person being considered for one of these properties must undergo a housing needs assessment by the relevant housing authority, and be deemed eligible for, and in need of, social housing support. Nominations thereafter shall be made in accordance with the order of priority of the local authority's Allocation Scheme, and in the case of those transitioning from congregated settings, this will be done in conjunction with the relevant Service Provider.

#### **9.1.1 Single Occupancy**

In respect of people transitioning from congregated settings who wish to live on their own, and it is appropriate for them to do so, the following apply in respect of these properties-

- Leases of 20 years shall be encouraged to give certainty to the tenant and to ensure value for money where an adaptation needs to be carried out.
- The tenant shall have a Tenancy Agreement with the AHB
- A Service level Agreement shall be in place between the Approved Housing Body and the Service Provider.

#### **9.1.2 Multiple Occupancy**

Where there is more than one person from a congregated setting moving into a property a shared accommodation model will be used where approval for a lease will be based on a room rate. There should be no more than four people with a disability sharing any individual property, in line with the recommendations of the Congregated Setting Working Group Report. However, each individual will be provided with a tenancy agreement for the area of the property that the tenant has exclusive access to, i.e. this will be their bedroom in most cases. The remainder of the

house will be classed as a common area within the dwelling and will be referred to as such in the Tenancy Agreement. The maintenance and management arrangements of these spaces will be set out in the Tenancy Agreement.

Using this shared accommodation model, the lease payment in respect of a property will be calculated using a room rate. For example, for a 3 bed property with a market rent of €800, the lease payment likely to be approved would be as follows –

Market Rent	€800
P&A Payment @ 80% of market rent	€640
Room Rate	€213

The main purpose for changing to this model is to allow the vacancy periods that currently apply under the leasing scheme to apply in respect of a room vacancy, as opposed to applying to the whole property. In the above example, where there is a vacancy of longer than 3 months in one of the rooms, rather than ceasing payment to the AHB in respect of the total lease payment for the property, it will cease only in respect of the vacant room. Notwithstanding this, where the total vacancy of rooms in a property exceeds 50%, DECLG may cease payment in respect of the whole property.

In a case where there is an additional room in the property that is required to accommodate the person(s) transitioning from a congregated setting (e.g. where there needs to be a live in support worker or where there is no accommodation available of a suitable size) in appropriate circumstances an assessment of the P&A payment will be made in respect of 'reckonable rooms' (i.e. the number of rooms occupied by the tenants disregarding 1 room in the property). For example, in the case where it has been necessary to source a 3 bedroom house for two people transitioning from a congregated setting, the payment to the AHB will be calculated as follows –

Market Rent (3-bed property)	€800
P&A Payment @ 80% of market rent	€640
Room Rate (based on 2 reckonable rooms)	€320

The Congregated Settings Working Group Report recommended that the number sharing a property should be no more than four people.

#### **9.1.3. Vacancy periods**

The vacancy periods allowed remain the same as are normally applicable under the Social Leasing Initiative. P&A payments will continue to be paid for a vacancy period of up to three months, or for a further month, if the local authority fails to nominate a tenant within the one month nomination period. The vacancy periods will be at tenancy level (room level). This is a new feature particular to those transitioning from congregated setting which will require particular monitoring arrangements (which require further discussion). The AHB retains the risk for vacancies beyond the normal period as set out.

#### **9.1.4. Adaptations**

Where works are required to a property prior to an individual's transitioning from a congregated setting taking up occupancy, this work must be carried out prior to the signing of the P&A

agreement with the local authority. A P&A can only be signed once the property is available for tenanting.

The funding of adaptations will be a matter for the AHB or the owner of the property.

#### **9.1.5. Differential Rent**

The tenants will pay a Differential Rent to the AHB based on the relevant local authority differential rent scheme. This rent will entitle the tenants to the exclusive use of their personal space in the property and shared use of the common areas.

It should be noted that additional **Rent Contributions from tenants** above the differential rent are not allowable under the terms of social leasing. If a tenant is required to contribute towards their support care then that should be dealt with separately and not included as a rent contribution.

### ***9.2 AHB Purchase or construction of units - Capital Advance Leasing Facility***

As is standard under the social housing leasing initiative, where an Approved Housing Body is purchasing or proposing to construct a property using private finance, they may apply for assistance under the Capital Advance Leasing Facility (CALF). CALF is a loan that cannot exceed 30% of the overall purchase/construction price of the property. A CALF loan is an unsecured loan with a preferential 2% simple interest rate.

An application for a CALF loan should be made to DECLG accompanied by an application for a Payment and Availability Agreement. Where an AHB is purchasing/constructing properties they are responsible for the maintenance of the structure and fabric of the properties. To cater for the additional risk and responsibility the discount sought by DECLG in respect of these properties is less. In that context, payments may be approved up to 92% of market rent for the duration of the P&A agreement, in appropriate circumstances. The CALF loan does not require repayments to be made during the term of the private finance loan, but the amount owed through CALF plus interest accrued remains outstanding at the end of the agreement.

All other terms and conditions of the leasing scheme apply as usual to these projects. Where CALF monies are being used to provide accommodation to people transitioning from congregated settings, the criteria as set out in section 9.1 above also apply.

#### **9.2.1 Adaptations**

If an Approved Housing Body is purchasing a property which requires adaption for use by people with disabilities the AHB may incorporate the costs of these adaptations in the overall cost of acquiring the property, which may qualify for CALF loan funding. The percentage of CALF loan payable will be calculated using the full amount, i.e. purchase price plus adaptations costs.

### ***9.3 HIQA***

Section 2.6 documents the existence of guidance for Service Providers on what constitutes a Designated Centre and the requirements to register such a property. The standards required by HIQA are different from that of the Private Rent Sector. The Private Rented Standards will apply unless the property has been registered as a Designated Centre, where the HIQA Standards will apply.

## **10. Building Standards/Planning Issues**

Approved Housing Bodies will be responsible to ensure that all building standards, fire safety requirements and planning requirements have been adhered to by the owner of the property prior to its lease or purchase.

Any works that are required to the property due to the occupant's disability must also meet with the building standards.

Where work has to be carried out to the property prior to occupancy the Approved Housing Body must ensure that the appropriate planning permissions, etc. are obtained.

## **11. Management Agreements**

It is expected that a Service Level Agreement will be put in place between the Approved Housing Body and the Service Provider to ensure that there is certainty for all stakeholders. The Approved Housing Body must assure the individual and the Service Provider that they will maintain the property in line with their obligations, and the Service Provider must satisfy the Approved Housing Body that they will provide an on-going service to the individual to maintain their independent living.

A template Management Agreement has been prepared and is contained at Appendix 6. A Management Agreement must be signed between the Housing Association and Service Provider. The purpose of the agreement is to ensure that there is no ambiguity between the parties of their roles and responsibilities in the delivery of a quality of service that will assist in the independent living of people with disabilities.

## **Appendix 1 – Individual Assessment of Need Protocol**

Protocol to govern arrangements for cooperation by the Health Service Executive with housing authorities in relation to the development and coordination of the services provided by housing authorities for persons with disabilities, aged under 5 years, who have been identified by the Health Service Executive under the Assessment of Need process consistent with Section 8 of the Disability Act 2005, and made known to the housing authorities under the provisions of Section 12 of the Disability Act, 2005

- Where a person (aged under 5 years of age) has been assessed under Section 8 of the Disability Act 2005, which commenced on 1 June 2007, and has been identified as likely to require housing support, a Liaison Officer<sup>125</sup>, established under Section 11 of the Disability Act 2005, shall refer the person to the Director of Services of the Housing Section of the relevant Housing Authority, for the purpose of facilitating the determination of any housing service that the Housing Authority considers the person to be entitled to.
- An Assessment Officer, established under Section 8 of the Disability Act 2005, may refer a person with a disability to the Director of Services of the Housing Section of the relevant Housing Authority, if she or he deems it appropriate that the person, who has been identified as likely to require housing support, is made known to the housing authority as early as possible following the completion of the assessment under Section 8 of the Disability Act 2005. In such instances, the Assessment Officer shall notify the appropriate Liaison Officer that a referral to the Housing Authority has taken place.
- The Director of Services of the Housing Section may designate an appropriate official for the purpose of engaging / liaising with an Assessment Officer or a Liaison Officer.
- Under Section 12 of the Disability Act 2005, the Health Service Executive shall, with the consent of the individual, or, if appropriate, a specified person <sup>126</sup>, provide all relevant information in relation to the housing element of the assessment report, produced under Section 9 of the Disability Act 2005, to the relevant Housing Authority for the purpose of assisting the person with a disability in accessing the appropriate housing services provided by the Housing Authority.
- A personal advocate assigned by the Citizens Information Board [formerly Comhairle] to represent the person with the disability.
- The Director of Services of the Housing Section, or an official designated by the Director for such purpose, shall engage with the person with a disability who has been identified as likely to require housing support under Part 2 of the Disability Act 2005, or, if appropriate, with the Liaison Officer responsible for the arrangement of the service provision, or with a specified person, for the purpose of facilitating or coordinating the provision of any services that the Housing Authority considers the individual to be entitled to.
- The relevant Housing Authority shall provide all appropriate information regarding the full range of housing support options<sup>127</sup> available to the person with the disability who has been assessed under Part 2 of the Disability Act 2005, or if appropriate, to a

specified person, or to the Liaison Officer responsible for the arrangement of the service provision.

- Where a person with a disability (under 5 years of age), as defined under Section 2 of the Disability Act 2005, presents to a Housing Authority for an assessment of housing need and that person has not been assessed for a health or educational need under Part 2 of the Disability Act 2005, the Housing Authority will advise the person, or if appropriate, a specified person, that they may have a right to assessment in accordance with the provisions of the Act, and will, where requested, refer the person to the appropriate Assessment Officer in the Health Service Executive.
- This protocol shall be subject to periodic review in tandem with the extension of the statutory requirements of Part 2 of the Disability Act, 2005 to all age groups.



## Appendix 2 – Support Costs Protocol

Protocol Governing Revenue Funding for Health Service Related Support Costs for projects provided by Approved Housing Bodies for People with a Disability

1. This Protocol sets out arrangements for coordination, between the housing authorities and the Health Service Executive (HSE), in relation to the provision of on-going revenue funding for health service related support costs<sup>128</sup>, by the HSE, where necessary, for social housing projects provided by approved housing bodies<sup>129</sup> for people with a disability. The Department of the Environment, Community and Local Government provides funding for the development of these projects through the capital funding schemes<sup>130</sup> or through revenue based funding for the provision of accommodation, e.g. involving leasing type arrangements. The provision of revenue funding for on-going health service related support costs is a matter for the HSE.
2. An approved housing body proposing to provide accommodation for people with a disability to be funded under the Department of the Environment, Community and Local Government capital funding schemes shall consult with the relevant housing authority, who will undertake a preliminary appraisal to ensure that the proposed project meets identified local need and is cost effective and fit-for-purpose. Where an approved housing body wishes to provide a social housing project through a leasing type arrangement, it must initially submit a proposal to the Department of the Environment, Community and Local Government who will carry out an initial assessment and will then forward the proposal to the relevant housing authority<sup>131</sup>.
3. The approved housing body must also, as part of the pre-planning stage of the project, consult with the HSE. Following agreement between the HSE and the approved housing body in the context of need, and where on-going revenue funding for health service related support costs has been identified, the approved housing body must obtain written approval in principle from the HSE for on-going revenue funding for the provision of such health service related support costs. The Department of the Environment, Community and Local Government funding for the provision of accommodation will not be considered unless written confirmation of HSE support for the application and confirmation that the project is approved in principle, by the HSE, for on-going revenue funding for health service related support costs is provided.
4. Confirmation of the approval in principle for on-going revenue funding for health service related support costs by the HSE shall be authorised by the relevant Integrated Service Area Manager or Local Health Manager<sup>132</sup>, in consultation with the Assistant National Director where the HSE consider that the proposed project is aligned with area priorities, as outlined in the National Disability Strategy and the National and Local Service/Business Plans<sup>133</sup>.
5. The HSE shall endeavour to authorise approval in principle within 3 months following receipt of all relevant information pertaining to the project as outlined in Appendix 1. Written approval should be forwarded to the approved housing body, by the HSE, as soon as is practicable thereafter.
6. The period of consideration by the HSE shall not commence until all relevant information, as outlined in Appendix 1, is received by the HSE.

7. The Director of Services of the housing section may designate an appropriate official<sup>134</sup> for the purpose of liaising with the HSE in relation to the on-going revenue funding for health service related support costs element of the proposed project.
8. Where applications for funding for the provision of accommodation for projects where on-going revenue funding for health service related support costs has been identified, are received by housing authorities from approved housing bodies, and do not include written confirmation of approval in principle for on-going revenue funding for health service related support costs from the HSE, the housing authority will notify:
  - a) the HSE Integrated Service Area Manager or Local Health Manager that an application for funding under the capital funding schemes or through revenue based funding for the provision of accommodation, e.g. involving leasing type arrangements, has been received from an approved housing body and that the need for on-going revenue funding for health service related support costs has been identified; and
  - b) the approved housing body that the HSE has been notified of the application for funding; and that, prior to consideration of the request for funding, written confirmation of HSE support for the application and confirmation that the project is approved in principle by the HSE for on-going revenue funding for health service related support costs, is necessary, where such costs have been identified by the approved housing body.
9. In the case of projects to be undertaken through revenue based funding for the provision of accommodation, e.g. leasing type arrangements, written confirmation of approval in principle by the HSE for on-going revenue funding for health service related support costs should be included in the proposal submitted to the Department of the Environment, Community and Local Government by the approved housing body.
10. This protocol applies to social housing projects provided by approved housing bodies for people with a disability. A review of this protocol shall be undertaken by the Department of the Environment, Community and Local Government and the Department of Health and Children, following the first 12 months of implementation and, thereafter, shall be subject to periodic review as necessary.
11. This protocol has been adopted for implementation with effect from 8th March 2011.

### **Appendix 3 – Individual Assessment of Need Protocol – Mental Health**

Protocol to govern liaison arrangements between housing authorities and the Health Service Executive in relation to the coordination of housing services provided for people with a mental health disability.

1. This protocol sets out arrangements for cooperation and coordination between housing authorities and the Health Service Executive (HSE) in addressing the housing and related support needs that arise as a result of a mental health disability.
2. Local authorities are responsible, in accordance with the Housing (Miscellaneous Provisions) Act, 2009, for the provision of housing services<sup>135</sup>, while the provision of relevant health and personal social services is the responsibility of the HSE.
3. For the purposes of this protocol, it is recognised that:
  - (a) Specific housing needs may arise as a result of a mental health disability for which intervention and treatment may be on going, or from a single or isolated episodic event, which, although not requiring constant intervention, has a severe and continuing impact on a person's ability to access and maintain housing that is appropriate and conducive to recovery;
  - (b) In order to address such needs successfully, the provision of appropriate housing services must be accompanied by the provision of relevant health and personal social services, as appropriate, in accordance with individual support plans.
4. Where a person with a mental health disability, who is availing of mental health services, is identified as likely to require housing services, their key worker<sup>136</sup> shall inform them, and an advocate of their choice, if applicable, of the mechanisms available to liaise with the relevant housing authority for the purpose of facilitating the determination of any housing services that the housing authority considers the person to be eligible for, and in need of. Following agreement and with the consent of the person with the disability, and, if applicable, their advocate, the key worker may refer the person with a mental health disability to the relevant housing authority for such purpose.
5. The relevant housing authority may designate, with the agreement of the person with the disability, an appropriate official for the purpose of engaging / liaising with the key worker in the HSE. This official, as designated, shall be the liaison officer for both the key worker in the HSE and the person with a mental health disability and their advocate, if applicable.
6. For the purpose of assisting the person with a mental health disability in accessing the appropriate housing services provided by the housing authority, the HSE shall, with the consent of the person with the mental health disability and, if applicable, their advocate, provide to the housing authority all relevant information, including medical evidence outlining the impact that the person's disability has on their housing need. The HSE will participate in the housing assessment to the extent that this can facilitate finding the most appropriate housing service for the individual.

7. The housing authority shall engage with the person who has been identified by the HSE as having a mental health disability, or, if appropriate, with the HSE case manager responsible for the arrangement of the service provision, or with an advocate of the person's choice, if appropriate, for the purpose of facilitating or coordinating the provision of any housing services that the housing authority considers the individual to be eligible for, and in need of.
8. The relevant housing authority shall provide all appropriate information regarding the full range of relevant housing services available to the person with a mental health disability who has been considered to have a need for housing support, and if applicable, to their advocate, or to the HSE.
9. Where a person presenting to a housing authority, for the purpose of availing of any relevant housing services, informs the housing authority that they have a mental health disability, and
  - (a) there is no medical evidence available to support the person's housing application, or
  - (b) it is determined that the person is not in receipt of any relevant HSE health and personal social services;the housing authority will advise the person, and if applicable, their advocate, that supports are available from the HSE and will, where requested and, following consent, refer the person to the appropriate contact point in the HSE.
10. The housing authority will inform the person of the reasons for the need to provide medical evidence of their condition to support their housing application, i.e. in order to assess their housing application, determine appropriate prioritisation for the provision of housing services and to ensure that offers of support are, in so far as is possible, appropriate to the specific needs of the person. It should be clearly outlined that the provision of suitable housing services will be subject to availability and the operation of the relevant housing authority's Scheme of Letting Priorities / Allocations Scheme<sup>137</sup>.
11. In all cases, it is desirable that written consent regarding the exchange of information is obtained from the person with a mental health disability. However, where the person with a mental health disability gives verbal consent only, this should be recorded in writing. Consent may also be accepted from a designated advocate in line with the wishes of the person with a mental health disability. The requirements of data protection legislation will be fully complied with in relation to the provision and use of personal information.
12. In order to assist in the sustainment of tenancies<sup>138</sup>, the HSE shall, with the consent of the person with a mental health disability, inform the relevant housing authority where the person is being hospitalised as a result of their disability and will be absent from their dwelling.
13. This protocol shall be subject to review in line with the extension of Part 2 of the Disability Act, 2005 to all age groups.
14. This protocol has been adopted for implementation with effect from 8th March 2011.

## Appendix 4 –Support Plan Summary Template

### Support Plan Summary

The purpose of this document is to give a brief overview to the Local Authority of the Support Plan/Package that is in place for you the named individual to support you to live independently.

Please note that this form must be signed by your Service Provider and submitted to the Local Authority with your application for Social Housing Support.

Name: \_\_\_\_\_

Current Address: \_\_\_\_\_

\_\_\_\_\_

Service Provider: \_\_\_\_\_

Key Worker: \_\_\_\_\_

Nature of Disability: \_\_\_\_\_

Details of Support Package: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Signed \_\_\_\_\_

Signed \_\_\_\_\_

**Applicant**

**On Behalf of the Service Provider**

NOTE: Full relevant details of the Support Plan will be contained in the Service Level Agreement that will be prepared and signed between the Service Provider and the Approved Housing Body prior to the completion of the allocation. The Approved Housing Body (AHB) will be required to confirm in writing to the local authority that this Service Level Agreement (SLA) is in place.

Office Use Only: Confirmation of the signing of the SLA received from the AHB ☐

## Appendix 5 – Housing Need Template Letter

[Insert Local Authority Address and Contact Details]

Applicant Name,  
Applicant Address 1,  
Applicant Address 2

**RE: Application for Social Housing Support for [Insert Applicant Name]**

Dear [Insert Applicant Name],

I write to inform you that your application for Social Housing Support with [insert local authority name] has been assessed and we are satisfied that you meet the criteria necessary to be accepted as having a housing need. As a result you have qualified for Social Housing Support.

Your housing need has been determined as:

[Insert details of property type, location etc. relevant to the applicant]

It is important that you contact us if your circumstances change (including change of address), so that our records can be updated [insert contact details], or email [insert email address].

If you have any queries or questions regarding this letter or your successful Housing Support Application please do not hesitate to contact us as above.

Yours Sincerely

---

[Insert name]

## **Appendix 6 – Management Agreement Template**

**Service Level Agreement**

**Between**

**Approved Housing Body (AHB)**

**And**

**Service Provider (SP)**

## **Contents**

1. Purpose, The Parties, Commencement and Interpretation
2. Housing Management and Support
3. Selection and Allocation
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Explanatory Notes



## 1. Purpose:

- 1.1 This is a voluntary agreement whereby both parties agree to co-operate with each other where there needs to be joint working in order for both parties to satisfactorily deliver their respective services. The overall aim is to ensure that tenants in Unit's xxxx receive effective support (provided by SP) and housing management (provided by AHB) services to support them successfully maintaining their tenancies.

**THIS AGREEMENT** is made on xxxx

Between

**AHB** which has its registered office at [ xxxx] of the one part;

and

**SP** which is registered at [xxxx] of the other part.

## WHEREAS

### Definitions

In this Agreement the following expressions shall have the following meanings:

'Financial Year'	Means from 1 April to 31 March in each calendar year
'Notice'	Any notice received by either party from any source [excluding notices seeking possession] which relates to the Property, the Occupants or the Project.
'Tenancy Agreement'	The Tenancy Agreement entered into by AHB of the one part and an Occupant of the other party permitting such Occupant to occupy the Property or part thereof as a tenant on the terms set out in the Tenancy Agreement, a draft of which is attached in Schedule 8.
'Property'	The units known as numbers xxxx
'Occupants'	Each of the persons accommodated at the Property pursuant to a Tenancy Agreement.
'Service Charge'	The amount payable under the terms of the Tenancy Agreement for the services referred to in the Schedule to the Tenancy Agreement.
"Support Services"	The provision of day to day care and support for the Occupants in the Property, as more particularly described in Schedule 3.
'Unit'	An apartment at the Property capable of being the subject of a Tenancy Agreement.

- 1.2 xxx is an Approved Housing Body (with the Department of Environment, Heritage & Local Government (the “DOE”) & a registered charity under number 11171
- 1.3 xxx is a company limited by guarantee and is a registered charity registered under CTY xxxx.
- 1.4 AHB is the owner of the Property which Cluid intends to let to Occupants under Tenancy Agreements subject to the terms of this Agreement.
- 1.5 SP are to provide the Support Services to the Occupants of the Property subject to the terms of this Agreement which AHB and SP are completing to, inter alia:
  - a) Ensure effective joint working between AHB and SP;
  - b) Clarify their respective roles and responsibilities; and
  - c) Ensure good liaison between AHB and SP to ensure the effective provision of housing and Support Services to Occupants.

## **2. Housing Management and Support: AHB and SP responsibilities**

- 2.1. AHB will manage the Property in the manner in accordance with best housing management practice and in compliance with the requirements of the DOE.
- 2.2. SP will provide the Support Services to the Occupants of the Property in accordance with best professional practice, and in compliance with the requirements of its funders including, for the avoidance of doubt, the Health Service Executive
- 2.3. Both parties will co-operate with each other where there needs to be joint working between the parties for both parties to satisfactorily deliver their respective services.
- 2.4. AHB and SP will each nominate a specific person to be a point of contact for any issues arising on a day to day basis with regard to their respective responsibilities under this Agreement, the initial points of contact being as described in Schedule 1.

## **3. Selection and allocation**

- 3.1. SP will assess referrals to the units in accordance with their referral policy. SP will ensure that all referrals are approved applicants for housing by xxx County Council
- 3.2. AHB will allocate the accommodation on the basis of SP's recommendations pursuant to clause 3.1.

## **4. Confidentiality**

- 4.1. Both parties agree to respect the confidentiality of individual occupants and comply with the law. AHB and SP should inform the Occupants that there may be a need to share information from time to time with third parties on a need to know basis in order to ensure that the housing management and the Support Services are delivered effectively. Neither SP nor AHB shall share information about the Occupants with such third parties unless:-

- (i) An Occupant has recorded their consent (in writing or otherwise) to the disclosure of the information; or
- (ii) The disclosure of information is required by statute or court order; or
- (iii) In exceptional circumstances, in the absence of consent, the disclosure of information is required in the public interest.

For the avoidance of doubt, the parties hereto acknowledge that, where disclosures are to be based on public interest, this involves weighing that interest against the duty of confidence in each particular set of circumstances. The balance may be delicate and it may be necessary to take legal advice.

4.2.1 Where information is being provided to third parties in accordance with Clause 4.1, AHB and SP must take all appropriate steps to ensure that:-

- (i) Information is only given as necessary to those third parties with a direct interest in the information (HSE xx Area and xx County Council as examples); and information passed on is restricted to information in which the recipient has a legitimate interest.

4.2.2 Where an Occupant raises an objection to the disclosure of information, AHB and SP should explain to the Occupant that the withholding of the information may have implications for the delivery of the Support Services and the possible consequences should be explained to the Occupant.

## **5. Fire, Health and Safety**

- 5.1 SP will notify AHB of disrepair of which it is aware, on behalf of the occupants where they are unable/unwilling to do so. Defective fire fighting and fire protection equipment is to be reported immediately to AHB by SP.
- 5.2 AHB will rectify any disrepair at the Property within a reasonable period of being informed of the defect.
- 5.3 AHB will provide adequate means of escape in the event of fire and fire protection equipment at the property, and arrange to have this equipment serviced on a regular basis as appropriate. AHB, with the assistance of SP, will ensure all occupants are aware of the means of escape and conduct a quarterly fire drill.
- 5.4 SP will carry out weekly fire checks on the fire detection system and keep appropriate records within units xxx.
- 5.5 AHB will endeavour to provide temporary accommodation for occupants in the event of an emergency. SP may assist in this to the extent that it is reasonable to do so.
- 5.6 In the event of an emergency outside office hours relating to electricity, gas or water services, or anything that would endanger the health and safety of the occupants, SP will contact both the relevant service provider, e.g. ESB, and AHB's emergency service, and request attendance to eliminate the hazard.
- 5.7 If for whatever reason AHB's emergency service is not available, or fails to carry out the emergency repair within the agreed timescale, then SP may make reasonable immediate arrangements to eliminate the hazard. SP will inform AHB as soon as possible of the nature of the emergency and such work as has been carried out. AHB will meet the cost of such emergency work unless it has resulted from any act or omission of SP or occupant.

## **6. Legal Action in Respect of Tenancy Agreements**

- 6.1 Should AHB have any reason to take legal action against any Occupant under the terms of their Tenancy Agreement it will inform SP at each stage of any action to be taken and reasons for the action.
- 6.2 AHB will consult with SP before taking any legal proceedings against an Occupant.

## **7. Indemnity**

- 7.1 SP shall indemnify AHB against any action, claim or demand against AHB arising out of any failure on the part of SP to fulfil its responsibilities, as herein set out, or as imposed by statute, or otherwise failing to be performed by SP, save insofar as any costs and losses are covered by any policy of insurance affected by AHB.
- 7.2 AHB shall indemnify SP against any action, claim or demand made against SP arising out of the failure of AHB to fulfil its responsibilities, as herein set out, or imposed upon it by statute or otherwise failing to be performed by AHB.

## **8. Insurance**

- 8.1 AHB shall insure the Property to its full reinstatement or replacement value.
- 8.2 AHB will take out Public Liability Insurance and provide cover of up to €xx million in the event of damages being awarded against them in respect of personal injury to the Occupants or visitors to the premises, including staff of SP.
- 8.3 SP will provide the following insurances in relation to this Agreement:
  - Employer Liability cover in the sum of €xx million
  - Public Liability/Professional Indemnity, unlimited in the sum of €xx million
  - Directors and Officers Liability insurance in the sum of €xx million
  - Motor insurance, if required

## **9 General**

- 9.1 Both AHB and SP will:
  - a) Pass on to the other within seven days of receipt a copy of any Notice received or served.
  - b) Notify the other immediately of any incident, which could lead to adverse publicity, or of any change of circumstances, or any complaint concerning the Project to the other.
  - c) Not do anything, or knowingly permit anything to be done, in the Property which would invalidate any insurance taken out by either party, or which would increase the premiums payable thereunder.
- 9.2 Should either party become aware of any circumstances that may affect the continued implementation of their respective obligations under this Agreement, they have an obligation to inform the other within 7 days of becoming aware of such circumstances.
- 9.3 Should either party have concerns about the performance by the other party of its obligations herein that may potentially affect contracts or the delivery of the Support Services, they will inform all stakeholders in the project (including for the

avoidance of doubt, HSE xxx Area, service users, families) and seek to agree action to resolve the problem.

## **10 Financial Arrangements**

- 10.1 In accordance with the Tenancy Agreements, AHB will set and collect a weekly rent and service charge from the Occupants of units covered by this Agreement, in compliance with the requirements of the Dept of the Environment, Heritage & Local Government.
- 10.2 In accordance with the Tenancy Agreements, AHB will review the weekly rent and service charges annually in accordance with its rent and service charge setting policy and inform SP and the Occupants about any proposed changes to rent or service charges.
- 10.3 SP will be responsible for obtaining funding for the Support Services under this Agreement from the Health Service Executive xx Area and/or other funding bodies, as appropriate, and will be accountable to the relevant funding bodies for these funds.
- 10.4 If any units within the Property are vacant at any time (other than vacant due to repair requirement to be completed by AHB), SP agrees to pay the rent and service charge attributable to such Units for each week during which the Units remain vacant. The rent chargeable during vacant periods will be that of AHB (Southern Region) Average Weekly Rent at the time of the vacancy. SP will pay the amount due on receipt of an invoice to this effect from AHB which invoices will issue every four weeks. AHB shall refund to SP, on a pro-rata basis, any sums paid by SP in advance, in respect of a vacant Unit which subsequently becomes occupied prior to the end of the period in respect of which SP has been invoiced.
- 10.5 Any initial special work or finishes to the Property required by SP to make the Property suitable for Occupants with physical disabilities will be funded by SP.
- 10.6 SP must seek written authority from AHB before commencing any structural alternations to the Property.

## **11 Grievances**

- 11.1 In the event of a grievance arising between AHB and SP, the matter will be raised between the first points of contact (as per Schedule 1) for AHB and SP. If the grievance remains unresolved, resolution will be sought, in the first instance, from the second points of contact (as per Schedule 1). In the event of a failure to resolve an issue at this level, the matter shall then be referred to the CEOs of the respective organisations for resolution. Should resolution not be achieved to the satisfaction of both parties, the issue may be referred to an independent expert. The expert is to be agreed by both parties at the time, and the decision of the expert will be binding. The costs of the independent expert shall be shared by SP and AHB.
- 11.2 In the case of suspected serious financial mismanagement, the parties hereto acknowledge that they shall be entitled to request the intervention of the authority providing the funding for the arrangements set out in this Agreement, or to the authority which is responsible for the general regulation of the parties hereto. The instigator of this action should give the other party 10 days' notice in writing of this proposed course of action.

## **12 Liaison, Review and Revision**

- 12.1 The parties agree to meet for a liaison meeting (the “liaison meetings”) on a monthly basis in the first three months of this Agreement and thereafter annually to ensure the smooth running of the Project.
- 12.2 Liaison meetings will focus on:
- (a) Areas where there are joint responsibility, such as health and safety issues and vacant Units;
  - (b) Support issues where information needs to be shared;
  - (c) Maintenance and housing services; and
  - (d) Any action taken by AHB in respect of the Tenancy Agreements.
- 12.3 Both parties agree to respect the confidentiality of information concerning the Occupants, which may from time to time become available to them, in accordance with their published policies.
- 12.4 AHB and SP may review the working of this Agreement annually.
- Amendments to the Agreement may be made at any time with the consent of both parties, if recorded in writing.

## **13 Equal Opportunities**

- 13.1 SP and AHB are committed to anti-discriminatory practice in the recruitment and employment of staff and in delivery of services. Both parties agree to follow the principles as laid down in their respective Equal Opportunities Policies (where in place) and to comply with relevant Irish and other legislation (particularly the provisions of the Equal Status Act 2000 and the Employment Equality Act 2001).

## **14 Termination**

- 14.1 This Agreement is to run for 36 months (subject to clause 14.2 below)
- 14.2 Without prejudice to Clause 14.1 above, the parties hereto acknowledge that this Agreement may be terminated as follows:-
- (a) By both parties signing an Agreement to replace the terms of this Agreement;  
or
  - (b) By written agreement of both parties; or
  - (c) By either party on 3 months notice if the funding contract to provide support services is withdrawn from SP; or
  - (d) If either party ceases to exist, this Agreement will terminate forthwith.

## **15 Interpretation and Definitions**

- 15.1 Interpretation
- (a) Words importing the singular will, where appropriate, include the plural and vice versa and words importing the masculine will where appropriate, include the feminine and vice versa.
  - (b) References to any legislative provision, will be deemed to include references to any further legislative provision for the time being in force replacing amending or supplementing it, together with all other regulations directions

conditions circulars or consents made or given under it or deriving validity from it.

**16. No partnership**

- 16.1 This Agreement constitutes a basis for joint-working between the parties and an Agreement for the management of the Property the subject of this Agreement. This agreement shall not constitute a contract for services and nothing in this Agreement shall constitute a partnership between AHB and SP.

**17. Notices**

- 17.1 Notices by either of the parties hereto must be given in writing addressed or faxed to the other party at the address and fax number of that party specified at the beginning of this Agreement. Where appropriate, notices may be given to the parties as per Schedule 1.

Such notices shall, in the absence of earlier receipt, be deemed to have been given or made as follows:

- (a) if delivered personally, on delivery; and
- (b) if sent by first class post, two clear business days after the date of posting; and
- (c) if sent by facsimile, when despatched.

**18. Governing Law**

- 18.1 This Agreement shall be governed by and construed in accordance with the laws of Ireland and each of the parties hereto submit to the jurisdiction of the Irish courts as regards any claim or matter arising under this Agreement.
- 18.2 If any provision in this Agreement is held invalid by any law, rule, order or regulation of any Court or any Agreement, or by final determination of any Court, such invalidity shall not affect the enforceability of any other provision not held to be invalid.
- 18.3 Any waiver or breach of or default under any of the terms of this Agreement shall not be deemed a waiver of any subsequent breach or default and shall in no way affect the other terms of this Agreement.
- 18.4 This Agreement shall not be assignable in whole or in part by SP without express written consent of AHB.

IN WITNESS WHEREOF the parties have executed this Agreement on the date written above

SIGNED

on behalf of .....  
AHB

DESIGNATION .....

DATE .....

SIGNED

on behalf of .....  
SP

DESIGNATION .....

DATE .....



## Schedule 1

### Points of Contact

#### First Point of Contact

AHB

-

Name:

Address:

Phone no.

Fax no.

SP

Name:

Address:

Phone no:

Fax no:

#### Second Point of Contact

AHB

Name:

Address:

Phone no:

Fax no:

SP

Name:

Address:

Phone no:

Fax no:

## **Appendix 7 – List of Training Courses Available**

NDA eLearning module - <http://elearning.nda.ie>

-Short, free online training module to help public sector staff to deal with customers with disabilities

Social Housing and Mental Health <http://tinyurl.com/mhhousing>

Guidance for housing staff

Human Rights training for public sector staff from Irish Human Rights Commission

<http://www.ihrc.ie/training>

### **Disability Awareness**

The aim of this course is to provide learners with the knowledge and background of disability and develop an understanding of the issues which can minimise equal participation of people with disabilities in society.

Duration: 1 day

Certification: IWA certificate

### **Accessible Housing Design**

This course is to provide learners with an understanding of different design approaches including Part M; Lifetime Housing and Wheelchair Accessible Design

Duration 1 day

Certification: IWA certificate

### **Disability Awareness FETAC 6**

The aim of this course is to provide learners with the knowledge and background of disability and develop an understanding of the issues which can minimise equal participation of people with disabilities in society.

Duration: 4 days

Certification: FETAC Level 6 Minor award

### **Equality & Disability**

The aim of this course is to allow learners explore disability in an equality context and the impact of society in creating an inclusive society.

Duration: 3 days

Certification: FETAC Level 5 Minor Award

## Appendix 8 – Submission Template for Long Term Availability Arrangements



Comhshaol, Pobal agus Rialtas Áitiúil  
Environment, Community and Local Government

### Submission Template for Long Term Availability Arrangements

Please complete this form and submit it along with any supporting documentation to:

**John Goldrick**  
**Leasing Section, Housing Division, Room G.01**  
**Department of the Environment, Community & Local Government**  
**Custom House, Dublin 1.**  
[john\\_goldrick@environ.ie](mailto:john_goldrick@environ.ie)

*Where properties are being submitted for the purposes of ‘shared accommodation’ for persons with disabilities and/or for persons with other specific housing needs, please complete the Supplementary Form LN002(B) attached.*

Section 1: DETAILS OF APPROVED HOUSING BODY	
Name of Approved Housing Body:	
Contact Name:	
Address:	
Direct Telephone No:	
Tax Reference Number:	
Expiry Date of Tax Clearance Certificate*:	
Charitable Recognition No.CHY:	
<i>*Where the approved body does not have charitable recognition by the Revenue Commissioners</i>	

Section 2: KEY INFORMATION	
Housing Authority Area:	
Total number of properties proposed:	
Proposed term of the Payment & Availability Agreement:	
Total proposed annual availability payment:	

**Section 3: SUMMARY OF PROPOSED PROPERTIES**

*(Details for individual properties must be provided on form LN002A)*

**How are the proposed properties being provided:**

- a) Leasing Properties from Property Owner for a set term
- b) AHB Purchasing Properties
- c) AHB Constructing Properties

☐  
☐  
☐

**Name & address of development(s) or general description of locations:**

**Summary of Development (if appropriate) to include total number of properties and bed types, the number of private, social and affordable properties and the number of unoccupied units in the development. Has the development been fully completed?**

**Are the proposed properties fully completed and compliant with all planning and technical requirements?**

**How have Part V requirements been satisfied *(if relevant)***

**Please provide details of the structural guarantee/structural insurance on the proposed properties, if known at this stage.**

**From what date will the properties be available for occupation?**

**Section 3: SUMMARY OF PROPOSED PROPERTIES**

*(Details for individual properties must be provided on form LN002A)*

Please provide or attach relevant information about the properties and/or surrounding area/amenities, to include: Specification, Special Features, etc.

Include brochures/photos that may be relevant.

**Section 4: HOUSING NEED**

Have you discussed this proposal with the housing authority?

Name of the contact in the Housing Authority

Has a social housing need for the proposed properties been established in this area? What is the breakdown of social housing need for this area?

**Section 5: SUSTAINABLE COMMUNITIES ASSESSMENT**

**What household categories are proposed for occupation of the proposed properties? Please identify the number of properties proposed to accommodate households under the SLÍ scheme, if any.**

**How is the proposal consistent with social mix objectives for the area?**

**Details of tenure mix of neighbouring developments including RAS, other leased units, social and voluntary housing and all unsold affordable units.**

**What facilities are available in close proximity to the development/properties?**

**Are the local authority considering any other social housing projects, including leasing, within close proximity to the proposed properties?**

**Section 6: PROPOSED AVAILABILITY ARRANGEMENTS**

Details of any special provisions in the lease between the AHB and the Owner

**Section 7: SUMMARY OF COSTS**

Please provide summary details in relation to costs under the headings below for each property type.

*(Please Note: if the submission is specifically for 'shared accommodation' for persons with disabilities and/or for persons with other specific housing needs, please complete the detailed table on Page 11 of the Supplementary Form LN002(B) instead).*

Property Type (e.g. 2 x 1 bed apartments)	Monthly Market Rent (€)	Monthly Lease Payment (€)	Annual Management Company Fee (€)

**Signed:** \_\_\_\_\_

**Print Name** \_\_\_\_\_

**Date:** \_\_\_\_\_

## Form LN002A

\* Please note that a copy of a valuation report from a suitably qualified valuer for each property must be submitted prior to the signing of a Payment & Availability Agreement.  
Provisional estimates of market rent are appropriate for this submission

### 1. List Details for each Property Proposed

*(Please Note: if the submission is specifically for 'shared accommodation' for persons with disabilities and/or for persons with other specific housing needs, please complete the detailed table on Page 11 of the Supplementary Form LN002(B) instead).*

Property address	Type (Apt., Duplex, House, etc.)  Include Floor if appropriate	No. of bedrooms	Floor Area  (m <sup>2</sup> )	Parking (Yes/No)	Date Available for Occupation	Monthly Market Rent* (where properties are finished and unfurnished)  €	Annual Management Company Charge  €	Energy Rating (BER)



## Form LNO02(B) – Supplementary Form for Shared Accommodation

For completion where an Approved Housing Body is seeking to provide 'shared accommodation' for persons with disabilities and/or for persons with other specific housing needs.

<b>Section 1B: Property Information</b>			
In addition to the Property Information provided already, please complete the following table:			
<i>Property Type</i>	<i>Total Number of Bedrooms in the Property</i>	<i>Number of Bedrooms Available for Tenanting</i>	<i>Number of Bedrooms Required for Carers/Support Workers</i>

<b>Section 2B: Housing Need</b>
Is there a specific need for 'shared housing' for person(s) with a disability (and/or other special needs category) in this area? Outline the future demand for 'shared housing' in this area.
Have potential tenants already been selected for these properties in consultation with the Housing Authority? Have potential tenants been assessed by the Housing Authority as being eligible for social housing support?

<b>Section 3B: Suitability of the Property</b>
Outline how the property, or properties, meets the needs of a person or group of persons with a disability or those with other specific housing needs.

## Form LNOO2(B) – Supplementary Form for Shared Accommodation

<b>Are adaptations required to meet the needs of the persons identified for the property, or properties? Please provide a brief description of adaptations required.</b>
<b>If adaptations are required, how is the cost of these works being funded?</b>
<b>In the case of the property, or properties, being leased from a private owner, has the property owners' permission been given for these works?</b>

<b>Section 4B: SUPPORT NEEDS</b>
<b>Do potential tenants have support needs?</b>
<b>Have 'individual person centred plans' been prepared and finalised for each tenant?</b> <b>Please outline what agencies are involved in delivering this support?</b>
<b>Are live-in carers/support workers required? Please state if bedrooms are required for live-in carers.</b>
<b>Is there a requirement on some, or all of the tenants, to pay a contribution for support services in addition to their weekly rent payment?</b>

**Form LNO02(B) – Supplementary Form for Shared Accommodation**

## Section 5B: Additional Information

**Please provide other information considered relevant to the submission:**

**Signed:**

**Print Name**

**Date:**

## Section 5B: SUMMARY OF COSTS

**For the purposes of Submissions for Shared Accommodation, please provide additional details in relation to costs for each property proposed:**

*Please note that a copy of a valuation report from a suitably qualified valuer for each property must be submitted prior to the signing of a Payment & Availability Agreement. Provisional estimates of market rent are appropriate for this submission*

Property address	Type (Apt., Duplex, House, etc.)	Number of bedrooms	Number of Bedrooms Available for Tenanting	Number of Bedrooms Required for Carers or Support Workers	Floor Area (m <sub>2</sub> )	Parking (Yes/ No)	Date Available for Occupation	Monthly Market Rent for the Complete Property (€)	Monthly Market Individual Room Rate under House Share Arrangements (€)	Monthly Lease Payment (€)	Annual Management Company Fee (€)	Energy Rating (BER)
				Who is covering this cost?								

## Appendix 9 – Submission Template for CALF and P&A Funding Approval



Comhshaol, Pobal agus Rialtas Áitiúil  
Environment, Community and Local Government

### Submission Template for CALF & P&A Funding Approval for Shared Accommodation

Please complete this form and submit it along with any supporting documentation to:

**Leasing Section, Housing Division, Room G.01**

**Department of the Environment, Community & Local Government**

**Custom House, Dublin 1.**

Also, please email to: [leasing@environ.ie](mailto:leasing@environ.ie)

Section 1: DETAILS OF APPROVED HOUSING BODY	
Name of Approved Housing Body:	
Contact Name:	
Address:	
Direct Telephone No:	
Tax Reference Number:	
Expiry Date of Tax Clearance Certificate*:	
Charitable Recognition No.CHY:	
<i>*Where the approved body does not have charitable recognition by the Revenue Commissioners</i>	
Section 2: KEY INFORMATION	
Housing Authority Area:	
Property Location:	
Total number of properties proposed:	
Total Capital outlay proposed by AHB:	
Capital Advance Amount Requested:	€
Proposed term of the P&A Agreement:	
Total proposed annual availability payment:	

### Section 3: SUMMARY OF PROPOSED PROPERTIES

How many properties are proposed under the following categories:

d) AHB Purchasing Properties

e) AHB Constructing Properties

Are you proposing to provide any additional properties under standard leasing arrangements, i.e. properties leased directly from the owner in the development? If Yes, please provide details.

Name & address of development(s) or properties:

Summary of the proposed properties, e.g. number of each type of property, (apartment, duplex, townhouse, etc.) and number of bedrooms in each type.

For properties proposed for purchase, please provide the total cost of the properties and a breakdown of the cost per unit type.

Are the proposed properties fully completed and compliant with all planning and technical requirements?

Are any works or adaptations required to be undertaken by the AHB prior to the letting of the properties after the purchase goes through? If yes, please provide details of the works required and estimated cost of the works.

*(If this application is for shared accommodation for people with disabilities or other needs, then please provide this information in section 8(a) instead.*

**Section 3: SUMMARY OF PROPOSED PROPERTIES**

Please provide details in relation to each development (*if relevant*), as to whether the Part V requirements have been satisfied and how these requirements were addressed.

Have development levy requirements been satisfied?

For properties proposed for construction, please provide the total estimated cost for construction, excluding design and professional fees and a breakdown of these costs per unit type.

From what date will the properties be available for occupation?

Please provide or attach relevant information about the properties and/or surrounding area/amenities, to include: Specification, Special Features, etc.  
Include brochures/photos/plans that may be relevant.

<b>Section 4: HOUSING NEED</b>
<b>Have you discussed this proposal with the housing authority?</b>
<b>Name of the contact in the Housing Authority</b>
<b>Has a social housing need for the proposed properties been established in this area?</b>
<b>What is the breakdown of social housing need for this area?</b>
<b>Is there a specific need for 'shared housing' for person(s) with a disability (and/or other special needs category) in this area?</b> <b>Outline the future demand for 'shared housing' in this area.</b>
<b>Have potential tenants already been selected for these properties in consultation with the Housing Authority? Have potential tenants been assessed by the Housing Authority as being eligible for social housing support?</b>



## Section 5: SUSTAINABLE COMMUNITIES ASSESSMENT

Details of the tenure mix of the development, to include total number of properties, the number of private, social and affordable properties and the number of unoccupied units in the development.

Details of other social housing provision in the neighbouring area, including RAS, other leased units, social and voluntary housing and all unsold affordable units.

What facilities/amenities are available in close proximity to the development/properties?

Are the Housing Authority considering any other social housing projects, including leasing, within close proximity to the proposed properties?

Is it intended that proposed properties will be available for specific categories of need, e.g. older people, people with disabilities, etc.? If the properties are for *shared accommodation* for people with disabilities then please complete *Section 8*.

<b>Section 6: PROPOSED AVAILABILITY ARRANGEMENTS</b>			
<b>Proposed Term of P&amp;A:</b>			
<b>Proposed rent review period:</b>			
<b>Provide details of any special provisions proposed to be included in the P&amp;A agreement:</b>			
<p>Please provide summary details in relation to costs under the headings below for each property type.</p> <p><i>(Please Note: if the submission is specifically for '<u>shared accommodation</u>' for persons with disabilities and/or for persons with other specific housing needs, please complete the detailed table in Section 9).</i></p>			
<b>Property Type (e.g. 2 x 1 bed apartments)</b>	<b>Monthly Market Rent per unit (€)</b>	<b>Discount* Applied (%)</b>	<b>Monthly Availability Payment per unit (€)</b>
<p>If it is proposed to provide properties under the standard leasing arrangements as part of this proposal, please provide the details of the availability payments requested below.</p>			
<b>LEASED PROPERTIES</b>			
<b>Property Type (e.g. 2 x 1 bed apartments)</b>	<b>Monthly Market Rent per unit (€)</b>	<b>Discount** Achieved (%)</b>	<b>Monthly Lease Payment per unit (€)</b>

\*The percentage of market rents should be 92% in accordance with Circular N5/09. In the case of the acquisition of apartment complexes where there are existing service charges that would result in a net cost to the AHB, the available payment may be set at up to 95% of market rent.

\*\*The percentage of market rent applicable to properties leased from private owners is 80% in accordance with Circular N5/09.

## Section 7: CALF Requirements

**Please provide details of the source of the balance of funds required, e.g. application to HFA is approved for lending or loan from financial institution.**

**CALF Amount Requested €:**

**CALF Amount as % of overall cost (excluding fees):**

**Summary of justification for CALF amount requested.**

A full financial analysis of the project and sources of funding available must be included in support of this application. This analysis should include any assumptions made in respect of income and expenditure.

<b>Section 8 (a): Suitability of the Property</b>
<b>Outline how the property, or properties, meets the needs of a person or group of persons with a disability or those with other specific housing needs.</b>
<b>Are adaptations required to meet the needs of the persons identified for the property, or properties? Please provide a brief description of adaptations required.</b>
<b>How much will the adaptations cost, approximately? If adaptations are required, how is it intended to cover the cost of these works?</b>

<b>Section 8(b): SUPPORT NEEDS</b>
<b>Do potential tenants for these properties have support needs?</b>
<b>Have 'individual person centred plans' been prepared and finalised for each tenant? Please outline what agencies are involved in delivering this support?</b>
<b>Are live-in carers/support workers required? Please state if bedrooms are required for live-in carers.</b>

<b>How is it intended that the accommodation costs for live-in carers will be funded?</b>
<b>Is there a requirement on some, or all of the tenants, to pay a contribution for support services in addition to their weekly rent payment?</b>

<b>Section 8(c): Additional Information</b>
<b>Please provide other information considered relevant to the submission:</b>

--

<b>Section 9: SUMMARY OF COSTS</b>						
<p><b>For the purposes of Submissions for Shared Accommodation, please provide additional details in relation to costs for each property proposed:</b></p> <p><i>Please note that a copy of a valuation report from a suitably qualified valuer for each property must be submitted prior to the signing of a Payment &amp; Availability Agreement. Provisional estimates of market rent are appropriate for this submission</i></p>						
<b>Property 1:</b>						
<b>General Property Details</b>						
Address:						
Type (Apt., Duplex, House, etc.)		Number of Bedrooms		Parking (Yes/No)		
Energy Rating (BER)		Floor Area (m <sub>2</sub> )		Date Available for Occupation		
Total Number of Bedrooms Available for Tenanting			Number of Bedrooms Required for Live-In Carers/Support Workers			
<b>Financial Details</b>						
Purchase Price of the Property (if applicable)						
Monthly <u>Market</u> Rent for the Complete Property (€)						
Monthly <u>Market</u> Individual Room Rate under House Share Arrangements	Room 1:	Room 2:	Room 3:	Room 4:	Room 5:	Room 6:
	(€)x	(€)x	(€)x	(€)x	(€)x	(€)x
*Monthly <u>P&amp;A Payment</u> for the Complete Property						
*Monthly <u>P&amp;A Payment</u> per Individual Room	Room 1:	Room 2:	Room 3:	Room 4:	Room 5:	Room 6:
	(€)x	(€)x	(€)x	(€)x	(€)x	(€)x
Annual Management Company Fee (€)						

\*The percentage of market rents should be 92% in accordance with Circular N5/09. In the case of the acquisition of apartment complexes where there are existing service charges that would result in a net cost to the AHB, the available payment may be set at up to 95% of market rent. \*\*The percentage of market rent applicable to properties leased from private owners is 80% in accordance with Circular N5/09.

<b>Section 9: SUMMARY OF COSTS</b>						
<b>Property 2:</b>						
<b>General Property Details</b>						
Address:						
Type (Apt., Duplex, House, etc.)		Number of Bedrooms		Parking (Yes/No)		
Energy Rating (BER)		Floor Area (m <sub>2</sub> )		Date Available for Occupation		
Total Number of Bedrooms Available for Tenanting			Number of Bedrooms Required for Live- In Carers/Support Workers			
<b>Financial Details</b>						
Purchase Price of the Property (if applicable)						
Monthly <u>Market</u> Rent for the Complete Property (€)						
Monthly <u>Market</u> Individual Room Rate under House Share Arrangements	Room 1:	Room 2:	Room 3:	Room 4:	Room 5:	Room 6:
	(€)x	(€)x	(€)x	(€)x	(€)x	(€)x
*Monthly <u>P&amp;A Payment</u> for the Complete Property						
*Monthly <u>P&amp;A Payment</u> per Individual Room	Room 1:	Room 2:	Room 3:	Room 4:	Room 5:	Room 6:
	(€)x	(€)x	(€)x	(€)x	(€)x	(€)x
Annual Management Company Fee (€)						

\*The percentage of market rents should be 92% in accordance with Circular N5/09. In the case of the acquisition of apartment complexes where there are existing service charges that would result in a net cost to the AHB, the available payment may be set at up to 95% of market rent. \*\*The percentage of market rent applicable to properties leased from private owners is 80% in accordance with Circular N5/09.

Please add additional sheets if proposing more than two properties for shared accommodation purposes for persons with disabilities and/or other specific housing needs.

<b><u>Signed:</u></b>	_____
<b><u>Print Name</u></b>	_____
<b><u>Date:</u></b>	_____



## Appendix 10 – Terms of Reference for the Housing and Disability Steering Group

### TERMS OF REFERENCE FOR HOUSING AND DISABILITY STEERING GROUP

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

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

#### **1. Membership**

The membership of the Steering Group will be: -

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

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

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

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

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

HSE Representative – this individual shall be nominated at national level. The request for the nomination will be sent by the Housing Agency to the HSE representatives on the National Housing Strategy for PWDs Housing Subgroup. In some areas it has been suggested that there should be two representatives from the HSE, this is an issue for the Steering Groups to address but nominations shall be sought at national level.

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

Local Approved Housing Bodies Representative – representation should be sought from the local AHBs by consensus, however where deemed appropriate by the local AHBs this nomination could be made by the Irish Council for Social Housing from the local bodies or selected by the local authority. It is recommended that between two or three housing associations representatives should be on the committee, with this representation being made up from a mix of large, small and specialised bodies.

### Additional Representation

In addition to the above representation can be sought at the discretion of the Steering Group from relevant bodies for the steering group/Working groups to contribute to specific issues in an advisory capacity from time to time and for a defined period.

## **2. Role**

The role of the Steering Group will include:

- Overseeing the local implementation of the National Housing Strategy for People with Disabilities, including the housing of people with disabilities transitioning from institutional care including contributing to the development of the Housing Strategic Plan;
- Developing, monitoring and reviewing of local interagency protocols, as appropriate;
- Developing plans to meet the housing needs and related supports for people with disabilities;
- Working with all agencies in the provision of services to people with disabilities including employment, education and training;
- Acting as a forum for the exchange of information;
- Reporting to the Implementation Monitoring Committee and the County/City Development Board. Ensuring that the success of the programme is monitored through feedback from people with disabilities themselves.
- Ensuring that Housing Authority staff are appropriately trained to implement the Housing Strategy

## **3. Actions**

The Steering Group will be required to carry out a number of actions as a matter of importance once established. To ensure the implementation of the interim protocol and National guidelines for housing assessment and allocation for people with disabilities including those transitioning from institutional settings;

- To identify a number of pilot units for people transferring from institutional care to the community.
- To identify the cohort of people in congregated settings for the pilot project that will transition from institutional care to community settings
- To collate and report on the number of people with disabilities on the Housing Waiting List. The information in the report should include the numbers, nature of disability, whether physical adaptation of properties or other specific design features will be required, identify suitable options for housing need.

The Information below will be required to assist in the development of a plan for housing provision in the area. Therefore the following are longer-term actions: -

- To compile a register of adapted properties suitable for people with a disability.

- To review and report on individuals that have been provided with social housing supports or income supports in order to meet their housing needs such as rent supplement etc.
- To review and report on individuals with disability already in social housing in the Housing Authority area to include the categories of disability and the numbers and the nature of non-housing related supports being delivered which assist in supporting tenancies.
- To identify additional people that may present for or require social housing supports in the future including those already residing in the community and those likely to transition from institutional care
- To develop and implement feedback processes to assess the success of the implementation based on feedback from tenants
- To identify and implement appropriate training programmes for Housing Authority staff, and measure the effectiveness of this training

#### **4. Working Groups**

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

#### **5. Meetings**

The Steering Group will meet a minimum of four times a year. The initial meeting needs to focus on setting up the pilot project with dedicated funding for 2013 for people in congregated settings in the context of June 2011 HSE Report on Congregated Settings.

A second meeting needs to focus on the assignment of responsibility to the relevant Agencies for the longer term actions outlined at 3 above and needs to take place no later than six weeks from the initial meeting.

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

## Appendix 11 – Statement of Housing need Template

### STATEMENT OF HOUSING NEED

[Name]

[Address 1:]

[Address 2:]

[Address 3:]

[Date:]

RE: Social Housing Support

Dear [Name]

I refer to my letter of the [date] informing you that you have qualified for Social Housing Support. Your accommodation need has been assessed based on a number of factors including input from you through your submission of your Support Plan Summary.

Your housing need has been assessed as follows:

*[List details including any adaptations identified]*

If you have any queries or questions regarding this letter or your successful Housing Support Application please do not hesitate to contact us as above.

Yours Sincerely

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[Insert name]