

**National Assembly for Wales
Environment and Sustainability Committee
WFG 77
Well-being of Future Generations (Wales) Bill
Response from Leonard Cheshire Disability**

**The Wellbeing of Future Generations (Wales) Bill:
Consultation response by Leonard Cheshire Disability**

Leonard Cheshire Disability is very grateful to have the opportunity to respond to the Environment and Sustainability Committee's consultation on the Wellbeing of Future Generations (Wales) Bill.



In our response, we have not sought to answer all of the questions raised in the Committee's consultation, but have focused our response on the Committee's terms of reference for this inquiry.

About Leonard Cheshire Disability

At Leonard Cheshire Disability we work for a society in which everyone is equally valued. We believe that disabled people should have the freedom to live their lives the way they choose - with the opportunity and support to live independently, to contribute economically and to participate fully in society.

We are one of the UK's largest voluntary sector providers of services for disabled people with over 250 services across the UK including care homes, care homes with nursing and homecare services. We aim to maximise personal choice and independence for people with disabilities and all of our services are designed to meet the needs and priorities of the people who use them.

This response focuses on those areas where we have a specific expertise and knowledge, both as the UK's largest voluntary sector provider of social care services to disabled people and as a leading disability campaigning charity.

How the Welsh Government should legislate to put sustainability and sustainable development at the heart of government and the wider public sector

Leonard Cheshire considers that placing a duty on public bodies to deliver wellbeing goals has the potential to deliver a positive cross-cutting, co-ordinated response to a wide range of issues. However, it is important that such goals are sufficiently specific that they drive focused delivery, rather than simply asserting generic principles.

The general principles of the Well-being of Future Generations (Wales) Bill

Leonard Cheshire Disability welcomes and supports the general principles of the Well-being of Future Generations (Wales) Bill, as we believe it has the potential to help us achieve a disability-aware and disability-friendly Wales.

This Bill also has the potential to support longer-term decision making. Sustainable decisions should accurately reflect the importance of demographic change in terms of our ageing population, as well as the increasing number of disabled people, and their increasing mobility and care needs as a key driver for change.

Three of the Wellbeing Goals are particularly welcome to Leonard Cheshire:

- A 'healthier Wales' - a society in which people's physical and mental wellbeing is maximised and which choices and behaviours that benefit future health are understood; and
- 'A more equal Wales' - a society that enables people to fulfil their potential no matter what their background or circumstances.
- 'A Wales of cohesive communities' - attractive, viable, safe and well-connected communities.

However, we would welcome further information on the Welsh Government's policy intentions for the Bill, as well as the Wellbeing Objectives that it anticipates these Wellbeing Goals will give rise to. We would also welcome specific Wellbeing Goals intended to improve the lives of disabled people in their communities, in terms of services provided, accessible recreational facilities and the provision of disabled-friendly homes. For example, we believe the definition of 'A Wales of cohesive communities' should be amended to become 'attractive, viable, safe, **accessible** and well-connected communities.'

In particular, we would advocate that the Welsh Government and Local Authorities' Wellbeing Objectives should include the provision of disabled-friendly housing and wheelchair accessible homes, with clear, transparent measures to monitor the delivery of such. We would be very grateful if the Committee would raise this matter with the Minister in its scrutiny of the Bill's principles.

Disabled-Friendly Homes

At Leonard Cheshire Disability, we believe living in suitable accommodation is crucial to our wellbeing and our ability to take advantage of the opportunities that life offers. There are some things none of us should have to endure in twenty-first century Britain and that includes washing every day in your kitchen, at the sink where you peel your potatoes and wash your plates, sleeping in a living room instead of a bedroom or using a toilet that has no privacy because a door prevents someone using a wheelchair from entering. But our nation's shortage of disabled-friendly homes is forcing thousands of people to live in these Victorian conditions every day.

While some homes in Wales are either fully accessible, or ready for the adaptations that people will need as they age, or become disabled, too many more are simply not disabled-friendly.

A significant proportion of Welsh homes can only be adapted to include features such as stair lifts, grab rails or a wet room at significant cost, while for hundreds of thousands of others these adaptations are simply impossible. The effect of this severe shortage of adaptable and accessible homes is placing enormous stress and pressure on thousands of disabled and older people, as well as the care system and the health service.

Too many people are forced into care or often, due to falls, slips and trips in their own home, into hospital. For example; one trip to hospital for someone who slips on the stairs because they can't install a stair-lift costs an average of almost £1,800¹ - 60% more than installing Lifetime Homes features in a new home.

Every hip fracture costs the NHS over £28,000² - and brings no end of pain and upset to families across the country - but it could easily be prevented by the installation of grab bars in halls and bathrooms, for less than a fifteenth of the price.

These unnecessary accidents and hospital admissions place extraordinary resource pressures, both in terms of man-hours and cost, on care services, paramedics and hospital wards. It also contributes to preventing a large and growing section of society from living independently with dignity and being afforded the same rights as people without disabilities. The impact of this shortage includes the right for disabled people to live safely with their families, go to their neighborhood school, secure employment, and even raise families of their own.

Worse still, as the number of disabled and older people grows, this hidden crisis is going to get worse and worse. 1 in 10 people in Great Britain report some kind of mobility problem. That is 5 million people who are likely to need disabled-friendly homes³.

What is the solution?

Building a home to disabled-friendly standards - called Lifetime Homes Standards⁴ - involves, among other things, building it with wider doors and walls strong enough for grab-rails in case the owners need them in the future.

¹ Source: Cabinet Office unit cost database (2011/12)

² Better outcomes, lower costs: Implications for health and social care budgets of investment in housing adaptations, improvements and equipment: a review of the evidence

³ The Hidden Housing Crisis - Leonard Cheshire Disability

⁴ Full details available here:

http://www.lifetimehomes.org.uk/data/files/For_Professionals/accessible_revisedlthstandard_final.pdf

It is estimated that building homes to such standards costs an average of £1,100⁵ extra per property across the UK. Wheelchair accessible homes, specifically designed for those who use wheelchairs, cost a little more⁶ but are essential to ensuring that disabled people can live comfortably and safely. So, not only is this the right thing to do - it's also the sustainable thing to do; it's something that actively secures the well-being of future generations.

Adapting a property after it's built is so much more expensive and less effective. And not adapting it condemns people to the misery of Victorian strip washes, forces them to sleep in their living room rather than their bedroom, or exposes them to nasty and costly slips, trips and falls caused by lack of grab rails, hoists or stair-lifts.

Ultimately this is likely to result in people leaving their own home and/or incurring massive care costs, when they would prefer to stay and live independently. This is hardly a situation that can be deemed conducive to a community or individual's wellbeing or to be construed to be in line with aims and intentions of the 'Framework for Action on Independent Living' launched by the Welsh Government in September 2013.

More broadly we support the intention to strengthen the governance framework for sustainability. However, **we consider that it should make far more explicit reference to housing in general and provision of accessible housing for people with disabilities in particular.** It is vital that progress in this area is effectively evaluated and measured to provide clear evidence of what works, what isn't working and what hasn't historically worked so that that information/evidence clearly underpins future policy decisions.

The establishment of a Future Generations Commissioner for Wales, and the Commissioner's role

Leonard Cheshire Disability supports the introduction of the Future Generations Commissioner in principle. We also welcome in principle the proposal that the Commissioner's advisory panel will include, amongst others, the Older People's Commissioner and the Chief Medical Officer. **We would further recommend that wider membership should include a representative who champions the needs of people with disabilities.** We would also welcome further detail on the scope of the Commissioner and Advisory Panel's remit, membership, duties and powers.

In particular, **we believe the Commissioner will need robust and well-defined powers that will support the effective implementation of the legislation.** A perceived lack of power and authority would severely

⁵ Estimates vary. The CLG Housing Standards Review Consultation Impact Assessment estimated the average cost as £1,100. A previous CLG estimate put the average cost at £547. DCLG The Future of the Code for Sustainable Homes, 2007

⁶ Around £13,000 for all sizes of home, according to CLG, Housing Standards Review Consultation: Impact Assessment

undermine the credibility and purpose of the Commissioner. The powers of the Commissioner should be sufficient to ensure an effective relationship can be established with public bodies in Wales, and that the Commissioner's authority will be respected and acted upon. We would support powers that enabled the Commissioner to review the objectives and wellbeing goals set by any public body in terms of their wellbeing plans. This would enable a consistent approach across Wales and ensure that objectives were consistent with the sustainable development principle.

We object to the inclusion of the provision in Part 3 Section 20 of the Bill for a public body (other than an elected body) to choose not to follow the Commissioner's recommendation on a particular matter. Leonard Cheshire Disability believes this provision to be unsound because if such a public body believes that it has good reason not to follow a recommendation made by the Commissioner, the duty must be for such a body to persuade the Commissioner and the advisory panel of its case, and to publish any rationale for their decision. The legislation therefore should be amended so as not to allow a public body to ignore the Commissioner's recommendation without both a persuasive argument and a transparent rationale.

We also question the Welsh Government's rationale regarding Part 3 Section 25 sub-section (2), for the Commissioner's term of appointment to be for between three and five years. Leonard Cheshire feels that- given the responsibilities of the post and the long-term nature of the policy intentions of the legislation this is a relatively short space of time. By contrast, the Children's Commissioner has a seven-year period of appointment; a period we feel would be a more in this case also.

It is also vital that the Commissioner - and the advisory panel - is seen to be independent of Government, in part because Government itself will be subject to their recommendations. **We would therefore advise that the Commissioner, and the non-statutory members of the advisory panel, should be appointed by the National Assembly for Wales rather than Ministers,** and would strongly support an amendment to this effect. The Commissioner must be free of political incumbency, to allow them to disagree with the Government of the day; this is less likely to be the case if the appointments procedure enables the Government to appoint someone on a political basis.

Any potential barriers to the implementation of these provisions and whether the Bill takes account of them

Leonard Cheshire feels there is a lack of clarity within the Bill as to the date for full commencement of its provisions. We would recommend that a commitment to a commencement of all provisions should be included in the text of the Bill itself, to ensure a prompt delivery of its objectives.

Public Services Boards

Leonard Cheshire Disability supports the establishment of Public Service Boards (PSBs) in principle. Such boards have the potential to deliver public services that are both effective and citizen focussed. We believe such services should include the provision of accessible housing for people with disabilities. We note that such Boards must prepare and publish an assessment of the state of economic, social and environmental wellbeing in their areas, and that the assessment must ‘include an analysis of the state of wellbeing of any category of persons in the area whom the board considers to be vulnerable or otherwise disadvantaged.’

We would be grateful if the Committee would clarify with the Minister whether it is anticipated that such persons would include:

- disabled people;
- people disadvantaged by non-disabled-friendly-housing;
- people disadvantaged by local community services that are not accessible for people with disabilities

It is also vital that there are clear, transparent mechanisms for PSBs being held to account. We note that Public Service Boards must prepare and publish a local wellbeing plan setting out how the board will pursue its local aims, and must subsequently publish annual progress reports. We welcome in principle the introduction of such wellbeing plans and annual reports, but are concerned that the detail of such documents should be open to scrutiny. For example, we would wish such plans to set meaningful objectives, milestones and outcomes, so that the associated reports will reflect any failings or shortcomings in services, and clearly set out a path to improve them.

Conclusion

We hope our response to this consultation is helpful to the Committee in its consideration of the principles of this important legislation, and we would be very happy to provide further information as required. For information we have attached a link to our UK-wide [Home Truths Campaign](#) launched in July 2014, highlighting the very real housing crisis facing disabled people and their families.

Rhian Stangroom-Teel
Policy and Public Affairs Officer (Wales)
Leonard Cheshire Disability
Telephone: 0292 0444 122
E-mail: rhian.stangroom-teel@leonardcheshire.org