

# ***Making it Work for Us***

A residents' inquiry into sheltered and retirement housing





# Contents

<b>Acknowledgements</b>	<b>3</b>
<b>Executive summary</b>	<b>4</b>
Key recommendations	5
<b>Introduction</b>	<b>7</b>
What is this inquiry?	7
Definitions	8
Background to the inquiry	8
Why does retirement housing matter?	9
How did the inquiry work?	9
Recent reports and guidance on retirement housing	10
About this report	11
<b>Legal advice and advocacy</b>	<b>13</b>
Complaints	13
Access to advice	16
The 'Right to Manage'	18
Reform of leasehold	21
Role of solicitors	23
<b>Affordability</b>	<b>25</b>
Service charges	25
Rents	27
Housing Benefit	29
Supporting People funding	30
Inequality and access	31

<b>Influencing and consultation</b>	<b>33</b>
Lobbying	33
Meaningful consultation	34
The 2011 Localism Act	34
Allocations	35
Black and minority ethnic older residents	37
Lesbian, gay, bisexual, transexual and transgender older residents	40
<b>Home for life</b>	<b>43</b>
Security of tenure	43
Pets	43
Accessible structure	44
Space	44
Care and support	46
Safety and security	47
Wardens (scheme managers)	48
Assistive technology	49
<b>Conclusions and next steps</b>	<b>51</b>
<b>Appendix 1 Summary of additional evidence submitted by the Sheltered Housing UK Association</b>	<b>53</b>
<b>Appendix 2 Profiles of panel members</b>	<b>55</b>
<b>Notes</b>	<b>56</b>

# Acknowledgements

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For profiles of the panel members,  
please see Appendix 2 on page 55.

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# Executive summary

Sheltered and retirement housing is a positive solution for many older people. Our panel of residents, who reviewed the situation for England, concluded that we need greater investment in affordable, attractive housing options – integrated with housing support services and in the right locations. The panel believes that progress towards this goal is being impeded by a range of factors, identified during the inquiry and set out in this report.

At the moment, there is no clear national vision or leadership on the future of sheltered and retirement housing. This is exacerbated by uncertainty around funding for preventive care and support services. A lack of clarity about what different schemes offer – and the cost of services – makes it difficult for older people to evaluate their options. Housing advice and information will become increasingly critical in helping older people to navigate the housing and care choices that are available to them at a local level.

Residents want a clear understanding of what schemes offer over the longer term and of the obligations placed on individual residents.

During the inquiry it became apparent that there is a great deal of confusion over what sheltered and retirement housing is meant to offer. This lack of clarity is important, as a partial understanding of sheltered and retirement housing by policy-makers will continue to result in poor policy decisions.

Obviously, not everyone will agree with all the recommendations set out in this report. However, **it must be a basic principle that listening and responding to the views of residents should be fundamental in shaping what sheltered and retirement housing offers.**

In the past, remote and unfocused funding decisions on support services, that have ignored the wishes of older residents, have moulded the sector and then presented the outcome as a logical evolution of the sector. These decisions have not fully taken into account the basic needs and aspirations of residents nor the potential social and economic benefits of retirement housing.

Both the residents involved in this inquiry and Age UK agree that we need a fundamental review of the future role of sheltered and retirement housing, with greater certainty about what it can offer and stronger leadership from government. We hope that this report will progress this agenda by involving many more residents (and potential residents) in the debate about the future of sheltered and retirement housing.

The summary and recommendations in this report reflect the views and comments of the residents' panel and the witnesses participating in the inquiry.

## **Key recommendations**

- There should be a comprehensive policy review of future models and funding of sheltered and retirement housing.
- More must be done to promote the benefits of retirement housing to future generations, by offering well-designed and affordable housing options.
- Policy-makers and planners should facilitate the provision of additional retirement housing, to meet the growing need for this type of accommodation.
- Residents need much greater transparency in the delivery of retirement housing and associated services, to prevent them being exploited and to protect their rights.
- Residents need a more robust regulatory framework in the private leasehold sector, to ensure fair and honest competition between providers.
- Older people need greater equality of rights between those living in the social and leasehold sectors, especially on the issue of consultation.
- More support should be given to initiatives that give residents greater control over their housing, such as the 'Right to Manage', co-operative and co-housing solutions.
- Scheme managers are an essential feature of sheltered housing and panel members believe they need to be retained, to promote the health and safety of residents.
- Providers must make it easier for older people to obtain accurate and reliable housing advice, so that they can make informed decisions about their housing.







# Introduction

There is an ongoing debate in the media about the ability of older people to ‘downsize’ into more manageable forms of housing, to free up larger family homes. Sheltered and retirement housing could certainly play a greater role in helping to address this issue. We need to give prominence to the views of residents to help achieve this.

This report is designed to encourage wider policy engagement with older residents on the management and future delivery of sheltered and retirement housing in England. It sets out issues for providers, commissioners, policy-makers and central government, from a resident’s perspective. It seeks to support the development of a coherent, balanced national strategy on retirement housing, where older people have real influence.

The experience and knowledge of older residents is absolutely invaluable, not just for existing schemes, but in getting it right for new schemes and for future generations of older people. The poor treatment of some of today’s residents gives a powerful indication of how residents are likely to be treated in the future, unless we resolve many of the outstanding issues discussed below.

In this report, the background commentary and context is written by Age UK; the panel viewpoints and the recommendations are those of the residents’ panel.

## What is this inquiry?

This inquiry brought together residents’ groups and individuals to gather evidence about the experiences of older people living in sheltered and retirement housing (but mostly excluded housing with high levels of integrated care, such as extra-care housing).

The inquiry was a partnership between Age UK and residents’ groups to highlight the issues of concern to large numbers of residents. It provided an independent forum to review national and local policies on sheltered and retirement housing in England.

## **We acknowledge that the inquiry panel does not represent the views of all residents.**

The limited resources of the inquiry, the huge diversity in schemes and the range of experiences made this impossible. However, members of the panel came from both the social and private sectors, and their concerns reflect those raised by many other residents in contact with Age UK. We hope that the report picks up the broad range of issues that are significant to all residents, whatever their opinions. We are optimistic that this report will be a catalyst for more of us to share our views and experiences on how we can improve what sheltered and retirement housing already has to offer.

As well as looking at problems, the inquiry aimed to acknowledge good practice, and to explore how improved regulation of the sector could better protect the rights and interests of residents. The inquiry panel wanted to help promote affordable, good-quality retirement housing, based on the needs and aspirations of older people themselves.

It is hoped that this report will encourage further dialogue and engagement between commissioners, providers and residents’ groups, to influence the shape of existing and future models of retirement housing.

## Definitions

Retirement housing in the social sector is often referred to as ‘sheltered housing’, which can be somewhat confusing. In this report, we refer mainly to social housing for older people as ‘sheltered housing’ and to private housing for older people as ‘retirement housing’.

An added complication is that there are often significant variations in the type and range of sheltered and retirement housing on offer. The inquiry did not have time to discuss schemes with high levels of care and support, but in reality there is often an overlap between mainstream schemes and housing with care. This issue of definitions and terminology (and its significance) was taken up by the panel and is discussed later in chapter 2 of this report.

## Background to the inquiry

The inquiry emerged because many older residents believe that their views and opinions are often ignored. This is partly because older residents are dispersed between a range of different schemes, making it tricky to give a collective voice to their common experiences. Also, it can reflect negative attitudes towards the legitimate concerns of residents by providers and commissioners.

Residents and campaign groups initially contacted Help the Aged (now Age UK) in 2007 about the withdrawal of ‘residential’ wardens from sheltered schemes. Age UK agreed to conduct research, to see whether residents’ concerns reflected a wider national trend.

In 2009, Help the Aged published *Nobody’s Listening*,<sup>1</sup> a report based on interviews with residents, commissioners and providers. It revealed a continuing decline in ‘warden type’ services and their replacement with ‘floating support’ not attached to a particular scheme (although it indicated that peripatetic scheme managers dedicated to specific schemes can work). It also showed that many residents were not properly consulted about major changes in the delivery of housing support within their schemes. These changes were happening across the country, particularly as a result of reforms to the funding of sheltered housing under the Supporting People programme, which began in 2003.

As a result of the report – and of lobbying by the Sheltered Housing UK Association (SHUK) for social tenants – the Government set up a ministerial group in 2009, chaired by Lord Bill McKenzie, to examine sheltered residents’ concerns. Their issues were also highlighted in a parliamentary select committee<sup>2</sup> inquiry looking at the funding of housing support services (i.e. the Supporting People programme).

Residents in the leasehold retirement housing sector also made contact with Age UK. As a result, Age UK published *Putting Retirement Housing in Order*<sup>3</sup> in 2010, focusing on excessive service charges, exit fees and other unfair practices resulting in the exploitation of older residents. This gained considerable publicity and fed into a review of charges by the Office of Fair Trading (OFT). It is disappointing that the OFT has still not made a ruling on this matter. Many of the issues raised were based on the concerns of the Campaign Against Residential Leasehold Exploitation (CARLEX)<sup>4</sup> and also reflected complaints that Age UK received through its information and advice service.

Despite the problems highlighted by residents in this report, Age UK thinks that sheltered and retirement housing is a good option for older people and would like to see a greater awareness of its advantages for many more of us as we get older.

There are some positive initiatives designed to improve and promote the delivery of retirement housing by both landlords (providers) and local authorities (commissioners). These include:

- the Homes and Communities Agency *HAPPI*<sup>5</sup> report, looking at ways of improving building design and stimulating the development of more retirement housing in England
- the National Housing Federation report *Breaking the Mould*,<sup>6</sup> which focused on market opportunities for housing associations to deliver sustainable modern retirement housing for older residents.

Both of these studies took into consideration the views of older residents. Despite this, residents still do not enjoy direct and consistent influence over the policies and decisions that directly affect them. This inquiry, set up by Age UK, was an opportunity to discuss how residents could do this, and the kind of issues they wanted to take forward.

### Why does retirement housing matter?

Sheltered and retirement housing represents a relatively small percentage (5 per cent) of all older people's housing. It is estimated that there are around 533,000<sup>7</sup> units in both the private and public sectors combined in England.

Although the majority of older people (90 per cent) live in ordinary mainstream housing rather than specialist housing, there is a debate about whether retirement housing should be available to a greater number of older people, and about the conditions required to make this a possibility (e.g. greater affordability). Many older people don't know about sheltered or retirement housing, or do not think that they would meet the conditions to gain access to it. This is a shame, given the benefits of a wider range of affordable housing alternatives for older people.

### How did the inquiry work?

Age UK invited a panel of 12 residents, living in both the social and private sectors, to conduct the inquiry. Our main (and not inconsiderable) task was to review the current issues and to set out recommendations to improve existing retirement housing and future schemes, in the space of five meetings.

At the first meeting, the residents' panel agreed the terms of reference suggested by Age UK. However, **the panel determined all the themes covered by the inquiry, reflecting their individual concerns and those of the groups they represent.** Age UK facilitated the discussion and invited the witnesses to take part on behalf of the panel.

Age UK also commissioned an external independent facilitator (Pauline Vernon) to support the work. Age UK invited individual residents and groups to submit evidence to the inquiry for consideration and has included evidence from SHUK at the end of the report (see Appendix 1, page 53). We agreed that the publication and promotion of the inquiry report should be a stepping stone to encourage other residents to share their views and engage with the issues. The comments and feedback received in response to this report will be made available through Age UK.

## Recent reports and guidance on retirement housing

It is useful to review some of the recent national reports and guidance that have informed the debate on sheltered and retirement housing. These include the following.

*Nobody's Listening*<sup>8</sup> was commissioned by Help the Aged to determine whether there was a continuing decline in warden services and to hear the views of providers, commissioners and residents on the shift towards floating support services (i.e. warden-type services provided remotely to residents and older people living outside the sheltered scheme). It found a continuing decline in wardens (scheme managers), despite recognition of the clear advantages of retaining them. This seemed to indicate a pragmatic policy shift, based on funding restrictions and the need to find savings. The report revealed very little research asking for the views of older residents about changes linked to the introduction of the Supporting People funding programme in 2003. (At the time, residents were reassured that it would make no difference to their housing.)

As a result of lobbying by residents, a ministerial group on sheltered housing was set up in 2009. It produced three guidance reports:

- *'More Than Just a Few Kind Words!'* Reshaping support in sheltered housing,<sup>9</sup> looking at best practice for remodelling sheltered housing
- *A Guide to Making Complaints for Sheltered Housing Residents*,<sup>10</sup> which aimed to clarify some of the confusion around where residents could take different types of complaints
- *Effective Resident Involvement and Consultation in Sheltered Housing*,<sup>11</sup> which set out to address residents' concerns about tokenistic consultation around their schemes and services, where the conclusions had effectively been predetermined.

The *Breaking the Mould*<sup>12</sup> report published in 2011, was part of an ongoing initiative by the National Housing Federation to look at what housing associations can offer older people, while ensuring that schemes are financially viable.

*Housing Markets and Independence in Old Age: Expanding the opportunities*<sup>13</sup> by Michael Ball for Henley Business School, looked at the relevance and popularity of retirement housing and made recommendations about expanding this type of housing.

McCarthy and Stone, major developers of retirement housing in the UK, are also taking the lead on the development of a planning toolkit, with the backing of government and other key agencies, to encourage local authorities to support the development of older people's housing.

Shelter's *A Better Fit?*<sup>14</sup> report takes up the debate around downsizing and the housing choices that should be available to older people. The report's recommendations include calling on developers to offer inclusive packages that support older people to move and allowing them to try a scheme before they buy. It also says that **specialist housing should offer older people transparency and certainty about their consumer rights.** It should set out a schedule of fees and management charges that residents will be expected to pay. **This is a theme endorsed by many of the panellists who took part in our inquiry.**

The Association of Retirement Housing Managers (ARHM) is currently revising its *Code of Practice*<sup>15</sup> for its members. Age UK has facilitated a parallel panel of leasehold residents to comment specifically on the code and to feed back their views to the ARHM. Regardless of any influence that residents may have over the final draft, a key issue is how far bodies like the ARHM can ensure that its members comply with the code in the absence of an adequate statutory framework.

Finally, Age UK and the Joseph Rowntree Foundation<sup>16</sup> will be publishing research looking at affordability and the growing divide between those who have access to sheltered and retirement housing and those who have little choice or no choice at all. This is important in terms of policies that also work for older people on low or moderate income, not just for those who are better off.

### **About this report**

This report reflects the views and comments of residents and witnesses participating in the inquiry meetings, facilitated by Age UK.

In the following sections, Age UK has provided the background policy overview, but the recommendations are those generated by the panel discussion and evidence from our expert witnesses.





# Legal advice and advocacy

Legal advice and information are critical in helping older people to locate suitable retirement housing and in protecting their basic rights after they have moved in. Unequal access to advice means that vulnerable older people on lower incomes are more likely to suffer the consequences of poor practice, particularly those living in sheltered housing.

The Government invested £1.5 million in the FirstStop housing and care advice services as part of its 'New Deal' for older people's housing, detailed in *Laying the Foundations: A housing strategy for England*.<sup>17</sup> The FirstStop service is managed by Elderly Accommodation Counsel (EAC) and works through partnerships with a range of local advice agencies. As well as providing telephone advice and a website, it is designed to help agencies to deliver specialist professional advice by linking them into expert resources and training. Local Age UKs also provide wide-ranging advice to older residents on local housing options, and some of them work directly with FirstStop.

All the members of our panel have a high level of knowledge about housing, as a result of working with tenants' groups, forums and residents' bodies. Some also have practical experience of managing their own schemes. Yet despite this, the majority of the panel lacked familiarity with the range of housing advice and information resources currently available. This perhaps indicates that there is still insufficient promotion being given to housing advice resources and services available, and their profile needs to be raised. It also begs the question of whether existing advice services would be sufficient to meet the potential demand, if there were greater promotion.

The importance of advice on housing options has also been recognised by the Dilnot Commission on Funding of Care and Support report *Fairer Care Funding*.<sup>18</sup> This comments on the lack of financial advice relating to social care. It recognises the role of housing in contributing to financial solutions and says people should plan their housing needs at an earlier stage in life.

## Complaints

On 1 April 2012 the Government abolished the Tenant Services Authority and returned powers to the Homes and Communities Agency (formerly the Housing Corporation). Although the Homes and Communities Agency has a regulatory role, its main focus is now on the financial probity of registered social landlords.

At the moment the Local Government Ombudsman is responsible for complaints about housing provided by local authorities, while the Housing Ombudsman Service (HOS) is responsible for dealing with complaints about all housing associations and some private landlords and agents (who are members of the service). They are concerned with 'maladministration' and currently only have the capacity to fully investigate a small proportion of complaints, after these have gone through the landlords' internal complaints procedure. As a result of the 2011 Localism Act, there will be one mandatory ombudsman service, emerging from the Housing Ombudsman<sup>19</sup> Service, with responsibility for all social housing providers, including local authorities. Residents will no longer be able to make a direct complaint but will have to go via a designated person, for example a councillor, a local MP or a tenants' panel, once they have exhausted an internal complaints procedure.

The Government announced the abolition of the Audit Commission in 2010. The Audit Commission used to collect and analyse information about the performance of local authorities. This means that information on the quality of sheltered housing is no longer centrally collected from all local authorities, making it difficult to identify common problems across different schemes. Residents are even less able than previously to compare the services they receive with those of other schemes, to determine whether they are getting a fair deal from their landlord.

In the leasehold sector, leasehold valuation tribunals are part of the Residential Property Tribunal Service, which has now been integrated with the Ministry of Justice. There is some concern over whether this change might increase the time taken to deal with service charge disputes. The Office of Fair Trading (OFT) and the Competition Commission will be brought together as the Competition and Markets Authority,<sup>20</sup> with responsibility for proper functioning of markets. A National Trading Standards Board will bring together representatives of Trading Standards in England and Wales to support national and cross-border enforcement and to combat rogue traders. With these changes it is still unclear how outstanding or future OFT cases, related to areas such as exit fees, might be dealt with.

**Update:** the OFT recently announced changes in exit fees for Fairhold Homes Ltd.

### **Panel viewpoint on complaints**

We invited Linda Collier from the HOS as an expert witness to help us gain a better understanding of how we should go about making a housing complaint.

The panel argued that only a small minority of residents make complaints, partly because formal complaints procedures are often unclear, confusing and take too long to resolve. Some of us worry about the repercussions of making a complaint, because of the negative reaction we might receive from staff and managers. In schemes that do not recognise complaints as a way of improving services, residents may be extremely reluctant to make a legitimate complaint. Even if residents are encouraged to use the complaints procedure, it will not necessarily lead to a resolution.

**The panel commented from their own experience on the excessive length of time it can take to resolve – or even acknowledge – a complaint within a scheme.** We discussed the practicalities of placing a time limit on how long it takes providers to deal with a complaint through their own internal procedures. It was argued that placing a time limit on complaints would be impractical, because different issues take different amounts of time and levels of resources to resolve.

However, there was agreement that there should be a prompt acknowledgement of a complaint by the provider, giving a clear indication of the likely time it would take to deal with at each stage. Some members of the panel maintained that there should be some absolute time limit on dealing with complaints or a standardised ‘best practice’ procedure for how internal complaints procedures operate. There was concern that some disputes can drag on for many years without a final decision. Some of the panel argued that **providers deliberately took too long to deal with complaints, in the hope that older residents would simply give up and go away.**

The panel discussed a specific internal complaint that lasted for 15 months and another case that dragged on for even longer. Linda Collier said that HOS can determine whether an internal complaints procedure is taking too long. She said there should not be a set time, but that HOS could consider what a 'reasonable' timescale is, depending on the nature of the complaint.

**There is a concern that the resolution of complaints will increasingly be affected by local politics.** This is because although local residents' panels will have a stronger role, complaints will have to go through local councillors and MPs before going to the Ombudsman. Previously, tenants could take complaints directly to the relevant Ombudsman.

The panel agreed that there could be problems with making complaints about scheme managers to their immediate supervisor. Complaints are often required to go through the scheme manager, which can be problematic.

Another expert witness, John Galvin, Director of EAC, told us:

'There needs to be greater support for older people who already live in retirement housing. EAC recognises a gap in provision in relation to dealing with problems for existing residents. EAC is setting up an internet service to allow residents to comment on their experience of sheltered housing and care services.'

The panel agreed that this 'TripAdvisor' approach could play an important role in helping to improve the quality of provision. It would make it easier for older people to evaluate a scheme, based on the views of residents already living there.

In contrast to the problems and difficulties raised, some of us have experienced very good and responsive complaints procedures. There should be agreement between providers about the basic principles of tackling complaints that apply to all schemes. The panel was supportive of the National Housing Federation model of support and best practice, described in *Breaking the Mould*.<sup>21</sup> The panel questioned the extent to which this information had been shared with older residents.



## Recommendations on complaints

### For providers

- A common set of principles needs to be applied to internal complaints procedures, to prevent problems being diverted or taking an excessive length of time to resolve. Many older residents give up on complaints, because internal complaints procedures are too difficult and too bureaucratic.
- There is confusion over the best point of contact for a complaint, according to whether it is a housing management issue or a support and care issue within the same scheme. The first point of contact for the complaint should take responsibility for signposting residents to the appropriate authority or agency as part of their complaints policy.

### For central government

- The Department for Communities and Local Government should work with the Chartered Institute of Housing to update and promote its guide to making complaints. Local authorities and providers should have a role in ensuring that this guidance informs the management policies of all schemes.

### For local authorities

- Vulnerable and isolated older residents should have access to advocacy and advice sources via either a scheme manager or, preferably, an independent advice service (especially over complaints concerning staff).

## Access to advice

In recent years, we have seen growing acknowledgement of the role of independent housing advice in helping older people to navigate successfully the housing and care options available to them.

The Government provided £1.5 million to the FirstStop housing and care advice service (over two years from 2011 to 2013), which has benefited many older people.<sup>22</sup> In addition, housing advice is available through local agencies such as local Age UKs, home improvement agencies and Citizens Advice. Despite this progress, many older people do not know where to go if they have a housing problem.

### Panel viewpoint on access to advice

The idea of moving into retirement housing still has negative connotations, especially for ‘younger older’ people (55–65). One of our panel said that when she moved into retirement housing, friends and family were surprised and concerned because of the stereotypical idea they had about retirement housing. Yet she is very happy with her new home and knows that the move was the right one for her.

*‘Although retirement housing can improve quality of life dramatically, there is little appreciation of this. There is a negative image of retirement housing, and trying to obtain positive information is difficult.’*

Judith Scholes, panel member

Retirement housing is not sufficiently promoted as a positive practical option that can enhance our lives and promote independence. Many of us are not aware of what is available and whether we are eligible – or in a financial position – to move into retirement housing.



A key line of discussion for the inquiry concerns older people as ‘consumers’. We want better and more accurate information about a scheme before we move in, so that there is no misunderstanding about what the scheme offers and what is required from us. At the same time, we recognise that changes in funding can make it difficult to provide long-term guarantees about what a scheme offers, especially in the social sector. Despite this, we feel that providers should offer better guarantees about what the scheme offers – and warnings about the cost of service charges.

One panel member said:

‘It goes back to being clear what you are buying. Landlords have a duty to make sure the information they provide is transparent, so there are no nasty shocks. It makes their management of a development easier and avoids getting to a point where the leaseholder says: “I never knew I had to pay a sinking fund contribution”’

John Galvin (EAC) told us:

‘EAC does its best to keep information about schemes up to date, but relies on the co-operation of providers to complete the forms. There are still gaps where EAC doesn’t have the full information.’

Sarah Davis, our expert witness from the Chartered Institute of Housing (CIH), said:

‘It is important that older people are aware of housing advice before they reach a crisis, so that they have some level of choice.’

The panel discussed how we can make it easier for older people to access advice and information. Members of the panel reviewed some excellent advice and information but were concerned about whether such material is reaching enough people. The panel questioned how straightforward it is for people to find advice material on the internet (assuming that they have internet access). Panel members thought that advice agencies could work together to ensure that material is disseminated to a greater number of older people.

One of the significant barriers to the general public, policy-makers and journalists understanding retirement housing is terminology. During our panel discussion and questioning of witnesses, it became clear that different people meant different things when they talked about sheltered housing, retirement housing or ‘retirement housing with care’. There is undoubtedly a great deal of confusion. Providers want to adopt a distinctive brand to distinguish their ‘product’ from the competition. This can make it difficult for older people to make comparisons between the core features of each scheme and the ongoing cost of services. The same problem also extends to scheme managers and the level of housing support they offer to residents. There should be some attempt by different sectors to work with residents to clarify what different schemes are offered and how they are ‘labelled’.

## **Recommendations on access to advice**

### **For government and provider bodies**

- There should be an obligation on sheltered and retirement housing schemes to provide a regular update on their schemes to bodies such as Elderly Accommodation Counsel, especially where services or conditions are likely to change over time.

### **For local authorities**

- All local authorities need to facilitate the delivery of housing, care and advice services, to ensure that older people can navigate local housing and care options. Local variation in how housing services are delivered as a result of localism will make this more critical in the future.

### **For advice agencies**

- There should be collaboration between advice agencies, to promote the availability of advice and information resources on housing and care.
- There should be more proactive advice and advocacy (with advice agencies holding sessions in schemes) available to older people living in retirement housing who experience problems after they move in.

## **The ‘Right to Manage’**

The ‘Right to Manage’ was introduced by the 2002 Commonhold and Leasehold Reform Act (CLRA). This gave leaseholders the collective right to take over the management of their estate or to delegate this to managers of their choice, without proving fault or paying compensation. The CLRA also established the concept of ‘commonhold housing’ as an alternative to leasehold and shared freehold ownership. Other countries have a similar concept under different names, including ‘condominium housing’ in the United States but also elsewhere.

Residents have an interest in their own flat but are also members of a commonhold association, a special type of company that has control of the property and can appoint a managing agent of its choice. Since 2002, very few older people have actually been able to take up this option, despite examples where costs have been significantly reduced. The reason for this is that the CLRA made commonhold an option, but as there is no compulsion to offer commonhold, even for new schemes, there is no incentive for developers to offer this new type of tenure.

### **Panel viewpoint on the Right to Manage**

We think that the Right to Manage is a good option for residents to tackle problems with poor managing agents and overcharging – or just to gain more control in the management of their scheme.

It was previously thought that easier access to the Right to Manage would improve competition in the sector and enhance the quality of services. However, it has not been taken up to the extent expected, particularly in retirement housing.



There were strong views on the panel that the Right to Manage could result in substantial savings, because residents had more control to get the best deals on maintenance and services for their scheme. However, some of us felt that better-off older people with managerial or financial experience had a distinct advantage over residents without this kind of background. It was agreed that taking overall managerial responsibility for a scheme requires a significant degree of legal and financial confidence (although managing agents, appointed by the residents, would still have day-to-day responsibility for running and maintaining the scheme).

The panel agreed that the benefits and possibility of the Right to Manage had not been sufficiently promoted – and not enough advice and support are available to older residents who want to take this step.

Our expert witness Debbie Matusevicius of the Association of Retirement Housing Managers (ARHM) gave her opinion on the benefits of the Right to Manage.

‘Sometimes it is beneficial and sometimes not. It is a good option if you want to get rid of a bad landlord. It is something not to enter into lightly. There are good stories, there are bad stories. It has gone great where people have saved money, but for others it has not gone so well – so it’s something to look into.’

ARHM has understandably taken a neutral position on the Right to Manage, which is probably because it has advantages for some members but disadvantages for others.

As well as the Right to Manage, the panel also discussed other approaches to obtaining democratic control over schemes. In sheltered housing this was discussed in the context of residents being given the right to vote for the retention of warden services, an approach reported as being supported by Nick Clegg before the last election.<sup>23</sup> **Related to this, we discussed the Right to Manage principle being applied to the social sector.** This would mean that if the majority of social residents were unhappy with their provider, they could vote to be transferred to another housing association. Some members of the panel argued that this would create an additional incentive for associations to address costs and management standards.

We also discussed residents setting up their scheme as a co-operative or mutual, to give them greater control within a framework agreed by local commissioners and providers. The co-housing movement has experienced particular difficulties in obtaining planning permission for schemes, where older people control shared housing and provide mutual support. Some older residents believe this indicates a resistance to offering older people more control by local authorities. This resistance may partly relate to the possible budgetary implications of older people outside an area using care services, but ignores the savings provided by residents offering mutual support.



## Recommendations on the Right to Manage

### For statutory and voluntary agencies

- The panel believes that leaseholders should be given more practical assistance (e.g. legal resources) to make the Right to Manage a realistic option. We think that the statutory and voluntary sectors should have a stronger role in encouraging this.

### For politicians

- We would like a parliamentary review of the effectiveness of the 2002 Commonhold and Leasehold Reform Act and of what government can do to give greater support to older residents who want to exercise the Right to Manage.
- We would like consideration of whether Right to Manage principles could be applied in practice to housing associations. We would certainly like further consideration of how social residents can influence the management and services delivered to their scheme.
- We would like more focus given to helping residents to set up co-operative retirement schemes, and stronger government backing for innovative and pioneering forms of retirement housing that give residents more control, such as co-housing.
- We think it would be useful to investigate progress on the Right to Manage for retired leaseholders and the lessons that can be drawn from this. This could build on previous work carried out by Age Concern England.

## Reform of leasehold

Leasehold is a concept that is almost unique to England and Wales. It dates back to feudal times.

Retirement flats require a leasehold contract, but the terms of these contracts vary from scheme to scheme and can be very complex in relation to the obligations and requirements placed on residents and landlords.

One area of controversy is the inclusion of exit fees contained in many leasehold agreements. Landlords argue that this charge is specified in the leasehold contract as part of the overall cost, and that residents (or their family) have a legal obligation to pay. The Office of Fair Trading is still considering (after several years' deliberation) whether this is a fair term to include in a lease. A key issue is that residents and their families may not fully understand that they have to pay this charge when they sign the contract.

It can be argued that more could be done to simplify leasehold contracts and to ensure that prescribed information is offered to the purchaser, setting out the charges and obligations in plain English. In addition, older residents should have access to solicitors who have expert knowledge of leasehold contracts.

In 2010, Age UK released a briefing paper called *Putting Retirement Housing in Order*,<sup>24</sup> setting out the concerns of residents in relation to leasehold retirement property. Some of the problems highlighted included:

- charging an exit fee
- high insurance premiums
- a lack of competitive tendering for services
- inflated service charges for scheme managers' accommodation.



Age UK is currently working with the ARHM to address some of these problems through the ARHM *Code of Practice*.<sup>25</sup> A separate residents' group, facilitated by Age UK, has given detailed comments about how they think the code of practice could be improved, and this is currently being considered. In addition, CARLEX has taken part in setting up the Leasehold Knowledge Partnership,<sup>26</sup> which also aims to improve leasehold standards and has its own accreditation scheme.

### **Panel viewpoint on leasehold**

We reviewed the possibility of abolishing leasehold altogether. This would be difficult to untangle for existing properties. However, it might be possible to look at the introduction of commonhold for more new schemes if the financial, planning and policy incentives were in place to encourage this. This would probably require changes to the legislation to make commonhold compulsory for all new developments. In this scenario it would be up to residents to democratically select a managing agent of their choice.

We discussed the need for greater regulation of the leasehold sector to protect the rights of residents and to ensure the market was fair and transparent across all the providers. We asked Debbie Matusevicius of the Association of Retirement Housing Managers (ARHM) for her views on regulation. She said:

'One of the main things the ARHM would like to see is regulation of the sector, which would mean that anybody who provides leasehold retirement housing would have to sign up to the Code of Practice. Because there is no legal requirement to sign up to it, it is purely voluntary. The members that have signed up to the code did so because they want to provide a good service and adhere to the code.'

The panel agreed that, despite the legal complexities, a lot more could be done to simplify contracts, make them easier to read and offer greater transparency. There is scope to ensure that buyers are aware of the terms of the lease by requiring information to be provided to prospective buyers in a standard format, spelling out the costs and obligations entailed in the lease. There may be an argument for making this information a statutory requirement so that older people are clear about those parts of the lease to which they need to pay particular attention.

### **Recommendations on leasehold**

#### **For central government**

- We recognise that it would be difficult to deconstruct completely the leasehold system for existing residents. However, we would like to see incentives for new developments to be based on the commonhold model, to replace leasehold for retirement schemes eventually.
- The Leasehold and Commonhold Reform Act gives private-sector residents a much higher level of protection on issues such as consultation, compared with social tenants. We think that some of the rights and obligations in the private sector should be afforded to residents in the social rented sector, i.e. sheltered housing.

### **For providers**

- Leasehold contracts can be unnecessarily complex and poorly drafted. We need a standardised format for leasehold agreements which make ongoing charges and liabilities as transparent as possible. There should be a prescribed information pack drawing purchasers' attention to charges and obligations, to reduce the possibility of misinterpretation.
- Compliance with a code of practice, such as the ARHM Code of Practice, should become a legal requirement. Providing an appropriate regulatory framework is not onerous but protects residents and encourages competition within the sector.
- There should be further investment in advice and advocacy services to ensure prospective buyers understand leasehold contracts.

### **Advice services**

- Buyers should have access to an approved list of solicitors with experience and specialist knowledge of leasehold contracts for retirement housing.

## **Role of solicitors**

Solicitors play a key role in the purchase of retirement housing and the whole conveyancing process. Theoretically, a purchaser's solicitor is in the best position to ensure that the buyer understands the terms of the lease. A solicitor should point out the financial terms of the lease on service charges, exit fees and restrictions around selling and sub-letting.

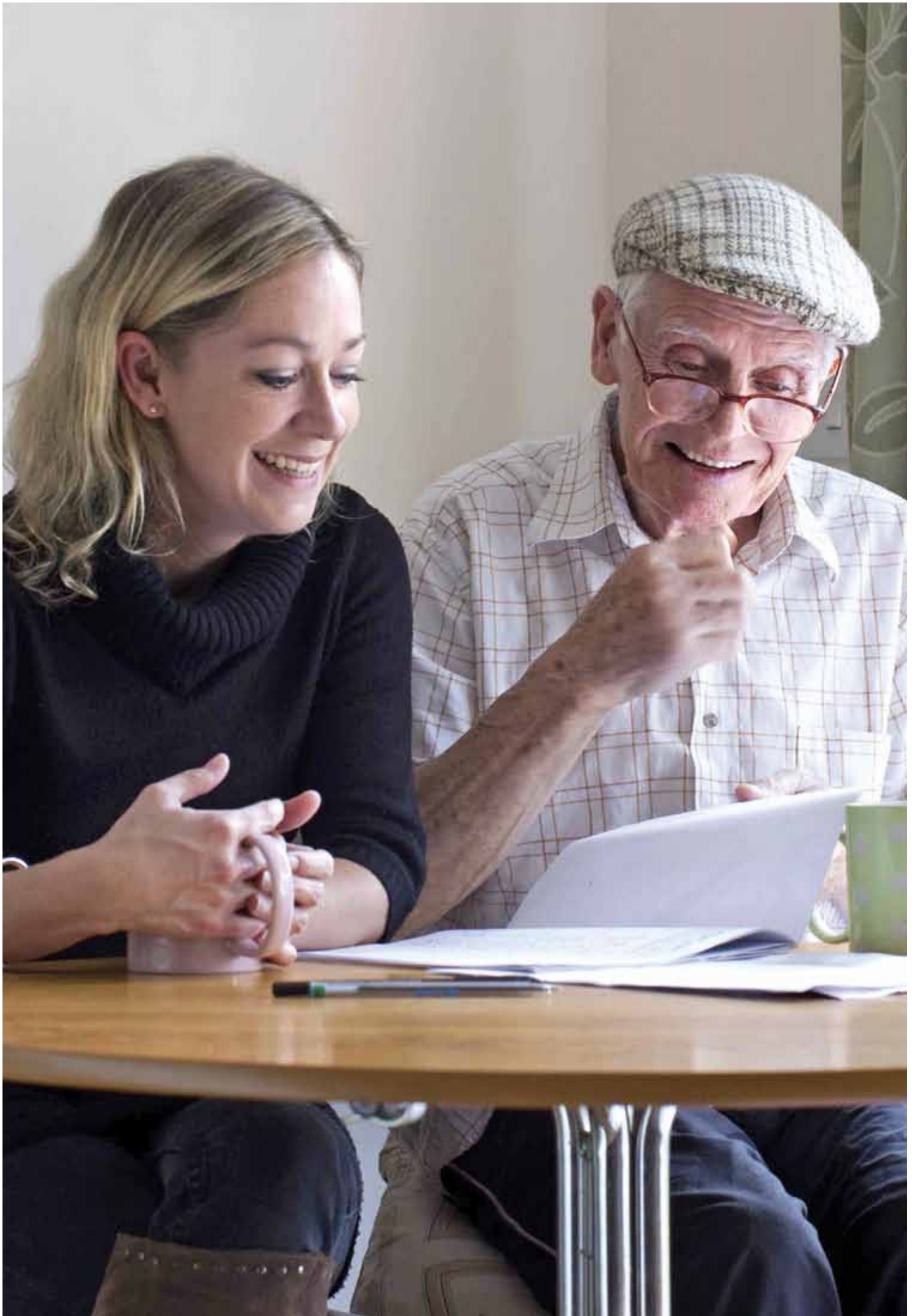
## **Panel viewpoint on solicitors**

We had a short discussion on the role of solicitors, but did not receive any expert evidence to develop our views. The panel was concerned that some solicitors may not have sufficient specialist knowledge to advise clients properly before they sign a leasehold contract. The variation and complexity of leases for retirement housing can be challenging, even for the experts. We agreed that this made it more important for solicitors to have specialist training in this area of law.

### **Recommendations for solicitors**

#### **For Age UK and the Law Society**

- There should be improved specialist professional training for advice workers, solicitors and managing agents dealing with retirement housing. Older people should have confidence that the advice they receive is accurate and comprehensive, before they make a purchase.
- Age UK should work constructively with the Law Society and the Institute of Legal Executives to look at ways of improving professional standards on leasehold advice and legal services related specifically to retirement housing.



# Affordability

Residents living in sheltered and retirement housing have reported dramatic increases in service charges and rents. Incremental increases in the cost of living and rising charges mean that many older people are struggling to make ends meet.

Our expert witness, Debbie Matusevicius (ARHM), said:

‘From a management point of view, for those managing retirement housing, the balance has got to cover the cost of the services. They can’t always control the external costs – for instance, gardening, window cleaning. They might go up at a different rate to pensions. So there needs to be a careful balancing act to get it right. I would like to see absolute transparency, when someone is purchasing a leasehold property. Does the sales literature give all the information in the purchaser’s information pack? Is it absolutely transparent, so you can see what the service charge is? What might I pay to the sinking fund, when I move out of the property? Can you make an informed decision on that?’

## Service charges

Service charges and rent increases are a worry to many residents in both the social and private sectors. Many residents are concerned about rising services charges and whether costs can be reduced. Part of addressing this involves offering residents a better breakdown and explanation of service charges and the opportunity to review and select different service options.

The panel discussed the need for more transparency on charges, both before and after moving into a scheme (with particular concerns about management fees). Unfortunately, there is a danger that costs may be deliberately hidden, to give some providers a competitive advantage when prospective residents compare the apparent costs of a scheme. This could mean that residents find that they are unable to afford to live comfortably in a scheme, because they have not budgeted for the true costs nor taken into account likely increases in charges.

## Panel viewpoint on service charges

Where residents believe that service charges are too high, it can be very difficult to challenge them. Although charges can be challenged through a leasehold valuation tribunal, obtaining a fair outcome can be a struggle where it is difficult to secure the relevant information and present it to the LVT without legal help.

A recurrent theme was the variation in charging and standards of service between different geographical areas. Some are very good and others extremely poor. This was confirmed by our expert witness Domini Gunn (CIH), who told us:

‘There should be some equality across the country in terms of the standard of service that older people can expect from their provider. There should be guidance and advice around costs and service charges, offering clarity. In some areas this was called a “service promise” and we know that some providers still provide this clarity for their customers. If we want to deliver choice and personalisation of services, providers need to provide a clear service offer.’



We think that this information about charges should be collected by central government, so that residents can make comparisons and lobby their landlord for improvements.

Some members of the panel were concerned about having to pay for services that they did not use.

‘[In our scheme] you’re required to pay for a pull-cord system, regardless of whether you use it or not. So you expect that if you are ill and pull the cord, someone at the other end might send for an ambulance. That is what I had to buy into when I bought the flat. I objected to paying a council care package of £9 a week for something we didn’t need and I was eventually allowed to opt out.’

Erica Andrews, panel member

Although residents may not use a pull-cord (for example), it has a preventative function. If charges are too high, residents will want to opt out, regardless of the potential benefits. Such charges also need to be set against the range of other incremental costs in the scheme, to make sure that residents can afford them in their totality. Domini Gunn (CIH) said:

‘[More people would make the best use of services] if there was wider access to a more sophisticated menu of services, for example a bronze, silver and gold service. Some housing providers do this really well, so that you can opt in and out depending on your level of need. For example, if someone has to go into hospital, on discharge they could opt for the gold service for a set time, while recovering. The service level could be reviewed and adjusted as needed.’

The panel recognises that providers and commissioners are under serious pressure to make core charges, to ensure that schemes are financially viable, especially in the current economic climate. At the same time we agreed that there should be a degree of flexibility in recognition of individual need. One of the problems with offering a menu of charged services is that residents simply opt out. There is a difficult balance between giving residents more choice and embedding cost-effective preventative services that benefit all.



## **Recommendations on service charges**

### **For providers**

Sheltered schemes should offer affordable core services built into the overall cost of the scheme, rather than being introduced as an add-on that residents may be unable to afford. This results in residents opting out, regardless of whether or not they might benefit from services.

There should be much greater flexibility in allowing residents to opt in or opt out of additional services, depending on the needs of the individual.

There should be greater transparency in service charges, so that residents can determine whether landlords are really getting the best possible deal for residents.

### **For local authorities and health and wellbeing boards**

- There should be greater recognition of the possible savings of preventive services offered to residents. They should be offered free or at a low cost, to encourage take-up. Local authorities and health and wellbeing boards should contribute to the commissioning and funding of these services, to make savings elsewhere.

### **For central government and providers**

- The panel would like to see a review of service charges and rents, to identify the longer-term implications of increases for self-funders.

## **Rents**

In the social rented sector, the government has attempted to equalise rents, to make sure that tenants living in similar types of property are paying a similar rent, relative to the local area where they are living. Theoretically older people living in similar social rented housing in a particular neighbourhood should not see big differences in rent. However, older residents are concerned that this has resulted in a significant rent increase that they had not anticipated where the rent has been raised to a common level, rather than lowered. Residents still report significant disparities between the rents charged by providers for similar properties in similar areas. As part of central government's 'affordable' homes investment programme, housing associations can introduce 80 per cent market rents (i.e. the rent is 80 per cent of the average market rent in a particular area) – with the revenue contributing to the funding of further new homes.

### **Panel viewpoint on rents**

We are concerned that the move to 80 per cent market rents in the social sector for new properties might restrict access to new residents. We are also worried that this increase for new lettings could eventually also have a knock-on effect for rent levels paid by existing social tenants.



Our expert witness Sarah Davis (CIH) said:

‘The CIH are always talking to government about providing suitable accommodation at the right prices. Those conversations need to happen at a local level, to get local authorities to think about what they need in their locality, based on local incomes. Local authorities need to be looking at their local population, demographic patterns, talking to their local population and plan accordingly. They need to offer suitable prices and choices for older people. We need to make these arguments at a local level.’

### **Recommendations on rents**

#### **For government**

- We would like more investment made in truly affordable sheltered housing, based on the changing needs and requirements of older people. Rents should be affordable to older people on low incomes, not just to those who are better off. Subsidy and investment for more sheltered housing would help in the overall management of stock, by freeing up larger homes.

#### **For local authorities**

- It is essential for all local authorities to have a local housing strategy that properly identifies the housing needs of its older population and meets them in an integrated way alongside their health and social care requirements.

## **Housing Benefit**

The future of Housing Benefit (HB) is a vital issue for sheltered residents. The Government is examining ways of simplifying HB payments to sheltered schemes. They would ideally like a standard payment to cover the additional costs of running sheltered housing (intensive housing management). This is problematic because of the variation in different schemes offering different levels of support, depending on the profile of residents. A more standardised approach could benefit some, but might penalise others, resulting in a further reduction in services.

### **Panel viewpoint on HB**

The panel wanted to get a better picture of how residents might be affected by HB reforms and the introduction of Universal Credit – this will replace a range of existing welfare benefits with the aim of simplification and ‘making work pay’. Our expert witness Domini Gunn (CIH) predicted that the part of HB used to manage schemes, ‘intensive housing management’, might be reduced or cut back in the drive to reduce public spending. If this is combined with cuts to housing support services and reductions in Supporting People funding, many schemes will no longer be able to function in the same way.

Domini Gunn said:

‘The Government has a very clear commitment to reduce the Housing Benefit bill. They are unlikely to accept [intensive housing management] unchecked over the longer term. Where does that leave people in sheltered housing, whose support is paid for by Housing Benefit?’

### Recommendations on Housing Benefit

- Levels of HB need to reflect variations in the cost of managing sheltered housing and the importance of intensive housing management.
- If sheltered housing were taken out of the Supporting People programme, we would expect both the management and support cost to be covered by HB and the new Universal Credit. We think that the benefits of sheltered housing for older people require a holistic funding approach.

### Supporting People funding

Supporting People (SP) was introduced in 2003, to allow the government to identify and control the care and support element provided in specialist housing schemes. This focused on schemes for vulnerable people, particularly in the homelessness sector. Sheltered housing was brought into the new funding arrangements, with reassurances that services would not be affected.

This change meant a separation between the housing management aspects of sheltered housing and the support elements, including scheme managers. Sheltered housing was no longer treated as a complete package, but was subject to short-term service contracts for housing support and uncertain funding commitments under SP. The Government later removed the ring fence from SP (which ensured funding went to housing related support), while local authorities were under pressure to make savings to maintain higher priority services. At the same time, older people moved into sheltered housing, because they thought it would guarantee a stable level of support and community living (which they were not getting in mainstream housing).

### Panel viewpoint on SP funding

The panel argued that separate funding for housing support in sheltered schemes has resulted in the separation of services and cuts to warden-type services. It means that sheltered housing can no longer offer a clear and consistent package to older people because long-term funding for support cannot be guaranteed. We have a general concern that there is still a lack of understanding among policy-makers about the relevance of housing support services, funded under SP, for older people.

Our expert witness Domini Gunn (CIH) said:

‘In one recent interview with a director of adult social care, who had taken on responsibility for housing, we discussed her understanding of housing-related support. Her response was that she thought it meant maintenance, e.g. bleeding radiators. This is after seven years of a programme (SP) that was designed to make people think differently about housing. The housing sector can’t assume that the importance of good housing with support is widely understood.’

### Recommendations on Supporting People funding

- We think that sheltered housing should be funded separately and taken out of the Supporting People programme, with a single funding stream for management and support services. We need to consider the best way of delivering housing-related support to older people that is integrated with health and social care strategies.
- Housing support services for older people should be part of a statutory framework linked to national standards for preventative care and low-level housing support for older people.



## **Inequality and access**

At the moment, only a small percentage of older people are able to access sheltered and retirement housing. As charges go up in sheltered housing, it may mean that only those receiving full benefits are able to cover the costs. There are indications that self-funders on moderate incomes are struggling to meet charges. Residents in the private sector are also facing escalating charges.

If this trend continues it will mean that private retirement housing is a realistic option only to those who are better off, with high levels of equity in their home. Older people in more affluent areas, such as parts of London and the South East, will have greater choice than those living elsewhere. This trend seems to contradict government initiatives designed to encourage a greater number of older people to move into smaller, more manageable homes across the country.

### **Panel viewpoint on inequality and access**

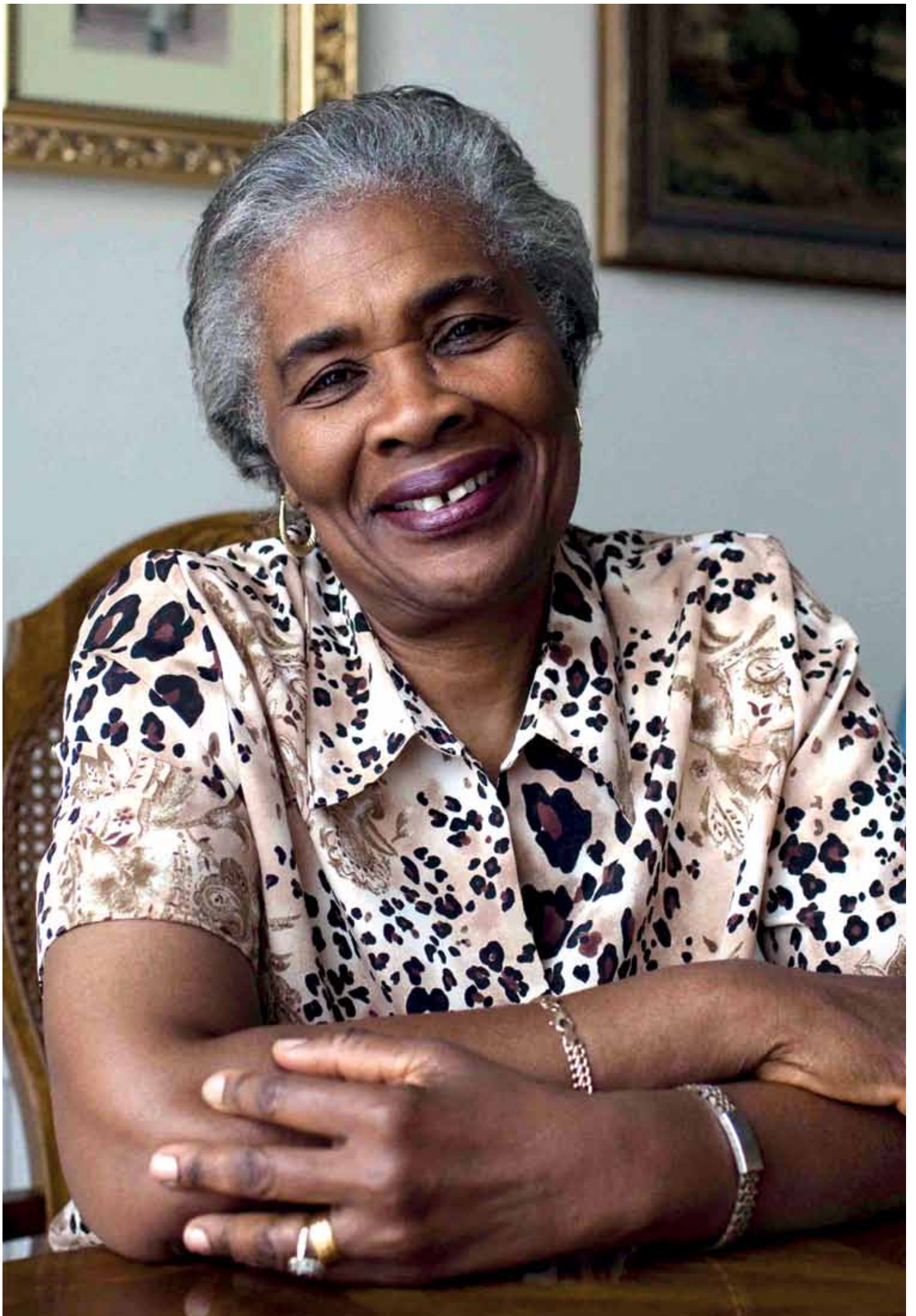
All of us are concerned about the implications of the rising costs of sheltered and retirement housing. Our discussion (set out above) focused on specific aspects of affordability that, taken together, will have serious implications for the future of retirement housing.

## **Recommendations on inequality and access**

### **For government**

- Investment in attractive, accessible and affordable sheltered housing and retirement housing is essential. We would like public investment that ensures that social tenants obtain better guarantees about the level of service they can expect to enjoy, enabling them to live as independently as possible.
- We would like local authorities and clinical commissioners to contribute more to reducing the costs of preventative services in schemes, in recognition of the long-term savings that these services offer.
- In the private sector we would like to see measures that bring down overall costs and make retirement housing accessible to more people. This could be achieved through a range of measures, including greater flexibility in the planning system, the promotion of the Right to Manage, and incentives for the development of commonhold schemes that give residents more control over costs.





# Influencing and consultation

Over the years, residents have expressed exasperation that their views are not taken into account when policy decisions are made that impact on the viability of their retirement communities. Many sheltered housing residents were particularly angry that they were not able to influence the inclusion of sheltered housing in the Supporting People funding programme and the consequent reductions in services.

National groups – such as the Campaign Against Residential Leasehold Exploitation (CARLEX) (for leaseholders) and the Sheltered Housing UK Association (SHUK) (for social rented tenants) – have organised to represent the interests of their members. They do not have the resources of the large charities and are interested in how organisations like Age UK can support them in getting their views across.

The setting up of this inquiry was partly to allow discussion of the forms of support needed to influence central and local government decisions. Despite limited resources, members and supporters of CARLEX have generated significant publicity for their cause and have directly lobbied MPs and ministers.

## Lobbying

Both SHUK and CARLEX have had some success in bringing issues to the attention of ministers and MPs. Members of SHUK successfully lobbied the Department for Communities and Local Government, resulting in the setting up of a ministerial group. They were able to demonstrate that the withdrawal of wardens (scheme managers) was not just a local issue for a few schemes, but affected many schemes and residents across the country.

## Panel viewpoint on lobbying

We believe that residents need greater support to get their views across. Although residents' campaign groups have achieved a lot, they do not have the resources available to the large charities. Some of us believe that organisations like Age UK need to do more to represent and lobby on behalf of residents. We would like more support in raising the profile of the issues in this report, and hope that our findings will stimulate debate among policy-makers.

## Recommendations on lobbying

### For government

- The panel is concerned that there is a failure among policy-makers and politicians to understand the issues impacting on older people living in retirement housing. The panel believe that there needs to be a broad **strategic review of the direction and purpose of sheltered and retirement housing** involving residents. We want the Government to show leadership in resolving some of the problems raised in this report in line with its stated objective of offering older people greater housing choices.

## Meaningful consultation

The issue of consultation is the cause of a great deal of anger in residents' groups. This is because a process that is called 'consultation' is often about telling residents about decisions that have already been made.

Some residents' groups believe that consultation can become an expensive public relations exercise that offers them no real choices or influence. They are also suspicious of one-off consultation exercises in the absence of any ongoing attempt to involve residents in the management of their scheme. There is also concern that local authorities are making decisions about the future of sheltered schemes without properly assessing the needs of people living in the scheme.

### Panel viewpoint on meaningful consultation

A focus for our discussion was the lack of consultation around the withdrawal of scheme managers and services in sheltered schemes. In the private sector there is a requirement in the ARHM Code of Practice<sup>27</sup> to consult on these changes, which is not reflected by a similar broad agreement in the social sector.

We discussed the good practice guidance on consultation supported by the Government, but we agreed that many commissioners and providers had ignored it because it had no legal status. The panel agreed that good consultation is part of an ongoing dialogue developed between residents and providers, rather than a one-off exercise on a specific issue.

## Recommendations on meaningful consultation

### For local authorities and providers

- Residents need to be given the full facts that inform decisions. They need to have the opportunity to influence the range of options and also to suggest their own solutions. Consultation is a waste of resources, if the decision has been predetermined.
- Consultation should not be a one-off exercise when a problem or issue arises. It should be part of a regular dialogue with residents about how housing and support are delivered in sheltered and retirement housing.
- In the leasehold sector, there is a specific requirement to consult over the withdrawal of scheme managers under the ARHM Code of Practice. There should be parity in the obligation to consult between the social and the private leasehold sector.

## The 2011 Localism Act

The 2011 Localism Act and the National Planning Policy Framework will have a significant influence on the development of new retirement housing. Local authorities have greater control over the development of new homes, and communities can produce neighbourhood plans and neighbourhood development orders, allowing certain types of development without the need for planning applications. Theoretically, it could allow older people more influence over the types of retirement housing being built. This is restricted by a lack of housing investment and a reluctance by some local authorities to assess and consider the housing needs of their ageing population.



## Panel viewpoint on the Localism Act

The panel recognises that the profile of retirement housing will be determined at a local level. We are worried that this will lead to significant variations in retirement housing and housing-related support. It will become more difficult for older people to make sense of what is offered locally.

The panel believe that we need to consider basic standards that define what older people can expect from sheltered and retirement housing, regardless of where they live. There is currently an attempt to create a European standard for sheltered housing across Europe. Some residents in England support a common standard that will embed features such as a scheme manager, regardless of location. Providers have opposed this, because they believe it would be too rigid and would not fit with the development of schemes in England. Residents should also be able to make comparisons between schemes in different areas, to promote best practice and to determine whether they are getting the best deal.

### Recommendations on the 2011 Localism Act

#### For older people's groups

- Older people's groups and forums need to campaign for the inclusion of older people's housing needs as part of their council's local housing strategy. This is now critical to influencing the delivery of local housing services.

#### For central and local government

- Localism makes it more important that the Government should collect and disseminate information about the quality and standards in sheltered and retirement housing in different parts of the country. This needs to be shared with residents, to enable them to argue for improvement in their schemes.

## Allocations

In recent times, local authorities have begun allocating places in sheltered housing to younger people on the waiting list. Over the years, vacancies in some types of sheltered housing have increased, particularly bedsit accommodation in poorer locations. In some areas older people are reluctant to move into these schemes; in others the waiting list for places has increased. Local authorities have seen a decline in investment in affordable social housing, which means that they want to make the best use of their existing stock.

Our expert witness Sarah Davis (CIH) told us:

*'There is a difficulty with vacancies in sheltered schemes. The changing needs and aspirations of older people mean they are less willing to move into some forms of sheltered housing. Providers are under pressure to fill voids where there is no other accommodation available.'*

## Panel viewpoint on allocations

The panel argued that sheltered schemes should primarily be designated to older people. It is likely to be **inappropriate to move people with behavioural problems into schemes designed for older people**. A key issue is that providers are not always tackling antisocial and intimidating behaviour. There was some concern on the panel that Government reforms to replace Anti-Social Behaviour Orders with Criminal Behaviour Orders might take the onus off providers to deal with antisocial behaviour that did not amount to criminal activity. The panel agreed that we need to investigate this further.

‘Over the last two years a lot of [residents] are far from happy because the people being put into [our scheme] are a menace, causing no end of problems in the building by their behaviour.’

Andy Harding, panel member

Sarah Davis (CIH) said:

‘Housing organisations need to manage [allocations properly] and ensure that they tackle issues such as antisocial behaviour. There are issues around mediation related to lifestyle and people understanding the impact of their behaviour on others. There is a role for the landlord to bring some level of resolution to those difficulties.’

Although we recognise the pressure on local authorities and housing associations to find accommodation for younger people the current situation is unfair to older residents, especially where there is no consultation on the redesignation of schemes. Many of us moved into sheltered housing for safety and security, which can be completely undermined by antisocial residents being allocated to a scheme. Some of us felt that housing providers had not got to grips with antisocial behaviour in sheltered schemes, despite the great distress it causes to older residents.

We recognise that the issue of the suitability of allocation to sheltered housing is not just related to the behaviour of younger people, but also to older people needing higher levels of support than a scheme can offer.

‘My housing association advertises that it is a home for life, but the problem we have also got to address is that we have a wide age span, in my sheltered scheme, from 55 to 95. And the way the scheme is now operating compared with ten years ago... Those who went in there at 70 are now in their 80s. This has had quite a dramatic effect on how people in the scheme get on with each other.’

David Metcalf, panel member

David Metcalf also said that he believes the scheme managers (wardens) should have a strong role in assessing who should be allocated to a scheme.

Panel member Barrie Thompson lives in a co-operative retirement housing scheme, managed by the residents. He said that members of his committee have a different approach:

‘They don’t just interview the purchasers but also the family supporting that person. If that person has a disability, it is up to members of the committee to ensure there is a proper care package. Our scheme does not have a manager who has the skills to care for somebody with a physical or mental disability, so the family have to ensure support is in place before a purchase. They cannot purchase unless they have a proper care package.’

Barrie Thompson explained that people could enter the scheme if they could demonstrate that they had the networks in place to cater for their support needs. If this support is not available, it can place unfair pressure on other residents living in the scheme. He said: ‘This is not about being exclusive, but practical about the support needs required to make the scheme work’.



There was some concern that vulnerable older people are moved into mainstream retirement housing without being given sufficient support to maintain their tenancy. One panel member, Joe Heggerty, discussed the case of a resident with mental health problems, whose behaviour in the scheme was having a detrimental impact on other residents. Part of the problem was that the support staff were not trained to deal with mental health issues, so did not intervene to resolve the problem. We also discussed the fact that residents with dementia who are not getting the specialist support they need in mainstream sheltered schemes can have a knock-on effect for the other residents.

### **Recommendations on allocations**

#### **For providers**

- The panel is concerned about the impact of some vulnerable people on the wellbeing of other residents in a scheme, in the absence of appropriate support.
- The panel believes that there should be urgent action to tackle antisocial behaviour that impacts on older residents.
- Allocation policies and decisions to redesignate a scheme (e.g. from an older people's scheme to a general supported scheme) should be based on prior consultation with the residents living in that scheme. Residents should have the collective right to veto any redesignation.

### **Black and Minority Ethnic older residents**

The general decline in the number of sheltered schemes has reduced the housing options for many Black and Minority Ethnic (BME) groups. There is less emphasis on designing schemes for different ethnic groups, with a necessary focus instead on how general schemes can be designed to accommodate diversity. In the private leasehold sector there appears to be less retirement housing available to BME groups, perhaps reflecting the location of schemes in predominately white communities. This may also reflect a broader assumption that BME groups are less likely to want to move into retirement housing.

#### **Panel viewpoint on BME residents**

We learned that BME groups experience many of the same issues as other residents, with an ongoing decline in the housing options available to all older people.

We asked our expert witness, Adrian Jones, to explain the issues, based on the extensive research he has carried out. Adrian has worked on numerous projects focusing on the housing and support needs of older people for organisations such as the Orbit Charitable Trust, Anchor Housing, the Race Equality Foundation and the Human City Institute. He also chairs the Chinese consultative group in Birmingham and works for the National Federation of Gypsy Liaison Groups.

Adrian said that although the number of BME older people is relatively small, this is set to increase. He argued that there are diverse housing needs across all groups of older people, regardless of ethnicity.

‘There is an assumption, when talking about older people, that they represent one group – that everyone is the same. In West Kent I was involved in setting up a senior citizens’ panel. Someone said that when they put on entertainment, they mean a traditional sing-song, but I like AC/DC! Older people are a very diverse group in general and increasingly diverse in terms of ethnicity.’

Adrian Jones outlined how there had been a move away from schemes targeting a specific ethnic group.

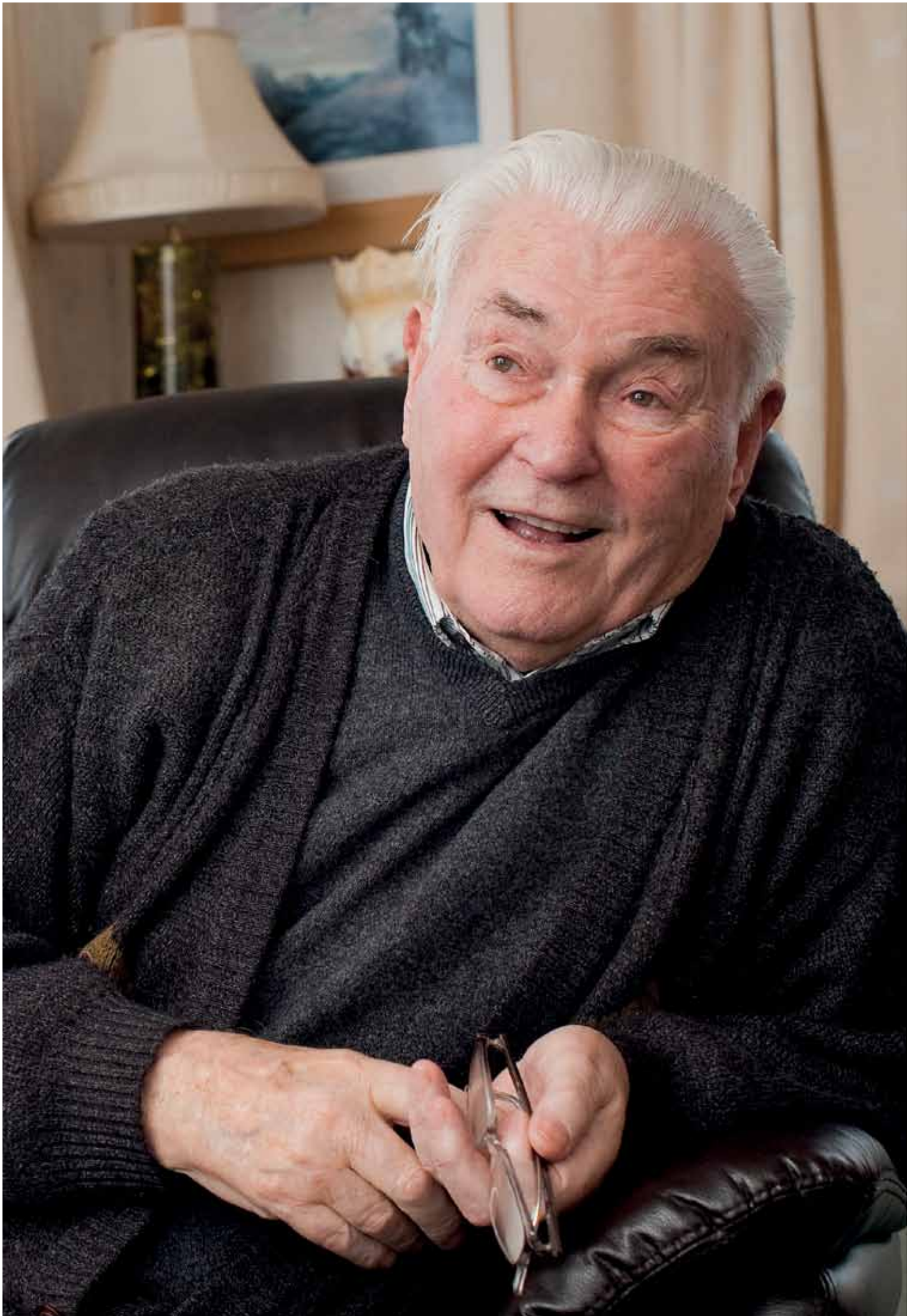
‘In many parts of the country it [developing sheltered housing for BME groups] was about identifying a specific community and addressing their needs through specific provision. [For example,] the approach [might be] to build something for the Chinese community in terms of delivering the service [in a cost-effective way]. Similarly, in different parts of the country there are different schemes targeted at different groups. Given the changes in funding, this is no longer going to be an option. The days of building something for a specific community are pretty much over.’

We discussed whether BME groups have sufficient information about what schemes are able to offer. Adrian told us:

‘Organisations like Elderly Accommodation Counsel and FirstStop provide information on schemes offering provision for specific ethnic groups. The problem is that what schemes can offer to ethnic groups may quickly change. For example, a member of staff may speak Cantonese. The provider may then say the scheme meets the needs of the Chinese community – but that member of staff subsequently leaves. Over 28 years the same issues have come out: a lack of understanding by BME elders of the housing options open to them. That is true of older people generally.’

We discussed how false assumptions have led to the wrong forms of housing being developed for BME elders. Adrian told us:

‘There are many non-evidence-based assumptions made by service providers. The assumption is that because people are of a certain age, they automatically want sheltered accommodation. If you are Chinese in Birmingham there is the assumption that you want to live in particular schemes – but that may not be true. We need to involve BME elders in the service development process. This goes for all older people. We need to involve them in the way the service is provided.’





### **Panel recommendations on Black and Minority Ethnic residents**

#### **For commissioners and providers**

- Cultural and ethnic needs should be incorporated into mainstream retirement schemes in consultation with the local community. The design and location need to meet the requirements of different cultural groups.
- Service providers need to gain a better understanding of the cultural needs of different ethnic groups. Scheme design and location need to meet the cultural requirements of different groups.
- Service providers should develop schemes based on evidence and should properly assess local needs. Many service providers do not have sufficient knowledge about their local community.
- All older people, including BME groups, should be involved in scheme design as part of the service development process.
- Service providers have been poor in promoting what they offer to BME groups. Providers should raise awareness of the services available to the BME community as part of their business plans.
- Providers should employ staff from diverse ethnic groups and ensure that all staff receive cultural awareness training.

### **Lesbian, gay, bisexual, transexual and transgender older residents**

Stonewall Housing has set up a project looking at the housing needs of older Lesbian, Gay, Bisexual, Transexual and Transgender (LGBT) people.

Many of the problems experienced by LGBT groups are similar to those for all older residents. There are serious concerns around gay and lesbian older people experiencing prejudice and discrimination from staff and other residents in retirement schemes. In addition, LGBT residents are more likely to find themselves isolated and without family support, which means that they are disproportionately affected by the withdrawal of housing and community support services (e.g. a warden-type service).

#### **Panel viewpoint on LGBT older residents**

We agreed that older LGBT residents should not be treated differently to any other resident, and that discriminatory behaviour is unacceptable.

The panel discussed the impact that the withdrawal of wardens and other support services has had on LGBT residents. This impact can be disproportionate where residents do not have the same family network available to other residents (although the panel agreed that this could be true of any resident lacking a support network). One of our panel members, Rowena McCarthy, has recently discussed her experience of living in sheltered housing, as a lesbian older woman, in *Inside Housing* magazine (See 'Out of the Shadows' (24/2/12) at [www.insidehousing.co.uk/tenancies/out-of-the-shadows/6520609.article](http://www.insidehousing.co.uk/tenancies/out-of-the-shadows/6520609.article)).

She experienced isolation and loneliness and a ‘minor undercurrent of homophobia’ among residents, which she has campaigned to address. It is difficult to assess the experience of older LGBT residents living in sheltered housing, if they are unwilling to disclose personal information due to a fear of discrimination.

We invited Tina Wathern, from Stonewall Housing, to discuss the issues arising from the Older LGBT Housing Group, which she co-ordinates, currently based in London and looking to extend to the regions. She told us:

‘People can be isolated within a community including sheltered housing and nursing care. There are a lot of people going back into the closet when they move into sheltered accommodation, because they don’t feel able to tell people about who they choose to have as life partners. People take pictures off the wall, move books around, so that they don’t have to out themselves.’

Tina outlined the need to provide awareness training for staff and also to discuss concerns with residents living in the scheme, and to reflect on the treatment of everyone living in the community.

The panel discussed the issue of residents providing confidential diversity information to providers. Tina Wathern said that it was important for providers to record the needs of LGBT residents living in a scheme, and to ensure that they are reflected in policy and practice:

‘People are too embarrassed to ask the question and someone might be offended if you ask the question – but if you are asking it with a range of other questions and you know why you are asking [it should not be a problem].’

There was some discussion about whether monitoring for ethnicity was the same as collecting information on sexuality. There was a concern that there needs to be trust in a scheme’s policies on LGBT in the first place, before residents are prepared to share that information. A member of the panel said that people are reluctant to talk to a scheme manager about finances, so would also be hesitant about discussing their sexuality.

### **Recommendations on lesbian, gay, bisexual, transexual and transgender older residents**

#### **For providers and commissioners**

- Providers need to be sensitive to the needs of LGBT residents.
- Providers need to have policies in place that make clear that discrimination against, and unequal treatment of, LGBT residents is unacceptable.
- Providers need to offer awareness training to staff, but also to talk to residents in the scheme about diversity issues affecting all residents.
- Providers should include LGBT residents in confidential diversity monitoring, to ensure that the policies and practice reflect the needs of older people living in the scheme.
- Providers and commissioners should be aware of residents, including LGBT groups and residents who do not have family support, who tend to be more isolated.
- Providers should support LGBT older people – and others with common interests or outlooks – who wish to set up co-housing retirement schemes.





# Home for life

## Security of tenure

As part of the 2011 Localism Act the Government introduced flexible tenancies for council tenants of up to five years for new tenants (or less than this under certain circumstances). Existing tenants are mostly unaffected. Local authorities will have to produce a tenancy strategy that social housing providers will need to consider before deciding the type of tenancies they offer. Those who transfer to a different property will retain their existing tenancy. Older tenants would be less inclined to move into a smaller, more manageable home, if they were offered a flexible tenancy. If the policy became embedded as a shift away from lifetime tenancies, new generations of older tenants could be affected.

In addition, there are concerns that if short-term tenancies are more widely introduced it could have a knock-on effect (e.g. an increase in crime rates) in the neighbourhood, if new tenants do not feel rooted or do not have any investment in their community.

### Panel viewpoint on security of tenure

Although most older residents will not be affected by the introduction of the new flexible tenancies the panel is worried by the long-term implications – and the principle of preserving a lifetime tenancy.

These changes could provide an incentive for providers to seek to reduce security for new generations of older tenants. Lack of security would have a detrimental impact on the health and wellbeing of older people and should not be seen as a way of managing sheltered housing.

## Recommendation on security of tenure

### For commissioners and providers

- It should be a statutory requirement that older people should automatically be offered long-term security of tenure in both the social - and private-rented sector.

## Pets

There is a convincing research evidence to show the positive health benefits of pet ownership for older people. There is great concern over the number of pets that are euthanised when older people move into a retirement housing scheme. At the same time, there are issues around the ability of older residents to look after their pets and the impact that poor pet ownership can have on other residents.

Age UK previously released good practice guidance<sup>28</sup> that argued for a presumption in favour of pets, based on a clear pet policy (but with a choice of schemes with and without pets).

### Panel viewpoint on pets

We felt that all schemes should have a pet policy, and should set out the conditions that residents have to meet for pet ownership to avoid a negative impact on other residents. It was agreed that for this to work, it requires good management of the scheme to ensure compliance with a responsible pet ownership policy. Some members of the panel argued that some older people prefer to live in schemes without pets, and that this option should be available. One possible solution suggested was that pets are brought into the scheme from outside, rather than allowing residents to own a pet. This allows residents to gain some of the benefits of pets without having the responsibility of looking after them.

### Recommendations on pets

- There should be a clear pet policy that explains the terms of pet ownership, rather than a blanket ban on keeping pets.
- Schemes should have a pet policy that reflects the practical considerations and requirements needed to keep a pet. This should be based on a realistic assessment of the ability of residents to look after that pet. If residents are unable to meet these requirements, a pet should not be permitted.
- Where it is impractical for residents to look after pets, providers and residents could look at the alternatives, such as pets visiting the scheme.

### Accessible structure

A number of initiatives have looked at improving the basic design of retirement housing.

The Lifetime Homes Standard is an attempt to ensure that all housing, not just retirement housing, complies with basic design principles. It helps to deliver accessible housing that promotes independent and active lives.

In the past, poorly designed retirement housing has meant that older residents with a disability had to find alternative accommodation. More mainstream developers are beginning to take accessible design into consideration. The Homes and Communities Agency set up the Housing Our Ageing Population: Panel for Innovation (HAPPI) and produced a report looking at ways of improving retirement housing design in the UK to match progress in parts of Europe.<sup>29</sup>

Accessible design in retirement housing is also subject to legal requirements under the 2010 Equality Act, particularly in regard to communal areas. However, some of these obligations are still unclear across different types of retirement housing and need further clarification.

### Panel viewpoint on accessible design

We discussed the accessibility of schemes in the context of common failures to carry out basic repair and maintenance among some providers.

Panel member Andy Harding said:

*'A lot of these housing associations don't honour what they set out to do. For instance I know a place which has a lift but for the last three weeks it has been out of order. A lady on the second floor is completely disabled and is not able to get out, to go to the doctor or the hospital or whatever. They don't have a policy that says that if a lift is out of order, that person should be moved to where they can gain access.'*

We have seen press coverage of similar cases, illustrating that some providers do not take into account the impact of maintenance issues on disabled and vulnerable older people.

### Space

The issue of under-occupation has received much significant media coverage recently. It is argued that offering attractive retirement housing to older people could help to free up larger family housing. Statistics on under-occupation are based on couples with two or more bedrooms but do not reflect the size of homes.<sup>30</sup>



There is often a view that older people need a lot less space, but this is a false assumption. Many older people now prefer retirement housing offering two bedrooms. Many people want the extra space for personal or health reasons. Others need space to allow children, grandchildren and friends to stay. They still want sufficient space to entertain friends and to invite family and friends over. They want flexible space that can be easily adapted according to their needs – this is one of the key recommendations of the HAPPI<sup>30</sup> report.

### **Panel viewpoint on space**

We are concerned by the number of existing retirement schemes that are badly designed and that lack basic accessibility features. Panel members highlighted difficulties with wheelchairs in the absence of level floors and entrances, no turning space, and problems with the width of doors and lifts.

The panel supports progress in this area through the Lifetime Homes Standard and the Wheelchair Accessibility Standard. There is particular concern that there should be sufficient space to store wheelchairs and mobility vehicles in a convenient location.

Related to this, we are worried about the number of schemes without sufficient parking spaces. The panel felt that sufficient parking was an essential feature for many older residents and should be considered automatically at the planning stage of any scheme.

### **Recommendations on standards**

- Older people's housing should automatically allow for two bedrooms, and this should be reflected in levels of Housing Benefit.
- All retirement housing should comply with the Lifetime Homes Standard, with turning space for wheelchairs and storage space for mobility vehicles.
- The HAPPI design features need to be implemented to make retirement housing a more attractive and interesting proposition for greater numbers of older people.



## Care and support

The Government has recently published its White Paper on social care, following the report of the Dilnot Commission on Funding of Care and Support and recommendations of the Law Commission (see [http://lawcommission.justice.gov.uk/docs/lc326\\_adult\\_social\\_care.pdf](http://lawcommission.justice.gov.uk/docs/lc326_adult_social_care.pdf)). The White Paper included the announcement of additional funding for specialised housing of £200 million over five years. The White Paper supports greater integration between housing, health and social care services.

There are still outstanding issues around the future funding and sustainability of preventative housing-related support for older people and the role of sheltered and retirement housing. This has become a complex topic, because of the range of housing with care offered in different retirement schemes and the extent to which a consistent offer can be made to older residents with different levels of need.

### Panel viewpoint on care and support

We discussed the support and care issues that have arisen, partly as a result of changes introduced by the Supporting People programme (as discussed above). The panel argued that, from a resident's point of view, housing care and support are seen as a complete package, offered by schemes, to help residents to live independently.

We are concerned that services in this area have become complex and fragmented, particularly in the demarcation and boundaries between different staff and their responsibilities. The panel argued that all support staff should have broad training to deal with situations that require an immediate care response. Some panel members said that staff are currently not allowed to carry out certain tasks as a result of health and safety requirements.

Members of the panel are worried by the practical barriers placed on support workers to carry out their role. Floating support and care workers encounter practical difficulties in doing their jobs, such as a lack of parking space and insufficient time allotted to residents.

**Many of the panel praised the role of scheme managers and support workers, who play a vital part in the success of a scheme.**

We are very concerned about the welfare, training, pay and conditions that many support workers face – and the implications this has for all of us. Residents want a positive, friendly relationship with support staff that allows them to demonstrate a concern for welfare beyond box-ticking. This is difficult where the time that workers can spend with residents has been reduced and contracts have been overly formalised.

Some of us were concerned about the lack of communication between housing managers, social services and healthcare providers. There are examples where residents have been discharged from hospital in need of some level of assistance or intermediate support that has not been available within the scheme. Often people rely on the support of other residents in the scheme – but this is not a reliable or sensible approach. We would like health workers and GPs to consider older people's housing situation and not to make assumptions about the support they will receive in retirement schemes.

*'Can we have joined up healthcare? We all know instances of where hospitals send people home without any thought of how they are going to be cared for when they get home... social services and hospitals do not work together.'*

Ken Wright, panel member

### **Recommendations on care and support**

- Care, support, health and housing management should be part of an integrated package, with clear overall lines of responsibility for delivery of the key features that allow schemes to function. Health and Wellbeing boards need to take a lead role in ensuring that this happens.
- More thought needs to be given to the practicalities of delivering floating support services to residents, so that support workers can spend sufficient time with residents.
- We would like to see improvements in the pay, conditions and status of housing support workers, who play an invaluable role in supporting the independence and wellbeing of all residents.
- There needs to be greater clarity about the level of care and support that residents can expect to receive in different types of scheme – and about the cost implications of delivering these services.

### **Safety and security**

Safety and security are prime reasons why many older people move into retirement housing. In communal housing, health and safety (as well as security measures) should be a top priority.

Entry systems, fire and smoke alarms, electrical safety, pendant alarms, etc. have improved and the costs of these features have reduced. Problems in this area may not be related to the ‘hardware’ but rather to the implementation of procedures, regular maintenance and appropriate back-up services.

### **Panel viewpoint on safety and security**

The panel discussed the importance of protecting safety and security in schemes. We did not have time to review the wide range of vital regulations and requirements designed to keep residents safe but some specific issues were raised by the panel. These included security gates and doors being left open or becoming non-operational, thereby increasing the risk of crime. This raised concerns about common failures in basic repairs and maintenance that can undermine safety and security. The panel felt that all residents need much greater awareness of the importance of maintaining security – this included not automatically giving entry to visitors they do not know.

### **Recommendations on safety and security**

#### **For providers**

- We think that there should be greater pressure from the regulator to guarantee that safety and security features are properly maintained, and that complaints about breakdown and failure are dealt with quickly.

#### **For government**

- Key safety and security features for sheltered and retirement housing should be applied to all schemes, in response to dangers highlighted by the Housing Health and Safety Rating System (used by local authorities to assess dwellings). These basic requirements should be part of the Decent Home Standard for all retirement housing.

#### **For residents**

- We would like more to be done to educate residents (and their family and friends) about the importance of compliance with the safety and security of the scheme. If residents fail to observe these requirements it may have serious consequences for everyone.

## Wardens (scheme managers)

Since the introduction of the Supporting People programme we have seen an acceleration in the loss of resident wardens (outlined in the Help the Aged report *Nobody's Listening*).<sup>31</sup>

Providers and commissioners have explored ways to reduce the costs of housing support services, including the replacement of wardens with floating support and greater use of assistive technology. The current economic crisis – and pressure on local budgets – has accelerated this trend. There are concerns that some local authorities have taken a simplistic approach to reconfiguring services that fails to take into account the needs of vulnerable residents. Some residents have made legal challenges over the withdrawal of wardens and the way in which local authorities have made decisions about reducing services.

### Panel viewpoint on wardens

The panel thought an important issue for providers and commissioners of sheltered housing is **what older people were led to expect before they moved into sheltered housing** and the housing and care support they will obtain if their needs increase. We do not have confidence that all commissioners and providers are making proper assessments of the needs of older people living in sheltered schemes.

Our expert witness Domini Gunn (CIH) told us:

‘If, as an older person, you make a decision to go into sheltered housing, you do so with certain expectations about the type of environment you will be living in and the support you will receive. [Solicitors] are dealing with cases where people are challenging the changes to their support services as a potential breach of human rights. The view from the tenant is: ‘I signed up for this service and I’m now being told that I have to pay more or I cannot have that service any more’.

It is understandable that providers and commissioners, in an unstable financial environment, want schemes to be as flexible as possible. This can be unfair on residents who have moved into a scheme on the basis of receiving a certain level of service, only to discover that it has changed when service contracts are renewed.

Domini Gunn said:

‘It is not a case of service commissioners being malicious or uncaring; budgets have been cut by up to 60 per cent in some cases. We are concerned that some short-sighted decisions are being made without due regard to the consequences and increased costs to other services, including health and social care.’

Some of the panel thought that floating support could work where a housing support worker made regular visits to the scheme. However, there was a concern that limits on the time that housing or care support workers spent with residents could undermine their role. Panel members discussed how support workers could have their time with residents restricted by practical barriers, like parking and the distance that workers have to travel. Other members of the panel thought that having a residential manager was absolutely critical to many sheltered schemes where residents were vulnerable.

Some panel members believe that it is unacceptable to withdraw residential wardens from schemes. The discussion around this issue revealed that some sheltered residents are very frail and have high care needs. It can be argued that providing for this group of residents was not the original purpose of mainstream sheltered schemes, but many of these residents want to receive support within their existing scheme, as far as possible.

### **Recommendations on wardens**

- Residents should have the collective right to determine the retention of wardens within a particular scheme, but no resident should be denied appropriate support if a warden is withdrawn.
- Panel members believe that wardens are a key feature of sheltered housing and should be retained on-site. Some panel members believe that retaining residential wardens or 24-hour cover is essential in many schemes.
- The panel believes that there should be greater clarity about the role of scheme managers and the boundaries of their responsibilities.

## **Assistive technology**

The Government has set out its support for telehealth and telecare technology as part of a programme called the Whole System Demonstrator. They believe that assistive technology could keep people with long-term conditions out of hospital, resulting in significant savings for the NHS.

Many older people see the benefits of assistive technology, if they can gain access to it. An issue for residents is how far assistive technology is being used as an excuse to cut services, rather than to enhance the support they receive.

### **Panel viewpoint on assistive technology**

We have mixed opinions about the benefits of assistive technology.

Although we can see the benefits, there is concern that assistive technology is being used as an excuse to reduce human contact with housing support and care workers.

### **Some sheltered residents believe that basic repairs and basic adaptations need to take priority over advanced forms of assistive technology.**

Our witness Domini Gunn (CIH) said:

‘There is increasing interest in the contribution of telecare and telehealth. You can have machines to monitor your every move and protect you from risks, but there is a balance to be struck. We need to ensure that we also provide human contact and prevent social isolation. We need to develop a clear vision about the sort of quality of life we want, to [enable us to] make the best use of new technology. We don’t have that simple statement about what we hope for and expect from services as we become older.’





# Conclusions and next steps

This section (written by Age UK) provides a summary of the findings.

This is the first stage of the inquiry and we hope that this report will encourage more residents to express their views. The inquiry demonstrates the value of engaging older people in the broader policy debate about **the direction and purpose of retirement and sheltered housing**.

The inquiry shows the complexity of the retirement housing sector and the difficulty of suggesting changes that benefit both existing and future residents. Despite this, throughout the inquiry, we have highlighted many common themes and principles that deserve further consideration.

- Who should have access to sheltered and retirement housing?
- How can we guarantee the delivery of affordable and integrated housing support?
- What can we do to promote ‘transparency’ in the sector, both before and after moving into a scheme?
- How can we protect the rights of isolated and vulnerable older residents and prevent them from being exploited?
- If housing advice is so important to older people making the right choices about their housing and care, how can we guarantee access to good independent services nationwide?

There is still a great deal of uncertainty about what sheltered and retirement housing should offer in future in terms of the prevailing financial environment. Continued instability and uncertainty are likely to put off older people on moderate incomes who would otherwise gain from this form of housing. This is not only a shame for them, but it also limits the contribution that

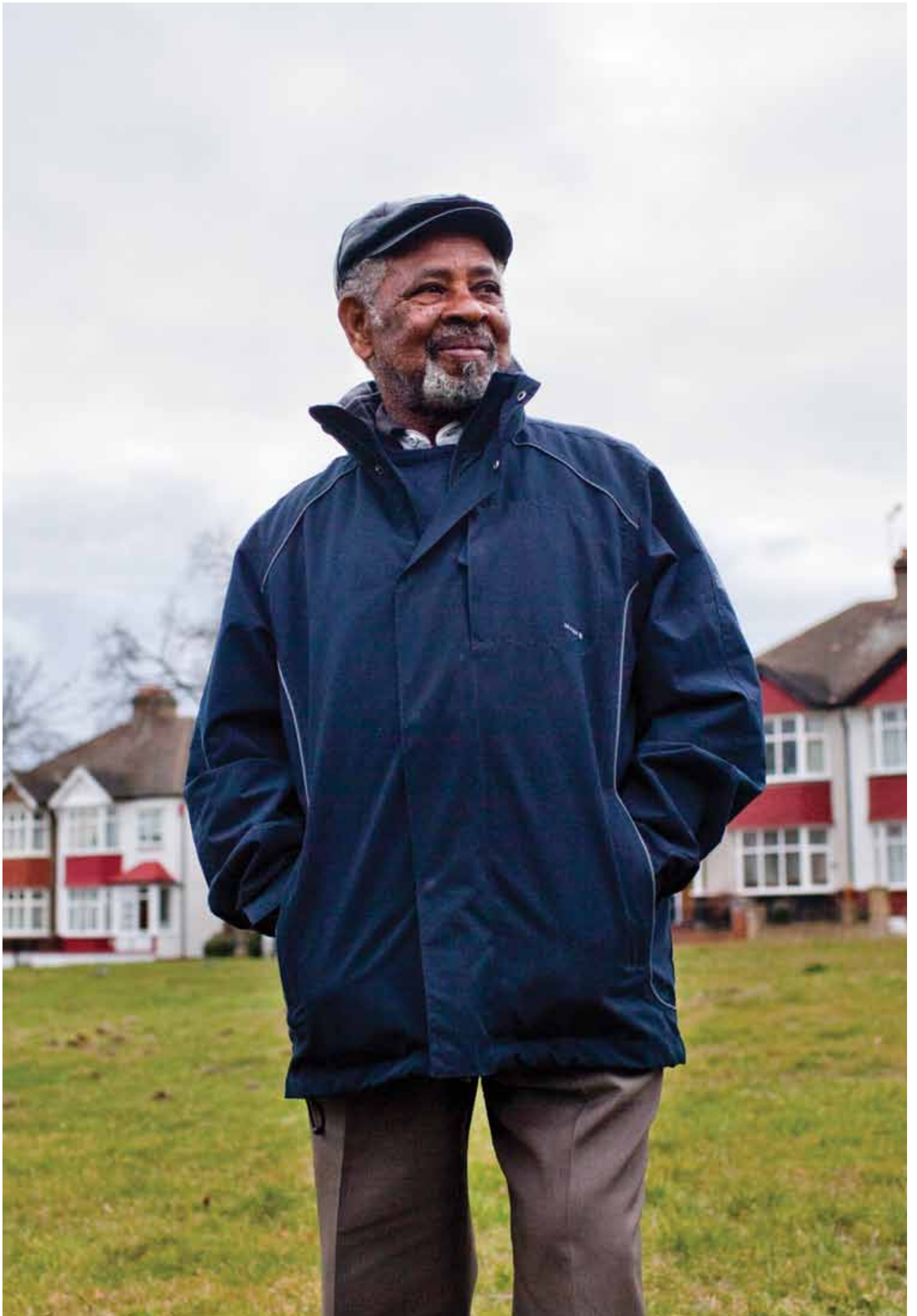
sheltered and retirement housing could make to the current housing crisis. It is unhelpful for the Government to talk about freeing up larger family housing when the housing options available to many older people are so limited and uncertain.

The current and previous governments were opposed to greater regulation of the sector, based on the argument that this would damage the market. The inquiry reveals that the opposite may be true. Selective regulation by the government could benefit the market, by giving older people much greater confidence about moving into retirement housing. Negative publicity around exit fees, service charges, and other potentially unfair practices may deter older people from considering retirement housing. This is compounded by a leasehold system which reduces the control that older residents have over their own property. Some developers and providers are now beginning to recognise the problem, and they support calls for reform.

In the current economic climate, sheltered residents are particularly vulnerable to cuts in services. It seems ironic that a generation of older people welcomed moving into sheltered housing, because they thought it would guarantee a level of housing support that they were unlikely to get in mainstream housing. That is no longer true, and this situation needs to be challenged.

As stated, the intention of the inquiry panel – and of this report – is to open up the debate on sheltered and retirement housing from an older person’s perspective. **We hope that the recommendations in this report contribute to making progress on issues that have been neglected for far too long.**





# Appendix 1: Summary of additional evidence submitted by the Sheltered Housing UK Association

The Sheltered Housing UK Association (SHUK), a national residents' group, has carried out research in several locations, including Devon, Hampshire and Exeter, which they submitted to the inquiry as evidence.

This research focuses on badly neglected sheltered schemes but also reflects issues raised by the inquiry panel and complaints made to Age UK. A key problem in measuring the extent of problems in sheltered schemes is an unwillingness of residents to come forward with complaints because they are worried about the repercussions.

The SHUK research found:

- ongoing loss (or dilution) of warden services, despite these services forming the basis for older people moving into schemes in the first place
- inappropriate allocation of younger people with high support needs to schemes designed for older people
- residents feeling that they are being overcharged for reduced or ineffective services
- residents having to provide care themselves to other vulnerable residents who are not being supported
- residents having no choice but to call out the emergency service for problems that could be dealt with more cost-effectively by better housing support services
- a housing support worker intimidating and threatening residents, who found it difficult to take up a complaint without external intervention

- older people with dementia being allocated to sheltered schemes without appropriate support and supervision
- concerns over a lack of fire drills and arrangements for emergency evacuation (or arrangements based on the presence of an older person's support officer post that no longer exists)
- telecare call-out systems where support staff are located too far away from the scheme to offer swift assistance.

SHUK highlights that scheme managers and support services have been withdrawn from sheltered schemes where residents are extremely frail and vulnerable. Commissioners and providers have argued that sheltered housing was never intended to provide high levels of support for these groups. They may question whether residents should be offered alternative supported accommodation, or whether the problems reveal a failure of either social services or the scheme provider (although this is academic to the residents concerned). Providers may argue that if sheltered housing is meant to offer general needs housing with some communal features and basic support, it is reasonable to examine how limited resources can be used more effectively for all older residents.



SHUK strongly contend that its research demonstrates that this position is problematic for several reasons. When some residents moved into a sheltered scheme, they had care and support needs that the scheme promised to cater for through on-site services. The fact that these have been withdrawn or reduced is now subject to legal challenge, related to the terms of tenancy agreements. In addition, older people who moved into the scheme many years ago now require higher levels of support – similar to that offered in extra-care housing. They therefore believe that the retention of on-site services is essential. This is particularly relevant where it is too expensive to remodel schemes as extra care housing – in these circumstances, a warden-type service offering full cover is seen as vital.

Details of the case studies on which the research is based can be found at:

<http://worldofdifference.vodafone.co.uk/blogs/anne-ludlow>

## Appendix 2: Profiles of panel members

**Erica Andrews** is from Southampton. She lives in a leasehold retirement scheme and is secretary to the residents' panel. Apartments in the scheme are owned and partly rented. Erica is also on the committee of the Eastleigh Parishes Older People's Forum.

**Andy Harding** is a housing association tenant living in Cambridge, but was previously with another large provider of retirement housing.

**Joe Heggerty** lives in central London in sheltered housing and is a member of the Sheltered Housing UK Association (SHUK).

**Robin MacKay** lives in Yeovil in a retirement leasehold housing development that exercised the Right to Manage.

**Rowena McCarthy** is a tenant and chairs her housing association's LGBT residents' group. She is a member of Stonewall Housing Older LGBT group. She is also involved in Opening Doors London, designed to ensure that older LGBT people have access to social groups.

**David Metcalf**, FCA, is a retired chartered accountant who lives in sheltered housing provided by a housing association. He helped to form the Tonbridge and Malling Seniors Forum with the assistance of Age UK.

**Alan Pullen** is chair of the Sheltered Housing UK Association (SHUK) and lives in London.

**Judith Scholes** lives in private retirement housing in Swindon.

**Barrie Thompson** from Swindon is a leaseholder in a co-operative scheme, where he is vice-chair of the management committee. Barrie has also been a local councillor for many years, with a role in housing.

**Tony Warren** is a resident representative who has been active with the Campaign for the Abolition of Residential Leasehold (CARL) and the Campaign Against Residential Leasehold Exploitation (CARLEX). Tony is a leaseholder in a large retirement housing scheme.

**Ken Wright** lives in Colchester and is a leasehold resident. Ken is a member of an independent residents' forum called InFoRM, established by McCarthy and Stone. The residents' forum has 16 members spread over England, Wales and Scotland.

**Patrick Yates** represented the Sheltered Housing UK Association (SHUK).

# Notes

- 1 N. King, J. Pannell and I. Copeman (2009) *Nobody's Listening: The impact of floating support on older people living in sheltered housing*, Help the Aged
- 2 House of Commons Communities and Local Government Committee (2009) *The Supporting People Programme*, London: The Stationery Office
- 3 Age UK (2010) *Putting Retirement Housing in Order*
- 4 CARLEX: <http://carlex.co>
- 5 Homes and Communities Agency (2009) *HAPPI: Housing our Ageing Population: Panel for Innovation*
- 6 National Housing Federation (2011) *Breaking the Mould: Re-visioning older people's housing*
- 7 N. Hughes (2012) *A Better Fit? Creating housing choices for an ageing population*, London: Shelter
- 8 As note 1
- 9 National Housing Federation (2010) 'More Than Just a Few Kind Words!' *Reshaping support in sheltered housing: A good practice guide for housing providers and local authorities*
- 10 Chartered Institute of Housing (2010) *A Guide to Making Complaints for Sheltered Housing Residents*
- 11 Centre for Housing and Support (2010) *Effective Resident Involvement and Consultation in Sheltered Housing: A good practice guide for providers and commissioners*
- 12 As note 6
- 13 M. Ball (2011) *Housing Markets and Independence in Old Age: Expanding the opportunities*, Henley Business School
- 14 N. Hughes (2012) *A Better Fit? Creating housing choices for an ageing population*, London: Shelter
- 15 Association of Retirement Housing Managers (2007) *Code of Practice*
- 16 Joseph Rowntree Foundation. Better Life Programme. Available online: [www.jrf.org.uk/work/workarea/better-life](http://www.jrf.org.uk/work/workarea/better-life)
- 17 HM Government (2011) *Laying the Foundations: A housing strategy for England*
- 18 Dilnot Commission on Funding of Care and Support (2010) *Fairer Care Funding*.
- 19 [www.housing-ombudsman.org.uk](http://www.housing-ombudsman.org.uk)
- 20 Department for Business, Innovation and Skills (2012) *Empowering and Protecting Consumers: Government response to the consultation on institutional reform*
- 21 As note 6
- 22 Cambridge Centre for Housing and Planning Research (2012) *Evaluation of the FirstStop Information and Advice Service for Older People, Their Families and Carers*
- 23 M. Hilditch and C. Stothart (2010) 'Clegg: "Let elderly vote on wardens"', *Inside Housing*, 23 April
- 24 As note 3
- 25 As note 15
- 26 [www.leaseholdknowledge.com](http://www.leaseholdknowledge.com)
- 27 As note 15
- 28 S. Henning (2009) *Keeping Pets in Private Retirement and Sheltered Housing: A good practice guide*, Age UK
- 29 As note 5
- 30 As note 5
- 31 As note 1





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