

**Scotland's Approach to Housing  
Policy and Strategy  
in Relation to Disability and Race  
A Review at National and Local Level**

**Final Report  
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## 1. What is the Purpose of this Report?

### 1.1 Our Aims

In early 2007, the Disability Rights Commission asked us to critically assess both national and local housing policy and strategy in relation to disability and race. The overall aim was to explore whether Scotland's approach to planning housing provision recognises the diverse needs of all our communities.

This document sets out what we found out. The main issues it explores are:

- What does Scottish Executive housing policy say about disability and race?
- What do Local Housing Strategies, produced by local authorities, say?
- Does this meet the requirements of the equality duties – both at the time of production, and currently?
- And going beyond this, does this reflect best practice in planning to meet the needs of all communities?

This report is for anyone interested in how national and local housing strategy takes into account the experiences, needs and aspirations of disabled people and people from minority ethnic communities. It aims to influence the wider public policy debate. It is also specifically intended to inform the work of the new Commission for Equality and Human Rights, which will be operational from October 2007.

## 1.2 Our Methodology

This study involved three distinct stages:

- **A desktop review of national policy** – ‘Homes for Scotland’s People’ is the Scottish Executive’s most recent statement on housing policy nationally. It was produced by the previous Scottish government. We reviewed this policy for evidence of consideration of race and disability in housing and housing support issues at a national level.
- **A desktop review of all 32 Local Housing Strategies** – in 2007, Communities Scotland commissioned research<sup>1</sup> into how Local Housing Strategies address six equalities strands – race, disability, age, gender, faith and sexual orientation. We built on this research (which we undertook) to pull out key themes relating to disabled people and minority ethnic communities.
- **Fieldwork in five case study areas** – we spoke to local authority staff, Communities Scotland Area Teams and equalities groups (focusing on race and disability) in five local authority areas. We explored the experience of developing, implementing and updating the Local Housing Strategy in relation to disability and race. We have fully anonymised each of these case study areas, to ensure people spoke to us openly and honestly about their experience.

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<sup>1</sup> Local Housing Strategies and Equalities, ODS Consulting, 2007 (unpublished)

### 1.3 Our Terminology

The words we use to describe individuals are important.

Throughout this report we have used the terms 'minority ethnic communities' and 'disabled people' to describe the groups we are talking about. But, there are diverse (and sometimes conflicting) views about the way in which issues like disability, ethnicity, culture and national origins can be expressed in a single term.

We have used the term 'minority ethnic communities' to cover anyone who would describe their origins as from outwith the UK. This would include people who are Irish, Pakistani, Polish, Chinese, Iranian...and so on. And it includes people who would define their origin based on faith – such as Jewish and Sikh communities.

We have used the term 'disabled people' to include anyone who would perceive themselves as disabled or having an impairment or limiting long term illness. This fits with the social model of disability, which states that people are disabled because of society.

But, the statistics that we use throughout the report do use varying definitions of disability. Some focus on perceptions of disability. For example, the Census asks people if they have any long term illness, health problem or disability which affects their everyday life.

Others focus on the legal definition of disability. As this changed in 2005 this makes comparisons over time difficult. In December 2005 the legal definition of disability was expanded<sup>2</sup>. It now includes people with cancer, HIV and multiple sclerosis from the point of diagnosis, and removes restrictions on the mental health conditions that are included.

This means that there are different assessments of the number of disabled people in Scotland, based on different definitions.

Throughout the report, we have highlighted which information source was used for the statistics we quote.

We recognise that any approach which attempts to define people according to one category is not ideal. But, from a practical viewpoint, we do need to be clear which communities and individuals we are focusing on. As a result, we use the terms minority ethnic communities and disabled people consistently throughout this report.

#### **1.4 Why Explore Housing, Disability and Race?**

**Housing is important.** Having somewhere safe and comfortable to stay is a basic human requirement. Because everyone is different, people all have different housing needs. It is vital that organisations planning both national and local housing strategy recognise this, and work to meet the variety of needs and aspirations of all individuals and communities.

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<sup>2</sup> Disability Discrimination Act 2005

'Everyone has the right to a home – a space of their own where  
they can enjoy privacy and family life'  
(Malcolm Chisholm, Homes for Scotland's People)

**Diversity is important.** Everyone is different. People's personal characteristics and life circumstances mean that everyone has different views, needs, experiences and aspirations. Recognising this is central to planning effectively.

Scotland is a diverse place. In 2005, it was estimated that almost one million people in Scotland were disabled or had a limiting long term illness<sup>3</sup>. That's almost one fifth of the population. Since the legal definition of disability was widened in 2005, this figure will have increased. Around **a third** of all households in Scotland contain someone who is disabled or has a long term illness<sup>4</sup>.

Half of all disabled people in Scotland are 60 or older – that's half a million people<sup>5</sup>. As our population ages – which it is projected to do rapidly – disability will become a bigger and bigger issue.

In 2001, around 230,000 people were from a minority ethnic community<sup>6</sup>. That's five per cent of Scotland's population. Many communities are increasing quickly, due to a more youthful population profile. And since 2001, the expansion of the European

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<sup>3</sup> Office for National Statistics, quoted in Disability in Scotland 2005-2020, Disability Rights Commission, 2005 (Figures based on assessment against the Disability Discrimination Act 1995)

<sup>4</sup> Social Focus on Disability, Scottish Executive, 2004 (Figures based on perceptions of disability and limiting long term illness, taken from Scottish Household Survey 2001/02)

<sup>5</sup> 2001 Census (Figures based on perceptions of disability and limiting long term illness)

<sup>6</sup> 2001 Census

Union has resulted in at least 32,000 more people moving to Scotland<sup>7</sup>.

It is vital that we understand the needs of all our communities, and are able to build these into housing planning for the future. We need to also make sure that we see people as the individuals they are – and recognise the different and overlapping needs between and within communities.

**Equality is important.** People shouldn't experience disadvantage because of their characteristics or life circumstances. Everyone should be able to live their lives as equal citizens. But just now, this doesn't always happen.

For example, there is a clear relationship between disability and low income, for both adults and children<sup>8</sup>. And in Scotland, people from minority ethnic communities are more than twice as likely as others to be victims of crime<sup>9</sup>.

To address these inequalities, the law has been gradually strengthened in recent years. Public bodies now have a responsibility and duty to promote disability and race equality. These duties were introduced through the Race Relations (Amendment) Act 2000 and the Disability Discrimination Act 2005.

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<sup>7</sup> Accession Monitoring Report (May 2004 - June 2006) Home Office, 2006

<sup>8</sup> Disability in Scotland 2005 – 2020, Disability Rights Commission, 2005

<sup>9</sup> The Herald, 23<sup>rd</sup> July 2007

These acts place general duties on public bodies:

<b>Race: General Duties Since 2001...</b>	<b>Disability: General Duties Since 2006...</b>
Eliminate unlawful discrimination	Eliminate unlawful discrimination
Promote equality of opportunity	Promote equality of opportunity
Promote good relations	Promote positive attitudes
	Take account of disabilities
	Eliminate harassment
	Encourage participation
Introduced by the Race Relations Amendment Act 2000	Introduced by the Disability Discrimination Act 2005

In addition to these general duties, public bodies have a number of specific duties. These include a requirement to produce Race Equality and Disability Equality Schemes. Organisations must identify the policies which may impact on disabled people and minority ethnic communities, and assess these. This process involves consulting with communities and gathering evidence. It is not the purpose of this report to provide a detailed explanation of these specific duties. But, importantly, the law<sup>10</sup> clearly states that disabled people must be involved in the preparation of Disability Equality Schemes.

For more information on the race and disability equality duties, see 'Bringing Equality to Scotland: The Three Public Sector Duties' (produced by the Commission for Race Equality, Disability Rights Commission and Equal Opportunities Commission).

<sup>10</sup> Disability Discrimination Act 2005

In addition, there is a range of housing legislation which impacts on disabled people. For example, the Housing Act 2006 requires landlords to 'provide auxiliary aids and services where these are requested by the tenant and they will enable use of the premises or enhance enjoyment of the tenancy'.

## 1.5 Using This Report

This report brings together analysis of housing policy and strategy at both national and local level. This analysis can be read as a whole, or you can focus on the particular section (or sections) which you find most relevant:

- Section 2:** Review of national policy – specifically focusing on 'Homes for Scotland's People'
- Section 3:** Review of Local Housing Strategies – and their consideration of race and disability issues
- Section 4:** Case studies of progress in five local authority areas
- Section 5:** Key findings
- Section 6:** Conclusions and recommendations

## 2. National Policy

We need to 'reflect the housing aspirations and experiences of individuals and families affected by disability in national policy' (DRC, Creating an Alternative Future, 2007)

### 2.1 Introduction

The Scottish government is responsible for driving housing policy at a national level. The most recent national housing policy statement was produced by the previous Scottish Executive administration, in 2005. Entitled 'Homes for Scotland's People', this document sets out the Executive's commitment to ensuring that everyone has a decent home to live in. It is the only current overarching national policy statement on housing in Scotland.

With the election of a new administration in May 2007, national housing policy will evolve and change over the coming months. Already – by July 2007 – we can see some evidence of change. Scottish Ministers have made statements on housing priorities, including:

- consulting on the future of social housing;
- setting up a Housing Supply Task Force; and
- establishing a Scottish Housing Support Fund.

In addition, Ministers recently set new priorities for Communities Scotland, the Scottish government's national housing agency. But, none of these statements or priorities has included any mention of race or disability.

At this stage, it is too early to see how these new priorities will impact on overall housing strategy at a national level. And, so far, these high level statements have not referred to disability or race issues. So this document to a great extent reflects the work of the previous administration – particularly the 'Homes for Scotland's People' document.

## **2.2 Homes for Scotland's People**

'Homes for Scotland's People' is a national policy document, produced in 2005. It sets out the Scottish Executive's housing policy agenda. It is based on a central vision:

'All of Scotland's people should have access to good quality, warm and affordable housing' (Homes for Scotland's People, p2)

It sets out the Scottish Executive's plans to achieve its aims of:

- enough housing of the right type in the right place;
- quality homes for those who rent;
- opportunities for those who want to own their homes;
- help for those who need it and assistance to avoid homelessness; and
- strong, safe and attractive communities.

The following sections provide a detailed analysis of what the policy says in relation to both disability and race. Our analysis focuses on what the policy states that the government **would do** in the future. It does not highlight the range of activities, set out within the policy, which the government had already undertaken.

## **2.3 The Policy - Understanding Scotland's People**

'Our policies must be shaped by the needs of individuals and families at all stages in their lives' (Homes for Scotland's People, p2)

### **2.3.1 What Does Homes for Scotland's People Say?**

'Homes for Scotland's People' clearly states that housing policy in Scotland should be based on everyone's needs. But, in describing Scotland's population, it does not mention disabled people and minority ethnic communities.

The document contains basic information about Scotland's population and points to the changing profile of households in Scotland. It mentions the increase in both smaller households and elderly households. But, it does not correlate the increasing elderly population with disability. It does not mention the substantial, and increasing, number of disabled people and people from minority ethnic communities in Scotland.

It does contain basic information on the estimated size of the Gypsies/ Traveller community – in both winter and summer. But it

has no information about people from other minority ethnic communities.

### 2.3.2 What is the Reality?

'Homes for Scotland's People' is a policy document. It has been developed based on a wide range of evidence and research – not all of which can or should be repeated within a policy statement.

But, **one third** of Scotland's households contain at least one disabled person<sup>11</sup>. And at least **five per cent** of the population is from a minority ethnic community<sup>12</sup>. These sizeable populations should be important features in a national policy statement of this kind.

There are important **key trends** in these communities, which should be fully understood when planning housing policy. For example:

#### Disability in Scotland

- There is a strong correlation between disability and age – over half of all older people and pensioner households contain someone who has a disability<sup>13</sup>.
- As Scotland's population ages, the proportion of people with a disability is likely to increase further.
- There are slight, but significant, variations between urban and rural areas – one fifth of people in urban areas have a disability, compared to 17 per cent in rural areas<sup>14</sup>.

<sup>11</sup> Social Focus on Disability, Scottish Executive, 2004 (Figures based on perceptions of disability and limiting long term illness, taken from Scottish Household Survey 2001/02)

<sup>12</sup> 2001 Census

<sup>13</sup> 2001 Census (Based on perceptions of disability and limiting long term illness)

### **Minority Ethnic Communities in Scotland**

- There are significant variations in the demographic profile of ethnic communities across Scotland.
- Many minority ethnic communities in Scotland have far younger age profiles than the white UK population.
- But, in contrast, one third of the white Irish population in Scotland is over pensionable age. This compares to less than ten per cent for Indian, Pakistani, Chinese, African and mixed communities.
- Over half of all white Scottish households have no dependent children. For Indian, Caribbean and mixed communities, this figure is just slightly lower. But less than a third of Pakistani and African households have no dependent children.<sup>15</sup>

### **Ethnic Origin and Disability**

- Overall, communities with a more youthful age profile have lower levels of disability. This means the white Scottish and white Irish communities have the highest levels of disability.
- Looking at individual age groups, there are some substantial variations in the level of disability experienced between different communities.
- For example, Pakistani communities have by far the highest level of disability and limiting long term illness in the over 60's age group. Two thirds have a disability or long term

<sup>14</sup> Disability in Scotland 2005 - 2020, Disability Rights Commission, 2005 (Based on analysis of the 2001 Census)

<sup>15</sup> All figures from - Analysis of Ethnicity in the 2001 Census, Office of the Chief Statistician, 2004

illness, compared with half of the white Scottish population.

- Most minority ethnic communities have substantially increased in size between 1991 and 2001, and continue to do so<sup>16</sup>.

## 2.4 The Policy - Home Ownership

### 2.4.1 What Does Homes for Scotland's People Say?

The policy aims to create opportunities for people who want to own their own homes. It sets out four key initiatives in relation to home ownership:

- expanding the low cost home ownership programme to provide nearly 5,000 affordable homes for purchase;
- introducing a new 'Homestake' scheme to assist first time buyers;
- allowing for the introduction of a single survey for home buyers; and
- introducing 'schemes of assistance' for home owners – including loans, advice, practical assistance and grants.

The only specific mention of disabled people is in relation to the new Homestake scheme. There is no mention at all about home ownership options for minority ethnic communities.

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<sup>16</sup> All figures from - Analysis of Ethnicity in the 2001 Census, Office of the Chief Statistician, 2004

### 2.4.2 About the Homestake Scheme

This is a new way of buying a house – in which a household is supported to buy through sharing the equity with a local housing association. The home is legally owned by the family, but when they come to sell part of the equity will be returned to the housing association (for reinvestment in affordable housing).

Homes for Scotland's People states that the Homestake scheme will be targeted at:

'...people who aspire to be home owners but whose incomes and resources are insufficient to meet their needs because of local housing market prices'. (Homes for Scotland's People, p15)

The document states that first time buyers will be a key target group. But, 'the scheme is also designed to assist disabled persons, older people, people in the rented sectors who wish to move into home ownership...' (p15). The Homestake scheme was to deliver at least 1,000 new homes per annum, over 2005 to 2007.

Since 2005, the Scottish Executive has taken forward its commitment to ensure that disabled people benefit from the Homestake scheme. In May 2006, it contracted Ownership Options to provide a specialist advice service on disability issues, for all social landlords participating in Homestake. The aim is to help social landlords to plan for, target and assist disabled people

to purchase homes through the Homestake scheme. This is a positive example of national policy priorities being taken forward on the ground.

There is no similar project in place for minority ethnic communities.

### 2.4.3 What is the Reality?

In 2004, Communities Scotland commissioned research into owner occupation for disabled people in Scotland<sup>17</sup>. It found that:

- disabled people and their families are **half** as likely to own with a mortgage, than other households; and
- they are **twice as likely** to live in the social rented sector.

While 73% of households without a disabled person was owner/occupied, the figure for households containing at least one disabled person was 52%.<sup>18</sup> While the numbers of households owning outright did not vary markedly between the two groups, the number of owner / occupiers with a mortgage was 21% in households containing at least one disabled person and 46% for other households.<sup>19</sup>

There are a number of factors which influence this. Firstly, incomes of disabled people are typically lower, while housing and living costs are often higher<sup>20</sup>. People can also struggle to obtain

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<sup>17</sup> Mind the Gap: Evaluation of Owner Occupation for Disabled People in Scotland, Communities Scotland, 2004

<sup>18</sup> Scottish Household Survey, Annual Report, 2005

<sup>19</sup> Scottish Household Survey, Annual Report, 2005

<sup>20</sup> Mind the Gap: Evaluation of Owner Occupation for Disabled People in Scotland, Communities Scotland, 2004

mortgages – for example if they cannot work, or have a progressive illness.

Availability of suitable housing can also influence the ability to buy. Often disabled people will be more restricted in their housing choices – needing a property in a certain location (for example near employment or support) or of a certain type (for example all on the one level). This can restrict choice and push prices up.

Ownership patterns for **minority ethnic communities** vary substantially. Although 75 per cent of Pakistani households own their home, this falls to just 37 per cent for African households<sup>21</sup>. Only the Indian, Pakistani and Chinese communities have higher home ownership rates than the white Scottish community.

There has been very little research done into the reasons for these varying owner occupation patterns at a national level. But, taking the African community as an example, there are a number of factors which could influence home ownership patterns:

- Many African adults in Scotland are **full time students** – almost one third of all people aged 18 and over - compared with just 4 per cent of the white Scottish population.
- The African community also has the highest **unemployment** rate – at 15 per cent compared with 7 per cent for white Scottish people.

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<sup>21</sup> 2001 Census

- The African population in Scotland is **relatively young** – and the Census shows increasing rates of home ownership within the African community as people get older<sup>22</sup>.

The factors influencing each community – and household – will vary locally. A number of local authorities have undertaken research in their area, to find out more about these issues<sup>23</sup>. But, there is no national picture of why home ownership patterns vary so significantly between different communities.

Research into homelessness has also found high levels of hidden homelessness among people from minority ethnic communities who own their own home - due to overcrowding and issues of poor quality property<sup>24</sup>.

## 2.5 The Policy - Rented Housing

### 2.5.1 What Does Homes for Scotland's People Say?

The policy has very little to say about social and private rented housing, in relation to disability and ethnic origin. The key priorities set out within the policy include:

- improving housing quality – through:
  - the Scottish Housing Quality Standard

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<sup>22</sup> Analysis of Ethnicity in the 2001 Census, Office of the Chief Statistician, 2004

<sup>23</sup> As at mid 2007, at least 13 local authorities had commissioned research into the housing needs of minority ethnic communities – East Renfrewshire, West Dunbartonshire, Aberdeen, Aberdeenshire, Moray, Angus, Dundee, North Lanarkshire, South Lanarkshire, Stirling, Clackmannanshire, Falkirk and Glasgow. An additional six authorities in the Edinburgh area were commissioning research in October 2007

<sup>24</sup> Black and Minority Ethnic Communities and Homelessness in Scotland, Scottish Executive, 2004

- strengthened private sector tenant's rights to a well maintained home
- introducing private landlord registration and voluntary accreditation
- increasing tenant influence over social rented homes; and
- simplifying and maximising access to social rented housing.

The policy also mentions that the Scottish Executive has introduced a new Scottish Secure Tenancy. In relation to people with disabilities, this has resulted in rights of succession to carers.

'The new tenancy has also given tenants enhanced rights... including succession to same sex partners and carers' (p17)

The policy makes no mention of any issues relating to rented housing and minority ethnic communities.

### **2.5.2 What is the Reality?**

Disabled people and their families are twice as likely to live in the social rented sector as non-disabled households<sup>25</sup>, but only half as likely to live in private rented housing.<sup>26</sup> Research suggests that this could be due to lower than average incomes, coupled with higher than average living costs<sup>27</sup>. There is also anecdotal evidence of discrimination in the letting of private housing.

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<sup>25</sup> Disability in Scotland 2005-2020, Disability Rights Commission, 2005

<sup>26</sup> Scottish Household Survey, 2005/06

<sup>27</sup> Mind the Gap: Evaluation of Owner Occupation for Disabled People in Scotland, Communities Scotland, 2004

'We started looking for country cottages to rent, but as soon as we mentioned 'learning difficulty' nobody would rent to us'  
(Ownership Options Case Study<sup>28</sup>)

Many minority ethnic communities also demonstrate a **high reliance** on rented housing. For example, almost two thirds of African households rent their home<sup>29</sup>. This compares to a third of the white Scottish population.

The 2001 Census demonstrates that generally, minority ethnic communities are more likely to rent their home privately than the white Scottish population. And they are less likely to live in the social rented sector. But this does vary between communities<sup>30</sup>.

**An example:** Indian households are far more likely to rent privately than live in social rented housing. But white Irish, black Scottish, Caribbean, African and mixed communities are all more likely to live in the social rented sector.

## 2.6 National Policy - Housing Supply, Quality and Design

'We need accommodation across Scotland which is suitable for our ageing population and appropriate for those with particular needs arising from disability' (Homes for Scotland's People, p4)

<sup>28</sup> Home Truths, Ownership Options, undated

<sup>29</sup> Analysis of Ethnicity in the 2001 Census, Office of the Chief Statistician, 2004

<sup>30</sup> As above

### 2.6.1 What Does Homes for Scotland's People Say – About Supply?

The issues of housing supply, quality and design are interlinked. The policy states that overall, planned housing supply will exceed demand. But, it recognises mismatches between demand and supply at a local level. The focus is strongly on **geographically** matching supply and demand.

There is no national analysis of demand for and supply of housing from people from minority ethnic communities and disabled people. The policy states that local authorities will identify and meet housing needs, through their Local Housing Strategies.

### 2.6.2 What Does Homes for Scotland's People Say – About Quality?

The policy highlights a number of key developments in relation to housing quality, including:

- the Scottish Housing Quality Standard; and
- improving and adapting private sector homes.

Neither of these issues focuses specifically on the needs of, or impact on, minority ethnic communities. But there is a focus on ensuring that disabled people receive assistance to **adapt** privately owned homes.

'Since devolution we have prioritised the adaptation of privately-owned houses to suit the needs of disabled occupants and targeted Private Sector Housing Grant for this purpose'

(Homes for Scotland's People, p9)

The onus is placed on local authorities to co-ordinate needs assessments and resource allocations at a local level. There is a commitment to provide £70 million through Private Sector Housing Grant in 2004/05, and £72 million in 2005/06.

The policy does not highlight any specific consideration given to disabled people or minority ethnic communities in the proposals to improve the quality of privately owned and rented housing. And, the Scottish Housing Quality Standard does not include accessibility criteria.

### **2.6.3 What Does Homes for Scotland's People Say - About Design?**

The policy states that almost all (97 per cent) of new social housing is barrier free and meets Housing for Varying Needs Standards. In 2002/03, housing associations built almost 3,500 new barrier free houses, and a further 170 wheelchair accessible homes.

'Real change is where all homes are totally barrier free so everybody can live in them' (Home Truths, Ownership Options)

But the policy does not make a commitment to continuing or increasing this level. The policy does not mention any design issues relating to housing for minority ethnic communities.

## 2.6.4 What is the Reality?

In Scotland, there are pressures on affordable housing. House prices have increased substantially in recent years, and research<sup>31</sup> has found that high prices are constraining choices and causing particular difficulties for first time buyers.

Although Private Sector Housing Grant expenditure on private sector adaptations is a 'national priority', significantly less is spent across Scotland on such adaptations than on repairs to privately owned homes, which are not a priority. The additional sums of Private Sector Housing Grant given to local authorities specifically for adaptations in recent years do not appear to have changed this trend<sup>32</sup>.

Social rented housing is also experiencing pressures – with high demand in some areas, and lack of demand in others. Demand fluctuates significantly across the country, and within local areas.

This means that assessing the supply of housing required for minority ethnic communities and disabled people in Scotland is challenging. Many disabled people have particular housing requirements – in terms of housing design, location, size and support provision.

These issues can limit choices, and mean that access to affordable housing becomes all the more important. With one third of households including someone with a disability, it is vital that housing supply meets these needs.

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<sup>31</sup> Scottish Housing Market Review – Evidence and Analysis, Scottish Executive, 2007

<sup>32</sup> Scottish Executive Housing Statistics Branch IMP1 B Dataset: March 2007

Since the publication of 'Homes for Scotland's People', the number of new build homes designed for disabled people has increased slightly. In 2006/07, social landlords built almost 4,700 barrier free houses, and 200 wheelchair accessible homes<sup>33</sup>. But, there remain major issues in meeting the housing needs of disabled people:

- About 12 per cent of homes have an adaptation to meet the needs of a disabled person.
- Nearly 20 per cent of adults with a disability or long term illness could benefit from a special aid or adaptation.
- About 62,000 households need – but don't have - an adapted bathroom.
- About 20,000 households need – but don't have – a stairlift.
- There are issues about the best use of properties designed or adapted for disabled people.
- There are currently enough houses for one in ten ambulant disabled people.<sup>34</sup>
- A survey of 3,000 parents in the UK with disabled children found that 9 out of 10 families reported at least one difficulty their home<sup>35</sup>.

There is no national evidence in Scotland about the housing needs and aspirations of minority ethnic communities. But, research undertaken at a UK wide level has found that:

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<sup>33</sup> Disability Rights Commission, Live Discussion with Stewart Maxwell MSP, 2007

<sup>34</sup> All figures above from The Disability Agenda: Creating an Alternative Future, Disability Rights Commission

<sup>35</sup> Housing matters: National evidence relating to disabled children and their housing, Joseph Rowntree Foundation, 2003

- Compared with white families, significantly more black and minority ethnic families live in homes that are not suitable.
- Minority ethnic families are more likely to experience multiple problems with their housing.
- Most minority ethnic families with a disabled child are living in unsuitable housing<sup>36</sup>.

As at 2007, 13 of the 32 local authorities in Scotland have commissioned local research into the housing needs of minority ethnic communities<sup>37</sup>. The needs of different communities and in different areas are varied. But some general themes have emerged:

- There is demand for larger house sizes from some minority ethnic communities – in both social rented and private housing.
- People often perceive that suitable social rented homes will not be available, and so do not apply.
- Neighbourhood and safety – as well as access to services including religious centres and shops - can play a key role in influencing housing choices.

Minority ethnic communities with disabled household members can also experience specific housing issues. For example, UK wide research in 2007 found that many families have problems with lack

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<sup>36</sup> All figures from The Housing Needs of Black and Minority Ethnic Disabled Children and their Families, Race Equality Foundation, 2007

<sup>37</sup> As at mid 2007, at least 13 local authorities had commissioned research into the housing needs of minority ethnic communities – East Renfrewshire, West Dunbartonshire, Aberdeen, Aberdeenshire, Moray, Angus, Dundee, North Lanarkshire, South Lanarkshire, Stirling, Clackmannanshire, Falkirk and Glasgow. An additional six authorities in the Edinburgh area were commissioning research in October 2007

of space and housing condition<sup>38</sup>. It also found that families from minority ethnic groups are much less likely to have the aids or adaptations they need to make their homes suitable.

'People from ethnic minorities are more likely to live in inferior housing, be more dissatisfied with their homes, be more anxious to move and have fewer opportunities to do so'  
(CRE, Statutory Code of Practice, 2006)

## **2.7 National Policy - Supply for Gypsies and Travellers**

### **2.7.1 What Does Homes for Scotland's People Say?**

'We recognise the need to make suitable provision for Gypsies and Travellers... Local authorities are expected to address the accommodation needs of Gypsies and Travellers in their local housing strategies' (Homes for Scotland's People, p18)

The policy contains a short section on housing and Gypsies/ Travellers. This is the only time in the whole policy document that a mention is made of any minority ethnic communities. The document simply estimates the size of the Gypsy/ Traveller community in Scotland. And it states that local authorities should ensure that the needs of Gypsies/ Travellers are identified and addressed, through Local Housing Strategies.

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<sup>38</sup> The Housing Needs of Black and Minority Ethnic Disabled Children and their Families, Race Equality Foundation, 2007

## 2.7.2 What is the Reality?

'Scottish Gypsies/ Travellers are one of the most marginalised communities within our society, routinely unable to access services that the majority take for granted.'

(Commission for Racial Equality, online, 2007)

Gypsy/ Traveller communities are among the most excluded in Scotland. In 2001, the Scottish Parliament's Equal Opportunities Committee held an inquiry into Gypsies/ Travellers and public sector policies<sup>39</sup>. This recommended that:

- Gypsies/ Travellers should be treated as an ethnic group.
- The housing needs of Gypsies/ Travellers should be assessed at a local level.
- Local authorities should consider the impact of their policies on Gypsies/ Travellers – including allocation policies and homelessness strategies.

These recommendations placed responsibility for assessing housing needs of Gypsy/Traveller communities with local authorities. But, in 2005 the committee reviewed progress since the inquiry. Evidence at this inquiry, from Save the Children, found that:

- Over three quarters of the young people felt their living conditions whether on sites, camps or houses had remained the same or got worse between 2001 and 2006.

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<sup>39</sup> Inquiry into Gypsy Travellers and Public Sector Policies, Scottish Parliament Equal Opportunities Committee, 2001

- Almost all (90 per cent) felt that the government does not listen to young Gypsies/Travellers<sup>40</sup>.

Since this time, a number of local authorities in Scotland have commissioned research into the housing needs of Gypsies/ Travellers – and a number have developed action plans to meet these needs<sup>41</sup>.

## **2.8 National Policy - Housing Support and Independent Living**

'We need an integrated policy which is not just about the provision of accommodation but ensures that people's wider needs are met'  
(Homes for Scotland's People, p13)

### **2.8.1 What Does Homes for Scotland's People Say?**

The policy says a lot about housing support to help disabled people to remain in their own homes. It does not mention support and independent living in relation to minority ethnic communities.

The policy points to the Supporting People programme as a key way of supporting disabled people, with nearly 6,400 disabled people receiving support services in 2005. The document commits to:

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<sup>40</sup> Quoted in Scottish Gypsy/ Traveller Strategy, Commission for Racial Equality Scotland, 2006/07

<sup>41</sup> As at mid 2007, at least 19 local authorities had commissioned research – Falkirk, Stirling, Clackmannanshire, Edinburgh, East Lothian, Midlothian, Scottish Borders, Glasgow, Inverclyde, East Renfrewshire, Renfrewshire, North Ayrshire, East Ayrshire, South Ayrshire, South Lanarkshire, West Dunbartonshire, East Dunbartonshire and Argyll and Bute.

- spending £1.2 billion over three years (to 2007) through the Supporting People programme, to offer support to vulnerable people who wish to live independently;
- making housing options available for people who wish or need to leave hospitals, institutional care establishments or their family home, to enjoy independent living; and
- regulating the provision of housing support services, through the Scottish Commission for the Regulation of Care.

It is unclear what is meant by 'making housing options available' for people who need to leave hospitals, care homes or their family home.

'Homes for Scotland's People' also points to the linkages being made in planning housing and wider community care activities. It emphasises that Supporting People funding is based on relative need, taking into account:

- older people;
- homeless people;
- disabled people; and
- deprivation.

### **2.8.2 What is the Reality?**

The policy clearly sets out plans for supporting disabled people at home, and the resources that will be dedicated to do this. This has been followed through with a package of funding from 2004 to 2007.

In terms of making other independent housing options available, it is not clear what action has been taken. There has been an ongoing long term shift away from housing people through institutional settings. In 1980, 7,000 people of the estimated 120,000 people with learning disabilities in Scotland were in long-stay facilities. In 2000, the Scottish Executive published their review of services for people with learning disabilities.<sup>42</sup> It recommended that health boards should have plans in place for closing all remaining long-stay hospitals for people with learning disabilities by 2005. By the end of 2005, all of these facilities had been closed.<sup>43</sup>

But, the Disability Rights Commission points to the emergence of other 'institutions'. Since 1997, in the UK there has been a 20 per cent increase in admissions to residential care and a 40 per cent increase in admissions to nursing care for people with learning disabilities and mental health conditions<sup>44</sup>. The DRC suggests that this could be in response to the closure of long stay hospitals, resulting in new institutions being built.

'It's wrong that people with disabilities are not allowed to be flexible and go out because it's a super day'  
(Ownership Options Case Study)<sup>45</sup>

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<sup>42</sup> The Same As You: A review of services for people with learning difficulties, Scottish Executive, 2000

<sup>43</sup> Home at Last? Report of the Short Life Working Group on Hospital Closure and Service Reprovision, 2004

<sup>44</sup> DRC, Ten priorities for change, 2005

<sup>45</sup> Home Truths, Ownership Options, undated

Evidence from Ownership Options – a national charity specialising in home ownership issues affecting disabled people - also demonstrates that in reality, it can be very challenging to identify an appropriate package of housing and support which enables independent living. There continue to be challenges to supporting people with learning and mental health difficulties to live in the community<sup>46</sup>.

'The thing David likes best is having his own key and his own space. He's never had that in his life' (Ownership Options Case Study)<sup>47</sup>

Local research<sup>48</sup> into housing needs has demonstrated that as the population ages, older people from minority ethnic communities often do not know how to access support services and other housing options to meet their needs. But very little research has been undertaken into the support needs of minority ethnic communities.

## **2.9 National Policy - Homelessness**

### **2.9.1 What Does Homes for Scotland's People Say?**

The policy reiterates the Scottish government's commitment to every unintentionally homeless person having a right to a

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<sup>46</sup> As above

<sup>47</sup> As above

<sup>48</sup> For example, Housing Needs of Minority Ethnic Communities in North and South Lanarkshire, ODS Consulting, 2006

permanent home, by 2012<sup>49</sup>. It notes that the highest incidence of homelessness occurs in Glasgow.

It says nothing about homelessness in relation to disabled people or minority ethnic communities.

### 2.9.2 What is the Reality?

Homelessness is a major issue for many minority ethnic communities. Research in 2004<sup>50</sup> found that the incidence of **recorded** homelessness was 75 per cent higher among minority ethnic communities than others. But, the degree of homelessness varied substantially between different communities.

The research found that homelessness was caused by a wide range of factors, including:

- lack of information about housing options and homeless procedures;
- lack of sensitivity in relation to racial harassment;
- difficulty of getting information due to language barriers; and
- lack of access to suitable sites for Gypsies/ Travellers.

But, in contrast to other communities, the research found that few people from minority ethnic communities had slept rough. It also found that **hidden homelessness** is likely to be relatively high, with evidence of overcrowding and poor quality housing. It suggests that many people from minority ethnic communities may

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<sup>49</sup> This target was driven by the work of the Scottish Executive's Homelessness Task Force, and legislative changes through the Housing (Scotland) Act 2001 and the Homelessness etc (Scotland) Act 2003

<sup>50</sup> Black and Minority Ethnic Communities and Homelessness in Scotland, Scottish Executive, 2004

not apply as homeless because of worries that they would be offered inappropriate housing - in terms of design, size and location.

Local research<sup>51</sup> has also demonstrated high levels of homeless applications from minority ethnic communities. In one area, the most common reason for homelessness among minority ethnic communities was severe overcrowding. Almost half of all statutory homeless applicants from minority ethnic communities were from families of between eight and fourteen people<sup>52</sup>.

Disabled people can also face particular homelessness issues. Disability can be both a cause and consequence of homelessness. The Disability Rights Commission states that across the UK, disabled people are **twice as likely** to have experienced homelessness as others. Research in Scotland<sup>53</sup> confirms this. People with mental health difficulties had lost their home most often.

Homes for Scotland's People highlights that Glasgow has the highest incidence of homelessness in Scotland. Research into homelessness and disability in Glasgow<sup>54</sup> found that almost two thirds of homeless people living in hostels had a long standing physical or mental disability.

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<sup>51</sup> Undertaken by 13 local authorities across Scotland

<sup>52</sup> Housing Needs of Minority Ethnic Communities in North and South Lanarkshire, ODS Consulting, 2006

<sup>53</sup> Scottish Household Survey quoted in The Disability Agenda, Disability Rights Commission

<sup>54</sup> Substance Misuse and Mental Disorder Among Homeless People in Glasgow, Office for National Statistics, 2000

The Scottish Executive's Code of Guidance on Homelessness recognises disabled people who are living in unsuitable accommodation or unsustainable living arrangements as homeless. The recorded homelessness figures do not identify the large numbers of disabled people in such situations.

## **2.10 National Policy - Community Regeneration**

### **2.10.1 What Does Homes for Scotland's People Say?**

The policy states that all of Scotland's communities should be economically, socially and environmentally successful. People should be able to influence the planning and delivery of services.

It does not say anything specific about community regeneration in relation to disability and race. But, it does mention that increasing tenure mix within deprived communities is critical, to avoid 'the most disadvantaged and vulnerable being dependent on social housing'.

### **2.10.2 What is the Reality?**

'Homes for Scotland's People' is not a definitive statement from the government on its regeneration activities. The Scottish Executive has also produced a policy statement on regeneration – entitled People and Place<sup>55</sup>. The section on community regeneration in the Homes for Scotland's People document therefore focuses on linking housing to the wider regeneration context.

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<sup>55</sup> People and Place: Regeneration Policy Statement, Scottish Executive, 2006

But, disabled people and minority ethnic communities do face certain disadvantages. These should be considered in regeneration activity. For example:

### **Disabled People**

- Almost half of all disabled people of working age (in the UK) do not work.
- Disabled people are three times as likely to have no qualifications as non-disabled people.
- Disabled people are at considerable risk of living in poverty. Of all children living in poverty, one in three has a disabled parent.
- A survey on volunteering in Scotland found that only 40 per cent of volunteering opportunities were accessible to disabled people.<sup>56</sup>

### **Minority Ethnic Communities**

- Research across the UK found that 58 per cent of Pakistani and Bangladeshi people and 40 per cent of Black people were income poor.<sup>57</sup>
- The employment rate for minority ethnic communities is currently 58 per cent, compared to 75 per cent for the population overall.<sup>58</sup>
- According to the 2001 census 43 per cent of the Pakistani community had no formal qualifications.<sup>59</sup>

<sup>56</sup> All figures from –The Disability Agenda: Creating an Alternative Future, Disability Rights Commission

<sup>57</sup> Commission for Racial Equality, Employment and Ethnicity Fact File, 2006

<sup>58</sup> One Scotland, 2006

<sup>59</sup> Analysis of Ethnicity in the 2001 Census, Office of the Chief Statistician, 2006

The Commission for Racial Equality are conducting a formal investigation on regeneration across the UK. Evidence from the first stage of the investigation has highlighted a number of concerns. There is initial evidence that:

- regeneration activity is impacting differently on various communities;
- outcomes are not being effectively monitored; and
- minority ethnic communities are not being properly consulted on proposals for regeneration<sup>60</sup>.

## 2.11 Summary of Key Issues

Overall, 'Homes for Scotland's People' says little about the needs of disabled people. It makes just one reference to minority ethnic communities – specifically to Gypsies/ Travellers.

### 2.11.1 Understanding Scotland's People

- 'Homes for Scotland's People' does not mention the population profile in terms of disabled people and minority ethnic communities.
- In reality, one third of Scotland's households contain at least one disabled person<sup>61</sup>, and five per cent of the population is from a minority ethnic community<sup>62</sup>.

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<sup>60</sup> Regeneration: A General Formal Investigation by the CRE – Emerging Issues, CRE Website (Press Release) 2007

<sup>61</sup> Social Focus on Disability, Scottish Executive, 2004 (Figures based on perceptions of disability and limiting long term illness, taken from Scottish Household Survey 2001/02)

<sup>62</sup> 2001 Census

- These communities are growing – with links between disability and old age; higher rates of growth in more youthful minority ethnic communities; and migration.
- These sizeable populations should be important features in a national policy document of this kind.

### **2.11.2 Home Ownership**

- 'Homes for Scotland's People' makes no mention of home ownership in relation to minority ethnic communities.
- The policy introduces the new Homestake scheme, which is intended to assist disabled people, among others, into home ownership.
- In reality, disabled people are significantly less likely to own their homes – and are half as likely to be buying their home with a mortgage as others<sup>63</sup>.
- There are substantial variations in home ownership patterns among minority ethnic communities, with some communities half as likely to own their homes as others<sup>64</sup>.

### **2.11.3 Rented Housing**

- 'Homes for Scotland's People' says nothing about minority ethnic communities in relation to rented housing.
- The policy does mention disabled people in terms of design of social rented housing and tenancy succession.
- In reality, disabled people are twice as likely to live in social rented and half as likely to live in private rented housing<sup>65</sup>.

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<sup>63</sup> Scottish Household Survey, Annual Report, 2005

<sup>64</sup> Analysis of Ethnicity in the 2001 Census, Office of the Chief Statistician, 2004

<sup>65</sup> Scottish Household Survey 2005/6 Table 6.93

- People from minority ethnic communities are more likely to rent privately<sup>66</sup>.

#### **2.11.4 Housing Supply, Quality and Design**

- 'Homes for Scotland's People' focuses on matching supply and demand across Scotland, with no analysis of the needs of minority ethnic communities and disabled people.
- The policy highlights the importance of adapting homes to meet the needs of disabled people, and commits resources to this. It makes no promises regarding future house building.
- The policy does not mention any design or quality issues relating to minority ethnic communities.

#### **2.11.5 Supply for Gypsies and Travellers**

- 'Homes for Scotland's People' contains a short section on the housing needs of Gypsies/ Travellers. It states that local authorities should identify and address issues through their Local Housing Strategies.
- This is the only time in the whole document that any mention is made of any minority ethnic communities.

#### **2.11.6 Housing Support and Independent Living**

- 'Homes for Scotland's People' says a lot about support for disabled people, with Supporting People highlighted as the main route for funding this.
- It does not mention housing support for minority ethnic communities.

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<sup>66</sup> Analysis of Ethnicity in the 2001 Census (as above)

- In reality, research has found that many older minority ethnic people need support but don't know how to access it<sup>67</sup>.

### 2.11.7 Homelessness

- 'Homes for Scotland's People' says nothing about homelessness in relation to disabled people or minority ethnic communities.
- Recorded homelessness is 75 per cent higher among minority ethnic communities than others<sup>68</sup>.
- Disabled people are twice as likely to have experienced homelessness as others<sup>69</sup>.

### 2.11.8 Community Regeneration

- 'Homes for Scotland's People' does not say anything specific about community regeneration, disability and race.
- The Scottish Executive does have a dedicated regeneration policy statement – entitled People and Place – meaning that Homes for Scotland's People focuses strongly on links between housing and regeneration.
- Disabled people and minority ethnic communities can face wider disadvantages – such as lower employment rates<sup>70</sup> and higher rates of poverty<sup>71</sup>.
- An investigation into minority ethnic communities and regeneration has identified some concerns that communities

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<sup>67</sup> Housing Needs of Minority Ethnic Communities in North and South Lanarkshire, ODS Consulting, 2006

<sup>68</sup> Black and Minority Ethnic Communities and Homelessness in Scotland, Scottish Executive, 2004

<sup>69</sup> Scottish House Condition Survey quoted in The Disability Agenda, Disability Rights Commission

<sup>70</sup> Analysis of Ethnicity in the 2001 Census, Office of the Chief Statistician, 2004

<sup>71</sup> The Disability Agenda: Creating an Alternative Future, Disability Rights Commission

are not all benefiting from regeneration activity, outcomes are not being effectively monitored, and minority ethnic communities are not properly consulted on proposals for regeneration<sup>72</sup>.

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<sup>72</sup> Regeneration: A General Formal Investigation by the CRE – Emerging Issues, CRE Website, 2007

### **3. Review of Local Housing Strategies**

#### **3.1 The Local Housing Strategy Process**

The Scottish Executive emphasises that housing needs should be understood locally. Since 2003, each local authority has had to have a Local Housing Strategy in place. These identify needs and set out plans for responding to the housing needs within the local area.

Local authorities must update Communities Scotland annually on progress towards meeting housing needs. Updates take place annually in July. Local authorities have to provide information on any strategy changes, and progress against actions and outcomes.

Our analysis of Local Housing Strategies focused on the original strategies submitted, and the updates in July 2005 and 2006.

In 2006, Communities Scotland specifically asked local authorities to include information on progress in assessing and meeting the needs of Gypsies/ Travellers. It did not request a specific update on meeting the needs of disabled people or minority ethnic communities.

### 3.2 Guidance for Local Authorities

Communities Scotland produced guidance on preparing Local Housing Strategies. This guidance states that local authorities must ensure that their strategies encourage equal opportunities, and observe the law and best practice. It also:

- emphasises that local authorities should consider the housing needs and aspirations of minority ethnic communities and disabled people; and
- highlights several research reports on housing needs of minority ethnic communities and disabled people.

This guidance was developed after the first round of Local Housing Strategy submissions, in 2003/04.

Communities Scotland has also produced guidance to support local authorities, and their partner organisations, in assessing needs. In 2006, it produced guidance setting out how to assess the housing needs of minority ethnic communities<sup>73</sup>.

Accompanying guidance set out how to engage with minority ethnic communities<sup>74</sup>.

There is currently no national guidance on exploring the housing needs of disabled people.

In 2009, each local authority will need to develop a new Local Housing Strategy. Communities Scotland anticipate that the new

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<sup>73</sup> Assessing the Housing Needs of Minority Ethnic Communities – Good Practice Guidance, Communities Scotland, 2005

<sup>74</sup> How To Engage With Minority Ethnic Communities, Communities Scotland online guide ([www.ce.communitiesscotland.gov.uk](http://www.ce.communitiesscotland.gov.uk))

strategies will need to contain much more comprehensive and robust information on the housing and support needs of disabled people and minority ethnic communities.

### **3.3 What do Local Housing Strategies Say?**

In 2007 Communities Scotland commissioned research<sup>17</sup> on how Local Housing Strategies had considered equalities issues in:

- identifying needs;
- consulting with equalities groups; and
- developing appropriate actions.

The study was intended as an initial scoping exercise. It simply involved a desktop review of all 32 strategies (and their annual updates), identifying what they say about equalities issues. It did not involve any fieldwork – so it was not possible to determine whether local authorities had followed through on the statements set out within their strategies.

The study focused on six equalities themes – including race and disability. As a result of the study, Communities Scotland has prepared new guidance on the preparation of Local Housing Strategies. This significantly strengthens the guidance on all six equalities strands; provides advice in needs analysis for equalities strands and encourages a mainstreaming approach to equalities. This guidance will be issued in the near future.

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<sup>17</sup> Local Housing Strategies and Equalities, ODS Consulting, 2007 (unpublished)

This section summarises the findings of this study in relation to minority ethnic communities (generally and also specifically for migrant workers, Gypsies/ Travellers and asylum seekers) and disabled people (physical and learning disabilities are shown separately).

### **3.4 Minority Ethnic Communities**

#### **Needs of Minority Ethnic Communities**

- More than one quarter of the original strategies submitted in 2003/04 made no mention of minority ethnic communities.
- Just over half gave basic information on housing needs. Some of this information is very basic indeed. For example eight strategies simply provide information on the Census figures for the minority ethnic population in the area.
- Only a quarter of local authorities had done research into the housing needs of minority ethnic communities. Most had conducted housing needs studies – but one had conducted a survey of minority ethnic tenants.
- One LHS stated that there were no issues at all relating to housing for minority ethnic communities in the area.

#### **Consulting Minority Ethnic Communities**

- Only six local authorities consulted with minority ethnic communities when developing their original strategy.
- Annual updates show that little further consultation has taken place – only five local authorities have consulted since 2004.

## **Taking Action**

- Most actions relating to minority ethnic communities focus on improving understanding of housing needs.
- Over half of strategies include actions to consult or research needs.
- Just over a quarter of strategies have actions to improve service planning or delivery for people from minority ethnic communities.
- 12 strategies (37 per cent) contain no actions relating to minority ethnic communities.

## **Progress**

- 13 local authorities (40 per cent) reported progress in assessing housing needs in 2005 and 2006. This was mainly through commissioning research.
- Five had consulted with minority ethnic communities since 2004.
- Ten (31 per cent) identified new actions since 2004.

## **3.5 Migrant Workers**

### **Needs of Migrant Workers**

- Only one original strategy mentioned the needs of migrant workers - outlining very basic information.
- No local authorities had researched the needs of migrant workers.

### **Consulting Migrant Workers**

- Only two local authorities consulted with migrant workers when developing their strategy. Interestingly one of these did not feed the results of this consultation into its strategy.
- Annual updates show that no further consultation has taken place.

### **Taking Action**

- In the original strategies, there was only one action relating to migrant workers – to carry out research on housing needs.

### **Progress**

- Four local authorities (12 per cent) made progress in assessing migrant worker housing needs in 2005 and 2006.
- Just two have identified new actions since 2004.

## **3.6 Gypsies/ Travellers**

### **Needs of Gypsies/ Travellers**

- Almost three quarters of original strategies mentioned the housing needs of Gypsies/ Travellers.
- Five local authorities had researched the needs of Gypsies/ Travellers.

### **Consulting Gypsies/ Travellers**

- Only two local authorities consulted with Gypsies/Travellers when developing their original strategy.

- Annual updates show that some progress has been made – a further four local authorities report consultation with Gypsies/Travellers.

### **Taking Action**

- Nine LHS have no actions relating to Gypsies/Travellers.
- Half of all LHS have actions to carry out research.
- The remaining actions are focused on improving information sources and upgrading or developing sites.

### **Progress**

- Over half of local authorities made progress on identifying the housing needs of Gypsies/Travellers in 2005 and 2006
- 12 developed new actions relating to Gypsies/Travellers in 2006 (when Communities Scotland specifically asked local authorities to focus on this issue).

## **3.7 Asylum Seekers**

### **Needs of Asylum Seekers**

- Three of the original LHS mention asylum seekers.
- The information provided by these local authorities is very basic and relates to the numbers of asylum seekers in the area.

### **Consulting Asylum Seekers**

- Only one local authority consulted with asylum seekers when developing its strategy.
- Annual updates show that no further consultation has taken place.

## **Taking Action**

- There is only one action that relates to asylum seekers. This action was to provide an improved homelessness service to asylum seekers remaining in the area.

## **Progress**

- Three local authorities made progress on assessing asylum seeker housing needs in 2005 and 2006.

## **3.8 Physical Disability**

### **Needs of People with Physical Disabilities**

- Three original LHS contained no information at all on the needs of people with physical disabilities.
- Just over half of all local authorities had researched the housing needs of people with physical disabilities. This often showed shortfalls in the amount of adapted and wheelchair accessible accommodation.
- Three local authorities had made arrangements to make sure they could identify the future housing needs of people with physical disabilities.

### **Consulting People with Physical Disabilities**

- Only six local authorities involved disabled people in developing their strategy.
- Local authorities have made little progress in consulting with people since the original development of their strategies.
- Only two have reported further consultation activity since 2004.

## Taking Action

- Six strategies contained no actions to meet the housing needs of physically disabled people.
- Half of all local authorities state that they will take action to identify needs.
- Most strategies (71 per cent) contain some actions to improve service planning and delivery. These mainly focus on responding to shortfalls in accommodation, through new build and adaptation.
- But three areas identified shortfalls in accommodation, and identified no actions to address this. In one case, the shortfall was over 1,000 units of wheelchair accessible housing.

## Progress

- Twenty three LHS identified new actions (which included 16 LHS containing actions to increase the understanding of need; 2 containing actions on consultation and 12 containing actions to increase provision and improve services)<sup>75</sup> to meet the needs of people with physical disabilities since 2004.
- By 2006, four local authorities had acted on their plans to undertake research.
- Two local authorities had done further consultation with disabled people.

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<sup>75</sup> Seven of the LHS included actions in two of these areas

### **3.9 Learning Disability**

#### **Needs of People with Learning Disabilities**

- Six local authorities did not mention the needs of people with learning disabilities at all.
- Two thirds of all strategies included basic information on people in the area with a learning disability.
- Just over half of local authorities had researched the needs of people with learning disabilities. Most of these had identified shortfalls in housing supply.

#### **Consulting People with Learning Disabilities**

- Five local authorities involved people with learning disabilities when developing their strategy.
- Since 2004, three local authorities have done further consultation.

#### **Taking Action**

- A third of all strategies had no actions relating to the housing needs of people with learning disabilities.
- Just over a third had actions to consult or analyse needs.
- Just over half of all strategies included actions to improve service planning and delivery – with many focusing on addressing shortfalls in accommodation.

#### **Progress**

- Local authorities have made some progress since 2004, with 14 improving their understanding of the housing needs of people with learning difficulties.

- Between 2004 and 2006, eight local authorities have conducted or commissioned research into needs.
- Three local authorities have reported that new special needs housing developments are underway by 2006 – out of eight who planned to do so.

### **3.10 Key Themes from Local Housing Strategies**

- Some Local Housing Strategies do not consider disability and race. Three don't mention people with physical disabilities; six don't mention learning disabilities; and nine don't mention minority ethnic communities.
- Around half of local authorities had researched the housing needs of people with physical and learning disabilities in their area and a quarter had researched the needs of minority ethnic communities.
- Local authorities did very little consultation with disabled people and minority ethnic communities in developing their strategies. People with learning disabilities were least involved.
- Most strategies include specific actions to improve services for people with physical disabilities, and over half commit to action to improve services for people with learning disabilities.
- Only one quarter of strategies commit to taking action to improve services for minority ethnic communities.

- Local authorities have made progress in all areas since 2004 – particularly in improving the identification of housing needs. But many are not fully following Communities Scotland Guidance.
- Local Housing Strategies do not always demonstrate a clear follow through from needs identification to action.
- Anecdotally, not all progress is captured in the LHS annual updates.

### **3.11 The Context in 2003/04**

When local authorities were developing their original Local Housing Strategies, the law on equality was less developed than it is now.

The Disability Discrimination Act 1995 simply stated that disabled people could not be treated less favourably, because of their disability. Service providers had to ensure that disabled people could access services, and make reasonable adjustments to services and premises.

When developing Local Housing Strategies, local authorities therefore had a responsibility to consider whether their planned services would negatively impact disabled people.

In practice, local authorities should have made sure that they fully understood the housing and related needs of disabled people, to

be able to meet this duty. But, there were no specific duties in place to involve or consult with disabled people.

In 2003/04 the law on race was well developed. The Race Relations (Amendment) Act 2001 was in place, accompanied by the Commission for Racial Equality's Code of Practice. This meant that local authorities had a 'Race Equality Duty' to:

- eliminate unlawful racial discrimination;
- promote equality of opportunity; and
- promote good race relations.

In practice, this means that when developing their Local Housing Strategies, local authorities should have already had a race equality scheme in place. This would set out all of the policies and activities which may impact on the local authority's ability to meet its duties in promoting race equality.

When developing an important new strategy – such as the Local Housing Strategy – local authorities should have had procedures in place to undertake an 'Impact Assessment'. This would identify how the proposed new strategy would impact on minority ethnic communities. Local authorities should have consulted with communities in developing this.

No local authority should have produced a strategy which did not include consideration of the needs of minority ethnic communities.

### **3.12 The Context in 2007**

Since 2003, the law on equality in Scotland has developed considerably. The Disability Discrimination Act 2005 introduced a new 'Disability Equality Duty' for public authorities – including local authorities.

This duty contains similar elements to the existing Race Equality Duty – but there are additional required elements. Local authorities must promote equality, eliminate discrimination and promote positive attitudes towards disabled people. They must also take positive action to ensure disabled people are equal and produce a Disability Equality Scheme. Importantly, disabled people must be involved in its preparation.

Now, as local authorities update their strategies and report on progress, they have a duty to:

- undertake impact assessments on new activities, in relation to disability and race; and
- involve minority ethnic communities and disabled people in these assessments.

### **3.13 Assessing the Position in 2007**

It is clear that many Local Housing Strategies do not now meet the current requirements of equality legislation (or good practice) in Scotland. In particular:

- some strategies do not mention the housing needs of minority ethnic communities or disabled people at all; and

- most strategies were developed without any consultation with either minority ethnic communities or disabled people.

Local authorities have made progress since their original strategies were developed. There are a number of factors which could influence this. Firstly, many local authorities demonstrate progress where original strategies identified gaps in knowledge. Local authorities have worked (at varying paces) to address this.

Secondly, the changing legislative context – and increasing focus on equality – is likely to have some impact. And finally, Communities Scotland also has an important role in influencing local authorities. Its guidance on LHS development has been strengthened recently, to include a greater focus on equalities issues. The request that local authorities focus on the needs of Gypsies/ Travellers in their 2006 update has also had a clear influence on strategy development.

But, from a desktop exercise, it is difficult to determine which factors are influencing local authorities, and to what extent. The next section of this report explores in detail how five local authorities have responded to the changing equalities context in developing, updating and reviewing their Local Housing Strategies.

## 4. Case Study Examples

### 4.1 Introduction

We looked at how five local authorities in Scotland are responding to the housing needs of minority ethnic communities and disabled people. In each area we spoke with:

- local authority staff responsible for developing the Local Housing Strategy;
- equalities organisations – focusing on race and disability; and
- Communities Scotland Area Office staff.

We explored:

- how local authorities have measured supply and demand of housing for disabled people and people from minority ethnic communities;
- how they have engaged disabled people and minority ethnic communities in preparing the strategy;
- how actions were developed, and what progress has been made to date; and
- how future activities will differ in relation to engaging and assessing the needs of people from minority ethnic communities and disabled people.

In relation to future activity, we focused strongly on local authorities' plans for developing a Strategic Housing Investment Plan. All local authorities must develop this by November 2007. It should sit alongside the Local Housing Strategy and set out how the housing priorities set out in the Strategy will actually be

delivered and resourced in practice. We explored how local authorities are planning to ensure that the needs of minority ethnic communities and disabled people are included within these Investment Plans.

## **4.2 The Case Study Areas**

We wanted to be sure that we got a real understanding of what local authorities are doing in practice. To ensure that local authorities were honest and open about their achievements and challenges, we have anonymised the five case study areas. But, we chose these areas to reflect different situations in Scotland, including:

- geographical location;
- size;
- urban/ rural areas;
- housing market and context; and
- existing structures for engaging equalities groups.

## **4.3 Minority Ethnic Communities**

### **4.3.1 Identifying Housing Needs**

All five local authorities had done some work assessing the housing needs of minority ethnic communities. Four had carried out research into the housing needs of minority ethnic communities. The other had relied on information from the 2001 Census and analysis of its housing list.

In four cases, the research had been undertaken by external consultants. In one of these areas, three local authorities had

commissioned the research jointly. The experiences of commissioning research were mixed. One local authority was unhappy with the quality of the research, and disagreed with the key findings.

Three of the local authorities had commissioned wide ranging research into the needs of minority ethnic communities, covering all housing tenures. But one local authority focused on the private sector. It supplemented this with information from the 2001 Census.

In all cases, the local authorities built the research findings into their original Local Housing Strategies, or annual updates. Communities Scotland emphasised that generally, information on the housing needs of minority ethnic communities has improved since local authorities submitted their original strategies.

**An example...**

One local authority submitted its original strategy in 2004, with limited information on the housing needs of minority ethnic communities. It then commissioned research into these needs, and re-submitted its strategy in 2006. This new strategy included much more detailed information on the housing needs of minority ethnic communities.

More recently, two local authorities had been involved in cross boundary research into the housing needs of migrant workers. The study involved face to face interviews with migrant workers

and an online survey. The study covers employment, housing, income and education. The research has recently been completed, and both local authorities indicated that the findings would inform future development of their Local Housing Strategies.

Other local authorities also mentioned the increasing number of migrant workers. Some felt that this had had key impacts on the housing market in their area:

- the housing market has become more pressurised;
- house prices are increasing – having an adverse impact on some minority ethnic communities who traditionally see home ownership as their main housing option; and
- some existing minority ethnic communities feel that they are being marginalised as a growing number of migrant workers access support that was traditionally available to established minority ethnic communities.

'Councils are struggling to meet anyone's needs, let alone minority ethnic communities and disabled people' (Race Equality Group)

All five local authorities had commissioned research into the housing needs of Gypsies/ Travellers. In two cases, this had been wider research into the housing needs of minority ethnic communities – including the needs of Gypsies /Travellers. This research was undertaken in 2001.

Both of these local authorities built this research into their Local Housing Strategies. The actions in the original strategy have been followed through in strategy updates in 2005 and 2006.

For example, these two local authorities have:

- jointly set up an Inter-Agency Group focusing on the needs of Gypsies/ Travellers;
- decided to employ a Gypsies/ Travellers Liaison Officer;
- consulted with Gypsies/ Travellers on proposals to provide additional accommodation in the area; and
- received funding from Communities Scotland to identify a representative from the Gypsies/Traveller community to be involved in ongoing tenant participation.

Three local authorities had jointly commissioned research, in partnership with a number of other local authorities, on the housing needs of Gypsies/Travellers. This research was completed in June 2007 and will be used to inform the development of the new Strategic Housing Investment Plan for the authorities.

#### **4.3.2 Consultation and Engagement**

Two local authorities indicated that they had struggled to engage with minority ethnic communities in developing their Local Housing Strategy. They stated that they had been unable to identify representative organisations for minority ethnic communities. As a result they found it difficult to raise awareness of consultation events.

In both cases, some people from minority ethnic communities did attend public consultation events. But, there were no specific events for people from minority ethnic communities.

In the three other local authority areas, there was more targeted consultation with minority ethnic communities. One local authority set up a Working Group focusing on minority ethnic housing needs - involving representatives from local minority ethnic organisations. It was involved in developing an updated LHS in 2006.

Another held an 'Option Appraisal Workshop' with people from minority ethnic communities. The workshop explored how the LHS should address the housing needs of minority ethnic communities. The group identified its preferred options, which were taken into consideration in LHS development.

A local minority ethnic group felt that this Council was proactive and open when consulting with minority ethnic communities. It felt that the Council was committed to addressing the housing needs of minority ethnic communities. The local Communities Scotland office agreed.

Some local authorities said that they had found it difficult to identify suitable representative organisations to speak with about their Local Housing Strategy. But, our discussion with local minority ethnic groups found that few had been involved in LHS development.

There do appear to be some issues with communication. For example, one active and high profile organisation operating across a number of local authority areas indicated that it had not been consulted on the development of Local Housing Strategies by any of the local authorities in its area. But, one of the local authorities indicated that this group was represented on its Minority Ethnic Working Group.

None of the five local authorities had consulted with Gypsies/ Travellers in developing their original LHS. But, since then there has been some progress. Two local authorities reported that consultation was carried out with Gypsies/ Travellers in 2005 and 2006. One had held road shows to discuss housing and support needs. Another had employed a Gypsy Traveller Liaison officer.

### **4.3.3 Taking Action**

Each of the five local authorities included actions on meeting the housing needs of minority ethnic communities in their original Local Housing Strategies.

- one planned to undertake research;
- two planned to implement the recommendations from their housing needs research;
- one planned to develop a Housing Outreach Project for minority ethnic communities; and
- one contained much more detailed actions – including promoting access to social housing; increasing employment in housing and dedicating funding to improve housing

conditions for minority ethnic households living in BTS housing.

Communities Scotland Area Teams felt that initially, many Local Housing Strategies did not respond effectively to the housing needs of minority ethnic communities. In some cases, local authorities had limited information on housing needs and little engagement or consultation. Often, the actions set out in Local Housing Strategies in relation to minority ethnic communities were 'achievable' rather than 'challenging'.

But Communities Scotland – and the local authorities - emphasised that there has been progress since 2004.

'There has been a gradual improvement in both of the local authorities [covered by this study] in terms of tackling the housing needs of minority ethnic communities'  
(Communities Scotland Area Office)

**An example...**

One local authority had acted on the findings of research into housing needs. It established a minority ethnic Housing Outreach Project – as recommended in the research. An Outreach Worker is employed (based in a local housing association) to build links with minority ethnic communities, deliver housing advice to minority ethnic communities and assist households in finding housing solutions.

In its 2006 update, this local authority introduced a new action on meeting minority ethnic housing needs – to improve access to affordable housing options, particularly social rented housing.

**An example...**

One local authority set up a Working Group in 2005 to implement the recommendations of research into the housing needs of minority ethnic communities. But it did not report on progress in meeting needs in 2006. Discussion with this local authority identified that the Council is planning to:

- appoint a minority ethnic housing outreach worker;
- introduce a monitoring system for housing allocations;
- make the ethnic monitoring section of the housing application form compulsory (which although it is being planned with good intentions would, in our view, be illegal).

**An example...**

One local authority has focused on improving written information for minority ethnic communities. It has produced a welcome pack, providing information and contacts for people that are new to the area. It is mainly aimed at migrant workers.

**An example...**

One local authority originally found it difficult to consult with minority ethnic communities. But recently it has set up two consultative groups, involving tenants and residents from minority ethnic communities. The Council has employed an interpreter to work with the local groups to identify housing issues.

Some local authorities did highlight wider barriers to meeting the needs of minority ethnic households. Two pointed to a basic mismatch between housing supply and demand from minority ethnic communities. One local authority stated that there was a shortage of social rented homes of a suitable size and type to meet the needs of some minority ethnic applicants. But much of the housing stock is flatted, meaning that it is difficult to adapt existing properties. As a result, its Local Housing Strategy contains actions to develop larger homes to accommodate minority ethnic families.

With housing associations developing most social rented housing across Scotland, local authorities must work very closely with housing associations to meet needs. One minority ethnic group felt that the local authority should do more to encourage housing associations to help meet the housing needs of ethnic minorities.

Another local authority highlighted limited land availability in its area, which constrained its ability to ensure that new homes are built to meet the needs of minority ethnic communities.

#### **4.3.4 Race Equality Duty**

All five local authorities had a Race Equality Scheme in place. Each of these ran from 2005 to 2008. In all cases the Race Equality Scheme is a substantial document and contains information on:

- race equality;
- existing policies and initiatives;
- minority ethnic population information; and

- incidents of racial discrimination.

All of the local authorities said that the Race Equality Duty had been taken into consideration when their Local Housing Strategy had been developed. But, two local authorities were only now doing equalities impact assessments on their Local Housing Strategies. To meet their duty, this process should have been part of the process of developing the strategy – rather than once it was in place.

**An example...**

One local authority had developed an equalities tool kit for checking policies and strategies across the Council. This is in the process of being applied to the Local Housing Strategy (as at mid 2007).

**An example...**

One local authority stated that it has a history of being proactive in race equality. There is a significant Asian and Jewish population living in the area. The Council has set up an Equalities Forum, to identify and respond to issues affecting all equalities groups.

It has recently introduced a new single equality scheme, covering all equalities groups. This is accompanied by an equality action plan. Impact assessments have also been carried out on all relevant policies. The Council also plans to carry out an equalities impact assessment for the new Strategic Housing Investment Plan.

#### 4.3.5 Summary

- All five local authorities had explored the housing needs of minority ethnic communities – and four had undertaken research.
- All local authorities have improved their understanding of minority ethnic housing needs since they developed their original strategies.
- Since 2004, local authorities have undertaken research, identified new actions and explored new areas – such as the needs of migrant workers and Gypsies/ Travellers.
- Two local authorities have been weak in engaging minority ethnic communities in LHS development. But three have undertaken targeted consultation with minority ethnic communities.
- All five strategies included actions on meeting the housing needs of minority ethnic communities – but initially these were often based on limited housing needs assessment and little consultation. Since 2004, local authorities have improved the evidence base for their actions.
- There remain challenges to meeting housing needs, and local authorities recognise that this is a long term process.
- All local authorities have a Race Equality Scheme in place. But this was not always an integral part of the development process for the Local Housing Strategy.
- Two authorities are only now doing Impact Assessments on their strategies, which have been in place for three years already.

## 4.4 Disabled People

### 4.4.1 Identifying Housing Needs

Each of the five Local Housing Strategies outlined the current unmet housing needs of disabled people in their area. One local authority simply used information from the 2001 Census, and its own housing list. Another gathered information from local care providers, and the NHS. Others had done more comprehensive assessments of need.

#### **An example...**

One local authority developed an accommodation strategy for disabled people in 2002. This was built into the original Local Housing Strategy, in 2003/04. It was supplemented with information from the Scottish Household Survey, and statistics provided by a local representative group.

Two local authorities stated that their approach to assessing needs had developed substantially since they submitted their original strategies. One had since set up a housing 'Disability Action Group', which developed an action plan for meeting the housing needs of disabled people. This is now linked to the Local Housing Strategy. This authority also plans to develop a Community Care Housing Strategy, which will be completed later in 2007.

Another local authority indicated that it had commissioned research into the housing and support needs of disabled people, which would be built into its next Local Housing Strategy, in 2009.

The local authority recently held a seminar to give feedback on the research to local disability groups.

All of the strategies highlighted that there was a need to take action to respond to unmet needs.

#### **4.4.2 Consultation and Engagement**

Only two of the five local authorities consulted with disabled people in developing their original strategies, in 2003/04. This was done through speaking to local representative groups.

Most local authorities believed that their original consultation with disabled people had been poor. But, they did emphasise that engagement had improved in recent years.

##### **An example...**

One local authority carried out very little consultation with disabled people during the development of its original LHS. But in 2006, it began to explore needs in more detail. As part of this, a series of consultation events were held with disabled people and a local Disability Action Group.

##### **An example...**

One local authority did not undertake much consultation with disabled people in developing its LHS. It did speak to a number of local representative groups, but felt that it could do more. It plans to run a survey, to find out more about the housing needs of disabled people. But, it is struggling to identify the best way of

doing this. It is finding it difficult to work out how best to make contact with disabled people in this way, and would appreciate more guidance on this.

But, a local disability group feels that the Council's engagement of disability groups has been 'piecemeal and tokenistic'. It felt it had a very limited input into LHS development. For example, the group was not consulted on the actions in the strategy. As a result, it feels that some of the actions are very limited. For example, the plans to develop fully wheelchair accessible housing fall far below what this group would have recommended.

Most disability organisations felt that they had not been adequately involved in developing the Local Housing Strategy, or the new Strategic Housing Investment Plan. Many felt that consultation took place on an ad-hoc basis, and that their views were not always taken into account.

#### **4.4.3 Taking Action**

Each of the five local authorities included actions related to the housing needs of disabled people in their original Local Housing Strategies.

- four planned to undertake research;
- four planned to develop a Disabled Persons Housing Services;
- one planned to develop housing suitable for people with mental health needs (dementia);
- one planned to develop a database of the housing stock that was suitable for particular needs; and

- one contained detailed targets for the development of particular needs housing.

Overall progress towards the original actions in the LHS has been good. For example, all four actions to establish a Disabled Persons Housing Service have been met. But, one had to close down in 2006 when funding from the local authority ceased.

**An example...**

One local authority has taken a range of actions since 2004:

- it set up a Community Care Housing Strategy Group;
- it developed a Learning Disability Strategy;
- it moved more than 140 people with learning disabilities into more suitable accommodation; and
- it set up a Disabled Persons Housing Service.

Overall, the Disabled Persons Housing Service felt that this local authority responded well to meeting the needs of disabled people.

The actions have not always been delivered. For example, one local authority did not develop a service for people with mental health disabilities, due to being unable to identify adequate funding. Another has not met its targets for developing accessible new build housing.

**An example...**

One Council had set up a plan for private sector investment across the local authority area. This includes a requirement that

all new housing developments, regardless of tenure, should include ten per cent fully wheelchair accessible housing.

**An example...**

One local authority set up a Disabled Persons Housing Service in 2003. It helped to meet a number of actions contained in the LHS, through gathering more information about the housing needs of disabled people, and providing advice and information to disabled people. But, funding for the service was stopped in 2007. The information and advice service is now available directly from the Council. Plans to create a database of all adapted housing have not been taken forward.

Local authorities also highlighted a number of wider factors, which influence their ability to meet the housing needs of disabled people.

- Private Sector Housing Grant – this is used for tackling disrepair, and aids and adaptations. It was reported to us that there had been cuts to the Private Sector Housing Grant budget and that this influenced local authorities' ability to meet the needs of disabled people. However, data produced by the Scottish Executive<sup>76</sup> indicate that the resources available increased significantly between 2004 and 2006 – with an additional £3 million made available in 2005 specifically for adaptations.
- Cuts in Supporting People funding – as funding is redistributed across Scotland, some areas saw reductions in

<sup>76</sup> Scottish Executive IMP1 B data set, March 2007

the funding they receive. This influences their ability to meet the housing support needs of disabled people.

**An example...**

One LHS notes that only 5 per cent of the social sheltered housing supply meets the full wheelchair standard. One third of all housing is wheelchair accessible. A local disability group felt that this terminology could disguise the real housing issues faced by disabled people. The term 'wheelchair accessible' simply means that house can be visited by a person in a wheelchair. It would not necessarily be suitable for a wheelchair user to live in.

Many disability groups were relatively unhappy with the Council's performance in meeting housing needs. For example, one group believed that the Council was 'failing to meet the needs of disabled people'. This was because there was a severe lack of housing suitable for disabled people. But, many local authorities did report positive progress since 2004.

**An example...**

One local authority has ensured that 25 per cent of homes built in the area since 2004 are for particular needs.

**An example...**

One local authority identified shortfalls in its special needs housing in 2004. Since then, the Communities Scotland investment programme has delivered 34 new build homes for people with special needs over 2004-2006. Tenders for a further 23 special needs homes were also approved in 2006/07.

#### **4.4.4 Disability Equality Duty**

All of the five local authorities had a Disability Equality Scheme in place. In two cases, these were stand alone documents. In three cases, the local authority had produced an overarching Equality Scheme – which includes disability. These schemes normally cover some of the other equalities strands.

Each of the five schemes demonstrates a commitment to the Disability Equality Duty and contains an action plan to guide council activities towards meeting the duty.

Some of the local authorities had developed joined-up tools, to help them to assess the impact of their activities on disabled people, and other equalities groups. Two had developed Equalities Impact Assessment tools, allowing a single assessment covering the range of equality issues – while giving consideration to the differences between each of the equalities strands.

Generally, disability groups and local authorities felt that they were meeting their Disability Equality Duty in terms of housing. But two

disability organisations felt that the Council in their area was not meeting the Disability Duty. In one case, the group felt that the Council's approach of a single equalities scheme did not adequately cover disability issues. But, the scheme does contain a separate section highlighting the current position in terms of disability in the area, and plans for the future.

Another group felt that the local authority in another area had not taken account of the Disability Equality Duty at all. The local authority does have a written Disability Equality Scheme in place, developed in consultation with local disability groups. But, the group did not feel that disabled people were adequately involved in housing related issues.

These issues highlight the potential for a difference between what is contained within the Schemes, and what local people see happening in practice. Regardless of what written strategies and policies say, local authorities are ultimately judged by their response to meeting the needs of disabled people.

'It can take up to six months for occupational therapists to visit people who have requested an adaptation to their home' (Disability group)

#### 4.4.5 Summary

- All five Local Housing Strategies outlined the housing needs of disabled people in their area. But the extent of evidence gathered as part of this assessment varied considerably.
- Two local authorities had substantially developed their approach since 2004 – undertaking research and developing dedicated strategies to meet housing needs.
- Consultation with disabled people has generally been poor. Only two local authorities had consulted with disabled people about their strategies – through local representative groups.
- All five Local Housing Strategies included actions to meet the housing needs of disabled people.
- Progress towards these actions has generally been good – for example four local authorities set up Disabled Persons Housing Services.
- There have been challenges. Funding issues have impacted on existing services. Wider issues like land supply and funding have also stopped one local authority achieving its target of accessible new build housing.
- Two disability organisations felt that their local authority was not meeting the Disability Equality Duty.

#### 4.5 Future Activities

Local Housing Strategies were originally developed in 2004, generally covering five years to 2009. Since then, local authorities have provided annual updates to Communities Scotland. In many cases, strategies have been updated with more information on housing needs, and new actions.

Now, Communities Scotland has asked all local authorities to produce a related document – a Strategic Housing Investment Plan (SHIP). This must be in place by November 2007. It should set out how the housing priorities set out in the Strategy will actually be delivered and resourced in practice.

The first year of SHIPs is being used as a test, to build lessons into future planning. In 2007/08, the SHIP will not influence the resources allocated to local authorities. But, from then on, Communities Scotland plans to use the Strategic Housing Investment Plan as a basis for resource allocation. This means that it is therefore extremely important that equalities issues are built in, and influence the way in which resources are allocated.

Our five case studies found that most local authorities were not planning consultation with minority ethnic communities or disabled people regarding the Strategic Housing Investment Plan.

'The consultation process for the SHIP will be short, as the guidance was only issued in May 2007, and it's due for submission in November' (Local authority)

Generally, local authorities were not clear about the way in which they would develop their Investment Plan. Few local authorities had done much consultation, or work developing the Plan.

'The SHIP process is in its very early days and at this stage it is difficult to say too much about how it will be developed'  
(Local authority)

However, one of the local authorities had undertaken consultation with minority ethnic communities and disabled people on the SHIP. It had consulted with local representative groups, including a local race equality group and disability group.

Another local authority stated that it planned to discuss the strategy with representative groups. Others were less clear about their plans.

Overall, it appears that the preparation of the Strategic Housing Investment Plan will have a limited impact on the ability of local authorities to identify and meet the housing needs of minority ethnic communities and disabled people.

'The SHIP won't result in a great deal of change' (Local authority)

In 2009, all local authorities will need to develop a new Local Housing Strategy. Communities Scotland has indicated that it will be asking local authorities to provide significantly more information on the housing needs of all equalities groups. This approach will be introduced gradually, up to 2009, with local authorities asked to provide more information in their annual updates.

In 2006, local authorities were asked to provide more detail on their approach to meeting the needs of Gypsies/ Travellers. This has resulted in a positive response, with many local authorities commissioning research into housing needs, and introducing new actions to meet these needs.

A focus on key equalities issues in future annual LHS updates could help to encourage local authorities to focus on these important issues.

## 5. Key Findings

### Context

- Public bodies have a duty to promote race and disability equality – and specific duties to produce a Race Equality Scheme and a Disability Equality Scheme.
- The most recent statement on national housing policy was set out by the previous Scottish government in 'Homes for Scotland's People'.
- All local authorities must produce Local Housing Strategies, setting out their plans for meeting housing need in their local area.

### National Policy

- 'Homes for Scotland's People' mentions minority ethnic communities just once, and says little about disabled people.
- The only mention of minority ethnic communities at all is in a short section on Gypsies/ Travellers.
- The policy does not mention the profile of minority ethnic communities and disabled people in Scotland.
- It sets out plans to meet some of the housing needs of disabled people through increasing access to home ownership; improving access to adaptations; and continued support for independent living.
- There is no mention of important issues such as the substantially higher rates of homelessness in minority ethnic communities, and with disabled people.

## Local Housing Needs Assessment

- National policy emphasises the need to understand housing needs locally.
- All local authorities must currently have a Local Housing Strategy, and produce an annual update.
- Local authorities must also produce a Strategic Housing Investment Plan by November 2007.
- Guidance from Communities Scotland emphasises that local authorities must consider equality, and the housing needs of disabled people and minority ethnic communities. Importantly, this was produced after original strategies were produced.
- Communities Scotland has also produced national guidance on assessing the housing needs of minority ethnic communities.

## Local Housing Strategies

- A substantial proportion of Local Housing Strategies don't mention the needs of minority ethnic communities - one quarter of original strategies in 2004.
- Fewer strategies don't mention the needs of disabled people – but three don't mention physical disability, and six don't mention learning disabilities.
- Local authorities initially did very little consultation with minority ethnic communities and disabled people. People with learning disabilities were least involved in strategy development.
- Most strategies include actions to improve services for disabled people – but this falls to just one quarter for minority ethnic communities.

- Local authorities have made progress since 2004, with most improvement in researching housing needs.
- Communities Scotland's focus on the needs of Gypsies/ Travellers in the 2006 LHS update was effective – with half of all local authorities reporting progress since 2004.
- The law in 2004 meant that no LHS should have been developed without consideration of the housing needs of minority ethnic communities and disabled people.
- Since then, the introduction of the Disability Equality Duty makes it even clearer that local authorities must consider the needs of, and involve, both minority ethnic communities and disabled people in strategy development.

### **A Detailed Look at Local Activities...**

- Desktop analysis of the Local Housing Strategies does not tell us how well local authorities are doing on the ground, at meeting housing needs.
- Our five case study examples demonstrated that many local authorities are working to ensure that they take account of the needs of minority ethnic communities and disabled people.
- All five local authorities had researched the needs of minority ethnic communities – mainly through external consultants. More recently, local authorities have focused on specific communities – including Gypsies/ Travellers and migrant workers.
- Local authorities tended to assess the needs of disabled people internally, and in discussion with partner organisations.

- Information on the needs of minority ethnic communities has improved substantially since 2004. Local authorities have generally built these findings into strategies, resulting in real actions on the ground.
- The link between planning and actions is less clear for meeting the needs of disabled people. Local authorities pointed to wider restrictions – such as profile of existing stock, and the funding environment.
- Local authorities are struggling with consultation on strategy development – both with minority ethnic communities and disabled people. The quality of engagement activity is varied.

### **What Next?**

- Worryingly, only one of the five case study authorities had undertaken any consultation with minority ethnic communities or disabled people about their Strategic Housing Investment Plan. This has to be submitted in November.
- Some local authorities did not have any clear plans for consultation at all.
- Overall, local authorities felt that the Strategic Housing Investment Plan would not change their approach to minority ethnic communities or disabled people.

## 6. Conclusions and Recommendations

### 6.1 National Commitment to Equality

'Homes for Scotland's People' – the national housing policy statement – does not demonstrate Scotland's commitment to equality for disabled people and minority ethnic communities. Despite an increasing focus on equalities in Scotland, and improved protection of the rights of equalities groups through law, this commitment to equality is not effectively included in this policy statement.

The policy says very little about the needs of disabled people. And it only briefly mentions the needs of Gypsies/ Travellers – and no other minority ethnic communities at all. Through failing to consider the housing needs of minority ethnic communities, the policy does not meet the principles of the Race Equality Duty (which was in place at the time the policy was produced).

#### **Recommendation 1:**

National policy should contain the government's key principles. Equality should be one of these principles – and it should be reflected in every policy that is developed. This would emphasise the importance of considering equalities issues. And it would provide a national point of reference for local policy and strategy development.

## 6.2 Developing a New Housing Policy

'Homes for Scotland's People' was produced by the previous Scottish Executive administration. As the new Scottish Government develops its housing policy, it is vital that equality is central to this process. So far, equalities issues have not been discussed in initial statements and housing priorities issued by the new government.

It is not the purpose of this report to develop a new national housing policy. But, when the government is developing its policy statements on housing, it should consider key national trends and issues such as:

- **Homelessness** – disabled people and minority ethnic communities experience significant inequality. Both are at least twice as likely to experience homelessness as others. This has to be addressed in a national policy.
- **Home ownership** – disabled people are far less likely to own their home. Some minority ethnic communities also have very low home ownership levels. This should be recognised.
- **Housing design and quality** – local research demonstrates that many people from minority ethnic communities in Scotland need larger homes, and many live in poor quality property. Disabled people have particular requirements in housing design – ranging from fully wheelchair accessible to adapted property or support. In some parts of Scotland (Glasgow would be one example) households from minority ethnic communities are over

represented in private housing that does not meet the Tolerable Standard.

- **Information and advice** – housing choices for disabled people and minority ethnic communities can be more complex. People need to know about the options available to them. Information and advice should be key to any housing policy.

This is not a definitive statement on the housing needs which should be considered. Further analysis of key national trends would be required.

**Recommendation 2:**

When developing housing policy, the Scottish Government should consider key national trends for minority ethnic communities and disabled people, including homelessness; home ownership; housing design and quality; and need for housing information and advice.

### **6.3 Considering Disability and Race in National Policy**

'Homes for Scotland's People' does not set out the process that the government went through to develop the policy statement. This means that it is not possible to establish the extent to which equalities issues were considered.

This should be addressed in two ways. Firstly, to make sure that national policy accurately reflects the needs and priorities of minority ethnic communities and disabled people, it is vital that they are involved in the process. People from minority ethnic

communities and disabled people should be involved in developing the policy, and in providing feedback on draft versions.

**Recommendation 3:**

The development of any new national policy should involve people from minority ethnic communities, and disabled people.

Secondly, any national policy on housing should clearly set out how equalities issues were taken into account in policy development. This should be done in line with the requirements of the Race and Disability Equality Duties – through producing an Impact Assessment. This would set out the consultation undertaken with equalities groups, the key issues identified, and actions to address these. It would ensure that race and disability were dealt with in a consistent, proactive way. The impact assessment should be published along with any new policy.

**Recommendation 4:**

The government should undertake an Equality Impact Assessment on any new policy statement, and the activities proposed within this. This should be published along with the policy.

## **6.4 Linking National Policy to Local Delivery**

Current national policy and practice places emphasis on local authorities as the strategic organisations responsible for assessing and meeting housing needs at a local level. Communities Scotland –the government's national housing body – has lead

responsibility for supporting local authorities throughout this process.

This research has found that together, the Scottish Executive and Communities Scotland can strongly influence the activities of local authorities. For example, 'Homes for Scotland's People' includes a specific section on the importance of understanding the housing needs of Gypsies/ Travellers at a local level. Initially, this priority was not picked up by all local authorities – as evidenced by their original Local Housing Strategies.

But, in 2006 Communities Scotland specifically asked local authorities to focus on the needs of Gypsies/ Travellers in their strategy updates. This resulted in significant additional activity in assessing needs and identifying actions to meet needs locally.

This link between national policy, support and local implementation is positive. It demonstrates that where the Scottish Government expresses its commitment to equalities issues, this can result in positive change on the ground. And, it also shows that many more local authorities do adapt their activities in line with national policy – when given appropriate guidance, support and direction.

**Recommendation 5:**

There should be clear follow through between national policy, guidance and support, and actions on the ground. Linkages between Scottish Government policy and Communities Scotland's guidance and support role should be clear – with equality issues prioritised.

## **6.5 Embedding Equality at a Local Level**

There is a clear legal framework that sets out local authorities' responsibilities in terms of race and disability. But, so far, this in itself has not ensured that all local authorities do take account of the needs of disabled people and minority ethnic communities in planning their housing activities.

Some local authorities have embedded their overall commitment to equality within their Local Housing Strategies, and have demonstrated good practice in these areas. But others have responded in a more reactive, ad-hoc manner.

This is due to a number of factors. Firstly, local authorities have been slow to respond to the requirements of the law. Some local authorities have still not undertaken Race Equality Impact Assessments on their Local Housing Strategies – despite this being a requirement of the Race Relations (Amendment) Act 2000.

Secondly, local authorities have responded to Scottish Government priorities – with guidance provided at a local level

through Communities Scotland. Over time, Communities Scotland's guidance on equalities within Local Housing Strategies has been significantly strengthened and improved – and the approaches of many local authorities have strengthened and improved alongside this.

Thirdly, and naturally, local authorities have responded to changes in communities in their areas. This is evidenced by the increasing number of local authorities researching the needs of migrant workers.

But some local authorities are not meeting their duty in promoting equality for minority ethnic communities and disabled people. Without considering these issues in their Local Housing Strategies, it is not possible for local authorities to determine how activities will impact on these communities.

Communities Scotland should play a key role in supporting local authorities to meet their equality duties. This should be done through a combination of guidance and monitoring activity. Communities Scotland has updated its LHS guidance, to include a stronger focus on equalities. This should be issued as a priority.

Communities Scotland is also planning to increase its focus on monitoring equalities issues in LHS annual progress reports. We recommend that this should include a focus on minority ethnic communities and disabled people in the next annual update in July

2008. Local authorities should be supported towards this objective during 2007/08.

**Recommendation 6:**

In 2008, Communities Scotland should ensure that monitoring of progress with LHS activities includes reporting on equalities issues – specifically minority ethnic communities and disabled people.

Local authorities should also be supported to develop a more proactive, co-ordinated approach to meeting the needs of minority ethnic communities and disabled people. Our research has found that consultation has been piece-meal in many areas, and assessment of needs has not always fed directly into actions.

To ensure that a more consistent approach is taken to race and disability, we recommend that local authorities are required to prepare an Equalities Impact Assessment on the impact of their Local Housing Strategies.

**Recommendation 7:**

Communities Scotland should require local authorities to submit an Equalities Impact Assessment along with their next Local Housing Strategy, in 2009. This should include specific sections on minority ethnic communities and disabled people.

## 6.6 Supporting Local Authorities to Meet Needs

This research has found that many local authorities do not know how best to consult and engage minority ethnic communities and disabled people in strategy development. Often this has resulted in local authorities not undertaking any targeted consultation with minority ethnic communities and disabled people. But, where local authorities have tried to engage with communities, this has tended to be successful at getting people involved. There were very few examples of authorities trying to engage communities, but being unsuccessful.

Some local authorities are also struggling to translate research on housing needs into clear actions on meeting the needs of minority ethnic communities and disabled people. It was particularly worrying that many local authorities were planning little or no consultation with minority ethnic communities and disabled people in the development of their Strategic Housing Investment Plans (due to be submitted in November 2007).

There is a need for guidance for local authorities, and support in using this in practice. In terms of guidance, local authorities would benefit from:

- national support and guidance – particularly on assessing the housing needs of disabled people (as guidance on minority ethnic housing needs already exists); and
- opportunities to share practice and knowledge.

**Recommendation 8:**

Communities Scotland should produce guidance on assessing the housing needs of disabled people. Disabled people and representative organisations should be involved in the process of developing this guidance.

Local authorities also need support in using guidance in practice. Communities Scotland has recently introduced the opportunity for local authorities to get support on equalities issues. This should help to ensure that local authorities are able to effectively include equalities issues within their housing plans. We recommend that part of this role should involve supporting people to use the guidance and resources already available (and identifying any gaps in these). The support offered should also focus strongly on how to involve minority ethnic communities and disabled people in developing, reviewing and updating the LHS.

The Commission for Equality and Human Rights should also consider its role in supporting local authorities to develop their practice on equalities issues.

**Recommendation 9:**

Communities Scotland and the Commission for Equality and Human Rights should jointly discuss the best approach for supporting local authorities to develop their approach to meeting the housing needs of disabled people and minority ethnic communities.

## 6.7 Evidencing Success

Although a written Local Housing Strategy can set out a formal commitment to equality, local authorities should ultimately be aiming to improve the real housing situations of minority ethnic communities and disabled people.

Our research found that the process of developing a strategy can help to ensure that local authorities take action on meeting housing needs. But, in some cases actions highlighted in the strategy have not been followed through. And in other areas, local authorities are actually doing more work to meet the housing needs of minority ethnic communities and disabled people than they highlight in their strategies and updates.

This research specifically focused on the strategy development process – rather than on the outcomes of these activities on the ground. Having a high quality Local Housing Strategy in place is a good starting point. But local authorities should ultimately be judged by the impact their activities are having on meeting housing needs locally.

### **Recommendation 10:**

Communities Scotland's annual monitoring of progress on Local Housing Strategies should focus strongly on the activities undertaken, and the impact of these activities on minority ethnic communities and disabled people.

## 6.8 Summary of Recommendations

1. National policy should contain the government's key principles. Equality of opportunity should be one of these principles – and it should be reflected in every policy that is developed.
2. When developing housing policy, the Scottish government should consider key national trends for minority ethnic communities and disabled people, including homelessness; home ownership; housing design and quality; and need for housing information and advice.
3. The development of any new national policy must involve people from minority ethnic communities, and disabled people.
4. The government should undertake an Equality Impact Assessment on any new policy statement, and the activities proposed within this. This should be published along with the policy.
5. There should be clear follow through between national policy, guidance and support, and actions on the ground. Linkages between Scottish government policy and Communities Scotland's guidance and support role should be clear – with equality issues prioritised.

6. In 2008, Communities Scotland should ensure that monitoring of progress with LHS activities includes reporting on equalities issues – specifically minority ethnic communities and disabled people.
7. Communities Scotland should require local authorities to submit an Equalities Impact Assessment along with their next Local Housing Strategy, in 2009. This should include specific sections on minority ethnic communities and disabled people.
8. Communities Scotland should produce guidance on assessing the housing needs of disabled people. Disabled people and representative organisations should be involved in the process of developing this guidance.
9. The Commission for Equality and Human Rights and Communities Scotland should jointly discuss the best approach for supporting local authorities to develop their approach to meeting the housing needs of disabled people and minority ethnic communities.
10. Communities Scotland's annual monitoring of progress on Local Housing Strategies should focus strongly on the activities undertaken, and the impact of these activities on minority ethnic communities and disabled people.