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**Response to the Joint Standing Committee on the National Disability Insurance Scheme examination of Accommodation for people with disabilities and the NDIS**



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### About Queenslanders with Disability Network (QDN)

QDN is an organisation of, for, and with people with disability. The organisation’s motto is “nothing about us without us.” QDN operates a state-wide network of members who provide information, feedback and views from a consumer perspective to inform systemic policy feedback to Government and peak bodies. QDN also provides information and referral support to people with disability. All of QDN’s voting members are people with disability.

This submission is informed by feedback from QDN’s 700 plus members and 500 supporters. In particular the feedback is informed by QDN’s Housing Champions, 21 members with disability located across the state who have a dedicated interest in securing accessible, affordable housing for Queenslanders with disability.

### Value Statement on People with Disability

QDN’s work in providing feedback and input into systemic policy issues is based upon the organisation’s core values and the place of people with disability in an inclusive Australian society.

QDN believes that:

* all people with disability have a right to a place in the community and have contributions to make to community. This is as empowered, free citizens who are as valued, present, participating and welcomed as members of any dynamic and diverse society
* the place of people with disability in the community is not just about people with disability having a house in the community. Core to this is that they are welcomed in the community as ordinary citizens, where they are genuinely given opportunities to contribute and actively participate. People with disability need to be in communities where their individuality, their talents and their lived experiences of disability are recognised and acknowledged
* culturally and historically, people with disability are not afforded the same value, opportunities or access to community life
* any inclusion in community for people with disability is conditional and vulnerable to withdrawal
* many people with disability in Queensland are excluded from the most basic experiences of ordinary lives
* current exclusionary practices are unacceptable and must be challenged
* these issues affect not only people with disability but the whole community
* the responsibility is shared. It lies within government (federal, state and local) and the community at large, to ensure that people with disability have a place and are sufficiently resourced to enable them to belong in community.

### Policy Overview

As part of the Joint Standing Committee on the National Disability Insurance Scheme’s review of the implementation, administration and expenditure of the National Disability Insurance Scheme (NDIS), the committee will examine the issue of affordable and appropriate accommodation for people with disabilities. The committee noted in its most recent report, that the lack of adequate accommodation can limit people’s ability to fully exercise their individual choice and control. It can also limit people’s ability to fully participate in society and live an ordinary life like any other Australian.

On 23 October 2015, the committee conducted a roundtable hearing in Canberra on housing. This was the first part of the committee’s inquiry into accommodation for people with disability. The committee is now calling for submissions on the issue of accommodation that address possible solutions, innovations, pilot programs and, in particular, possible funding models.

QDN is aware there is much work currently happening at various levels in the housing space, in addition to the work being undertaken by this committee. The National Disability Strategy includes specific reference to disability housing provision and the National Disability Insurance Agency (NDIA) is currently developing a pricing and payment framework for Specialist Disability Accommodation (SDA). At a state level, the Queensland Department of Housing and Public Works is currently developing a Housing Strategy, whilst also undertaking specific bodies of work around affordable and liveable housing design. Additionally, QDN is undertaking a housing project, referenced below.

QDN stresses it is important that these various pieces of policy work align to deliver an integrated approach to accessible, affordable and safe housing for people with disability.

### QDN Context

Housing is a key issue for QDN members. QDN believes people with disability having access to housing that is both accessible and affordable, is fundamental to the success of the NDIS, particularly in regard to achievement of the key NDIS principles of choice and control and economic and social participation.

Recently, QDN has developed a housing vision and four key principles to facilitate a conversation with government and community around the provision of accessible, affordable housing. Additionally, QDN has entered into a partnership with Griffith University and National Shelter to develop a position statement on housing for people with disability that facilitates their independence, social and economic participation and full inclusion in the mainstream community. We are happy to forward the outcomes of this project to the committee when completed, expected to be early August, 2016.

#### QDN’s housing vision

QDN believes people with disability have the same right as other citizens to have appropriate and relevant housing options and choices available to them that are inclusive, accessible, safe and affordable. This right is enshrined in the United Nations Convention on the Rights of Persons with Disability (CRPD), 2006 and the National Disability Strategy (2011) which states people with disability have the right to:

* An adequate standard of living with adequate food, clothing and housing and to the continuous improvement of living conditions; and
* Choose their place of residence: where and with whom they live on an equal basis with others
* Access to affordable and secure housing across all tenures

This means that the living situations of people with disability should be similar to those on offer to the general community. The differences would only emerge in the areas of home modification and in the support that may be required to live in a home of one’s own. QDN believes people with disability have the right to establish homes that are their own private spaces, reflective of their individual personal tastes and choices that embody a place to call home.

To make the vision a reality QDN has developed four key principles, detailed below, to guide the provision of housing across the public and private sectors, going forward.

#### Housing Principles

QDN’s four Housing Principles include:

* **Rights:** People with disability have the right to access quality housing and are assisted to exercise their rights when needed.
* **Choice:** People with disability choose where, how and with whom they live.
* **Inclusion:** People with disability access appropriate housing which enhances independence and social and economic participation in family and community life.
* **Control:** Management of housing is kept separate from the provision of support.

#### Applying these principles to the Joint Standing Committee’s examination of Accommodation for people with disability and the NDIS

QDN believes our housing principles can be used as a guideline for the Joint Standing Committee to assess the effectiveness of accommodation for people with disability so that it reflects community norms and standards, ensures people residing in accommodation for people with disability have their rights and choices upheld, are included in the community and have their accommodation safeguarded through the separation of the management of their housing from the provision of support.

Overall, QDN believes accommodation for people with disability needs to encompass the following elements:

* A person having the right to choose quality housing that fits with their lifestyle choices and community preferences and is based on individual needs.
* Housing options which enhance a person’s social and economic participation in community with the person having choice and control around their housing option, to maximise their social inclusion, rather than the option being decided upon because of its cost effectiveness.
* Mechanisms that empower people to choose where they live and with whom they reside.
* Clear statements in regard to the separation of the management of housing and support, to reflect the differences in the landlord and support service roles, to be explicitly stated as a reflection of ‘normal’ community practise and as a safeguard around the rights of people with disability.
* Strategies to promote and fund a diverse range of innovative, community based housing options targeted to the specific needs of people with disability who have high and complex support needs.

### **Possible Solutions**

Innovative accommodation models

QDN members are concerned about possible assumptions that may exist which reinforce beliefs that particular groups of people with disability need to be mainly supported in group home arrangements, because the high cost of their support arrangements needs to be met via group living situations which allows for the pooling of some group support hours to maximise cost efficiencies. QDN members reinforced that a range of innovative housing options currently exist which cater for more individualised housing options. These innovative options have support models that are both individualised and cost effective.

QDN draws the Joint Standing Committee’s attention to innovative models in Queensland such as Bespoke Lifestyles and Staffing Options for Community Services, both organisations support people with high support needs to live independent lives in the community in housing of their choice. Other innovative models were discussed at the recent Griffith University NDIS Symposium *"Housing for people with disability: a place to call home"*, such as the Independent Youth Housing Group.

QDN member feedback indicates that currently there is a cohort of people in group arrangements who prefer to live in different, more individualised housing options and/or their service providers support this happening. Both parties agree a similar living arrangement would better meet the person’s goals, personality, behaviour and support needs.

Additionally, members reinforced it is most important that any proposed accommodation models for people with disability promote and support a much broader range of innovative housing options for this group, that reflect key NDIS principles of rights, choice and social and economic participation, rather than replicating current group home arrangements.

Transparency in rent calculations

QDN believes rent needs to be calculated separate from board charges. Such charges are usually encompassed in a total fee paid by a resident which covers items such as food, power, phone and other household costs, in addition to a rental component. Such board charges are common in current disability accommodation group home arrangements. QDN believes this makes the price for accommodation more transparent for people with disability and will be a shift in practice for many providers. It also lays the groundwork in establishing tenancy agreements and rights for people that are separate from support arrangements.

#### Maintaining NDIS principles of choice and control

QDN believes accommodation supply and models for people with disability need to uphold the NDIS principles of choice and control. This will be particularly important when considering how group home models will operate under the NDIS. For example, if a participant decides they no longer wish to live with their co-tenants, other housing options need to be available for the person to relocate into, in line with their decision. The challenge in the current housing environment is having other housing options into which the person can relocate. Otherwise, the participant may be forced to stay in a less desirable scenario because there are no other viable options or relocate to accommodation that is not their preferred choice.

#### Choosing with whom you live

QDN believes for accommodation to reflect key NDIS principles, it is crucial that participants have as much choice as possible regarding where and with whom they live.

QDN questions who makes the policy around who lives together and on what basis? QDN Housing Champions were clear that people with disability should not be moved from house to house or region to region based on decisions of a service provider around housing economic viability or viable support arrangements or other service management issues.

This means that in the event a ‘vacancy’ arises, there is considered thought put into ensuring a suitable household match with a new tenant and that all parties, including the person, any informal or formal decision makers, and/or their advocate have a say when a potential new tenant is introduced. This should be reflective of share houses in the general community and could include processes such as:

* **New tenant interviews:** Conducted by existing tenants and their supporters to help determine suitability, compatibility, gender and lifestyle considerations of potential tenants. The interview process could also be an opportunity to articulate house rules, responsibilities/expected chores of each tenant, shared costs, utilities etc.
* **Share house agreement:** An informal document between tenants outlining agreed house rules and responsibilities, shared costs etc.
* **Trial periods:** Tenants are encouraged to trial living together for a set period and can “opt-out” at the end of the period with no repercussions or penalties or loss of their original housing arrangement.
* **Procedures in place for dealing with possible tenant conflict/abuse:** At a tenancy management level there needs to be clear procedures in place for dealing with (and possibly reporting) tenant conflict and abuse, including the provision to quickly end a shared tenancy in the instance of tenant-tenant abuse or violence.

#### Separation of the landlord and support role and tenancy rights

It is important that the management of accommodation is kept separate from the provision of support – QDN’s fourth housing principle. This ensures that if a person has a problem with their service provider, their housing will not be affected as they have the security of a lease. Separating housing and support also works in reverse insofar as if a person does lose their housing; they still have access to necessary support services.

QDN believes that people with disability should have tenancy rights equivalent to people in the general community who rent in the public or private market. These rights should be clearly stated in a Tenancy Agreement and be lodged with the appropriate local tenancy authority, similar to tenancy agreements in the general community.

There is also need for specialist advocacy support through local tenancy authorities to assist people with disability with tenant advocacy matters, including support to appear at a Tribunal around tenancy-related issues. This ensures people’s rights as tenants are upheld and is a crucial first step in ensuring the management of housing is kept separate from the provision of support.

Tenancy agreements need to be negotiated with each individual with specific NDIS provisions around portability of funding and how potential changes to their accommodation (such as provider, location and/or configuration) will be negotiated, streamlined and not attract penalty.

#### Location of accommodation

QDN members strongly believe that accommodation for people with disability needs to be in locations that support a person’s economic and social participation. As such, it should not be on the outskirts of the city or town, far away from a person’s family or friends (informal supports). Nor should it be located in areas with no public transport or other infrastructure and amenities.

Additionally, QDN members were adamant that accommodation for people with disability should be planned so that:

* The style of the housing blends with other housing in the area (ie it didn’t look visibly different)
* Housing for people with disability is part of a mix of different housing types and tenures: units, town houses, houses, public/private rental, home ownership in the same area so that it doesn’t become “ghettoised”, marginalised or institutionalised.
* There is opportunity for people with disability, through well-planned and designed housing, to be welcomed, active members of communities of their choosing and achieve full social and economic participation.

#### Home ownership

Many QDN members, like many Australians, have aspirations of home ownership. In discussing accommodation for people with disability, QDN members raised the issue that many people with disability never get the option to enter the housing market or those who acquire a disability are often forced out of the housing market due to:

1. Their need for accessible housing which cannot be provided by their current housing, or the private rental or home ownership markets due to low availability of affordable, accessible housing (including universal design) features; and
2. Being unable to maintain employment and keep up with mortgage repayments. Currently people are only able to engage in the public housing system once they have been forced out of home ownership, thus leading to a greater risk of homelessness. There is no option for transition.

### Possible funding models

#### Strategies to stimulate innovative housing verses a modified market

QDN cautions that the accommodation market for people with disability needs to comprise of more than just current group home and social housing stock. An overall approach needs to include a range of ways to stimulate the housing market in a parallel process with recent developments of high density housing across the nation.

QDN supports strategies put forward at the previously mentioned Griffith University Symposium: *“Housing for people with disability: a place to call home”* to stimulate a range of housing in inner city and suburban locations in metropolitan, regional and rural locations. These include:

* Mandating inclusionary zoning – a requirement to build accessible and affordable housing as a condition of planning approval. Accessible and affordable housing is located and integrated within market priced housing development;
* Having an integrated policy response: taxation, cost-effective government investment, urban planning and social housing policies; and
* Opening pathways to home ownership – shared equity models, housing trusts, government loans.

#### Shared equity: home ownership

Shared equity models could provide a safety net and quick intervention for people with disability at risk of either never entering or losing their place in the housing market. It also keeps people in their own homes and avoids putting pressure on the public and private rental markets. The recently released Specialist Disability Accommodation (SDA) Pricing and Payment Framework has the potential to assist people to modify and buy their own homes and ensure their social and economic participation in the community.

### Conclusion

QDN welcomes the opportunity to provide this response to the Joint Standing Committee on the National Disability Insurance Scheme in their examination of accommodation for people with disabilities and the NDIS. QDN urges the Joint Standing Committee to ensure that the accommodation for people with disability strongly reflects the NDIS principles of choice and control and social and economic participation.

QDN calls upon the Joint Standing Committee, the National Disability Insurance Agency (NDIA) and other housing partners to support our vision for housing and four principles and to use these to guide positive housing solutions for people with disability as the NDIS rolls out in Queensland.

Furthermore QDN believes that people with disability have similar housing goals - accessible, affordable and safe housing matched to their needs and choices and provided in a manner that safeguards their rights as tenants or home owners. This expectation is clearly enshrined in the United Nations Convention on the Rights of Persons with Disability (CRPD), 2006 and the National Disability Strategy (2011).

QDN notes that current Commonwealth, State and Territory governments are currently grappling with how they can deliver on the National Disability Strategy. As such, QDN recommends that the overarching issue of accessible, affordable housing and accommodation for people within the NDIS as a component of this, in delivering on the National Disability Strategy be placed as a standing item on the Council of Australian Governments’ (COAG) Disability Reform Agenda. QDN urges State, Territory and Commonwealth Governments to work collaboratively with private sector and community organisations to address both housing components in an integrated, collaborative manner. This is a fundamental survival issue for Australians with disability.

QDN acknowledges the role and work of our members, Housing Champions and allies in formulating this response and looks forward to further opportunities to contribute to the housing policy landscape.

Queenslanders with Disability Network – 16 March 2016