



## **KZN Human Settlements**

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*uMnyango wezokuhlaliswa komphakathi*

*ISIFUNDAZWE SAKWAZULU-NATALI*

# **RESEARCH REPORT ON THE HOUSING POLICY FOR THE AGED AND DISABLED**

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## **EXECUTIVE SUMMARY**

KwaZulu-Natal does not have any policy that distinctively addresses the needs of the Aged and Disabled and as such they have been excluded from the mainstream of society. The purpose of the report is to research and analyze findings of other government and international bodies in terms of housing with regard to vulnerable groups, specifically the aged and disabled and how such bodies implement and adopt such policies in aid of the vulnerable groups. To further consider which analyzed policies are most beneficial to these vulnerable groups and why are these strategies successful.

### **Conclusions based on Research:**

Both the Gauteng and Cape Town Policies make provision for the aged and disabled and they also confirm that whilst the disabled are a minority within their provinces as well as the country, these persons are still entitled to benefits as any other citizen of the country.

The KwaZulu-Natal Department of Human Settlements “Transitional Housing Policy” which is currently used or adapted to cater for aged and disabled persons was found to be inadequate in that there are no specifications indicating that this policy should prioritize the housing needs of the aged and disabled. The policy categorizes them as persons who could benefit under the projects allocated and funded for transitional housing. Furthermore the policy makes provision for temporary housing solutions instead of permanent residential accommodation.

The Cape Town Housing Delivery Programme does not have a clear direction as to how the disabled can be assisted even though it identifies them as a vulnerable group but does not consider them to be as important as the other groups which include youth and women.

The New South Wales Disabled Subsidy Scheme and Housing policy for the Elderly and the Communities and Local Government United Kingdom’s “National Strategy for Housing in an Ageing Society” also makes provisions for this class of persons. It does not empower them or tries to establish any form of community involvement for this vulnerable group, it has merely outlined a housing policy to be implemented.

With regard to United Nations “The Madrid International Plan of Action on the Ageing, 2002” and The Republic of South Africa’s “Older Persons Act of 2006”, both these legal rules can be used as legislative framework considering that they also promote that which is contained in The Constitution of South Africa and further stipulates those rights which the aged and disabled are entitled to.

**Recommendations based on Research:**

That the Gauteng Department of Human Settlements Housing Development Sector Involvement Strategy (HDSIS) should be used as a guideline and framework in establishing and creating a suitable Housing Policy in KwaZulu-Natal for the aged and disabled. The HDSIS encompasses that which is enshrined in the Constitution and the Housing Act and has a six year strategy plan and that the regulatory framework should be reviewed and improved upon for the growth of persons with disabilities.

The core principles of the New South Wales Housing Policy for the Elderly and the National Strategy for Housing in an Ageing Society; Communities and Local Government UK can be modeled within the South African context and used as a guideline.

The KwaZulu-Natal Department of Human Settlements “Transitional Housing Policy” is used in circumstances where temporary housing solutions are required or where institutions intend providing accommodation for street dwellers instead of it being implemented for persons who are aged and disabled.

The United Nations “Madrid International Plan of Action on the Ageing, 2002” and Republic of South Africa’s “Older Persons Act of 2006” can be incorporated as part of the policy legislative framework thus enhancing and complimenting other legal rights which are afforded to persons who are aged and disabled.

# **RESEARCH REPORT ON THE HOUSING POLICY FOR THE AGED AND DISABLED**

## **1. INTRODUCTION**

During the new political regime in 1994 the Constitution of the Republic of South Africa was introduced. The Constitution sought to remedy the wrong from the past and provide our country with stability, equality of rights and freedom. The rights conferred by the Constitution to its citizens included:

Section 9 – the right to equality and which states that all citizens are equal before the law and has the right to protection and benefit of the law. To promote the achievement of equality, legislative and other measures designed to protect and advance persons, or categories of persons, disadvantaged by unfair discrimination may be taken.

Section 26 – the right to have access to adequate housing and the state must take reasonable legislative and other measures within its available resources in order to achieve the progressive realization of this right.

From the Constitution various Acts and Statutes came into being which sought to further the objectives envisioned by the Constitution. The National Housing Act of 1997 was conceptualized and implemented by government. The Act specifically promotes Section 9 and 26 of the Constitution.

In June 2008 the Product Development Component of the former Provincial Department of Housing as part of its research invited various role players and stakeholders to a workshop session to debate and reach consensus on how vulnerable groups can be assisted by the department.

The debate sessions was based on the following key areas for the vulnerable groups namely;

- Housing Subsidy
- Employment
- Training

The debate session was concluded with the following suggestions made by the attendees:

### *Housing Subsidy:*

Preference should be given to vulnerable groups in terms of housing ad sites located closer to social amenities should be reserved for this group, in particular the disabled.

Establish a data base for each community that will be upgraded regularly by the research component. This database would assist the Department in establishing the number of disabled persons who have qualified for housing and progress made in respect of same.

*Employment and training:*

- Suitable employment should be given to vulnerable groups
- Youth should be given priority provided that they meet the qualifying criteria.
- Training should be provided for unskilled and semi-skilled labour
- Opportunities for skilled labour should be created.
- Bursaries and internships should be provided
- Contractors should be encouraged to employ vulnerable groups in the allocation of projects and sub-contracts

## **2. PURPOSE**

This research aims to analyze policies and strategies of other government bodies and international bodies in terms of housing with regard to vulnerable groups specifically the aged and disabled and how such bodies implement and adopt such policies in aid of the vulnerable groups. It also aims to consider which policies are most beneficial to the vulnerable groups and why are these strategies successful.

## **3. PROBLEM STATEMENT**

Currently KwaZulu-Natal has no policy or procedure in operation which deals with the needs and requirements of the aged and disabled in respect of housing. The Department of Human Settlements is a government entity which facilitates and provides for the social needs of the communities in this country. It is therefore imperative that some form of policy should be developed which takes into account the needs of the aged and disabled and which would address their specific requirements with regard to housing.

## **4. RESEARCH TECHNIQUE**

The technique adopted in undertaking the research was a combination of desktop studies as well as telephonic queries and requests for information via facsimile. The organizations used for research include the Gauteng Department of Housing, Cape Town: Department of Housing; New South Wales: Department of Housing.

## **5. FINDINGS**

### **5.1 KwaZulu-Natal Department of Human Settlements: Transitional Housing Policy**

The National Department of Housing has acknowledged the need for transitional housing and it was then determined that each Provincial Housing and Development Board establish its own policy and guidelines thereto. This Policy

seeks to ensure the safety and security of people who cannot afford the standard accommodation options, reduce criminal activities which are associated with uncontrolled street dwelling, reduce the incidence of street dwellers.

#### *5.1.1 Institutional Requirements:*

An appropriate institution must be established. The transitional housing projects will vary by nature i.e. the use of section 21 companies where institutional subsidies are granted within the urban context. The institution must either have ownership of the property on which the transitional housing is to be constructed or alternatively must have a registered long term lease in respect of that property. Projects which are municipality driven should have councilors and officials of the municipality sitting as members of board of directors of the respective section 21 company. With regard to charitable projects it is required that the membership of the company and its board of directors have the necessary capacity, expertise in order to manage and implement these projects.

#### *5.1.2 Subsidy payments*

In terms of the institutional subsidy requirements the total subsidy amount can be paid to beneficiaries of the project which has been established. This subsidy amount was previously 70% however it has now been amended to 100% with effect from 3 June 2004. The institution may make use of an existing building or alternatively construct a new building to accomplish the need for transitional housing.

#### *5.1.3 Application*

The institution is required to provide information pertaining to the type of building to be used, full details of the target market of the development, possibly the details of the anticipated size of the families to reside in the facility and the income of the households. Considering the development is targeted at temporary dwellers subsidies are granted according to the number of beds provided by the institution.

#### *5.1.4 Obligations of the Institution*

The institution is required to keep a register with occupants details including the occupants name identity number, occupation and usual address. The institution should also ensure that it is feasible and practical to attempt the conclusion of lease agreements with occupants. Further the institution is required to outline how management costs are covered and also the sustainability of the project.

#### *5.1.5 Termination of Facility*

In circumstances where the institution discontinues the operation of the facility for which it has received the transitional housing subsidy, such institution will be required to apply such assets to a facility of a similar nature.

## **5.2. Gauteng Department of Human Settlements: Housing Development Sector Involvement Strategy; 2008-2014, for the disabled**

The purpose of the Housing Development Sector Involvement Strategy [HDSIS] for the Disabled 2008-2014 is to create an environment where persons with disabilities are assisted to access skills training and to also benefit from the Departments economic empowerment programmes as outlined in the strategy.

The Department's strategy on the disabled is based on poverty which makes people more vulnerable to poverty. Government as well as society has a responsibility to provide the disabled with skills training, education, resources and social support to nurture the potential within this sector. Society must refrain from viewing the disabled as a burden and pity them but rather consider them as capable individuals who contribute to the advancement of society.

The HDSIS for the Disabled 2008-2014 outlines the departments vision for sector development. The HDSIS is a strategy which will ensure that disabled people enjoy the same rights as all other members of other sectors and to improve their quality of life. Results of research facilitated by national government and contained in the White Paper on Disabled estimates that at least 5 and 12% of South Africans are moderately to severely disabled. Despite this large percentage of disabled people few services and opportunities exist for the disabled in our society.

The Gauteng HDSIS 2008-2014 is building on work for which they have already laid down a foundation. It positions the department within the context of the 2014 as envisioned and encapsulated in the Gauteng Provincial Government Five Year Strategic Programme 2004-2009 and the Gauteng Growth and Development Strategy. GDS seeks to eradicate poverty to increase employment and to create an economically sound community.

The Department has also identified key partners for participation and include National Home Builders Registration Council (NHBC), the Banking sector, NGO's as well as inviting developed companies to assist and contribute towards the development and upliftment of sectors outlined in the HDSIS.

### *5.2.1 Pillars of the HDSIS for people with disabilities:*

- Poverty eradication
- Reduction of unemployment
- Creation of economically vibrant communities
- Skills training
- Promotion of entrepreneurship

### *5.2.2 The Principles of the HDSIS 2008-2014:*

- Every citizen, irrespective of which sector he or she belongs must have an opportunity to serve his or her community
- Business opportunities must be accessible to all.

- Government must ensure the provision of resources and provide the necessary support for economic participation and benefit by all people willing to engage in business and in particular having the desire to do business with government to improve their financial conditions and levels of housing delivery in the province.
- Access to skills training and all other forms of capacity building the Department is making available to the citizens in Gauteng.
- The principle that every member of society has a meaningful role to play in society when given an opportunity to prove him or herself and that this principle applies to every person irrespective of his or her Social, Education or Economic background.
- Housing managers and practitioners must embrace change in their approach and begin to realize that the disabled are a resource towards housing development and future funding thereof.

*5.2.3 The Department has an on-going communication and outreach programme targeting civil society which includes the disabled;*

5.2.3.1 Immediate Interventions:

- Develop an open trading and financial system that is rule-based, predictable, non-discriminatory, include a commitment to good governance, development and poverty reduction.
- The National Home Builders Registration Council to provide monitoring and inspection of services
- Participate in the training of the disabled in construction at various NQF levels.
- Government to deliver housing built with emphasis on quality and location.
- Housing settlements to be built in urban areas with close proximity to amenities such as schools and work places.
- The disabled to participate in service activities geared towards rebuilding their communities
- Accelerate housing deliveries and increase economic activity.
- Build healthy and sustainable communities.
- Promote entrepreneurial opportunities for the disabled.
- The disabled to utilize newly acquired skills within and beyond their communities after the completion of training.
- Exit opportunities strategy to be developed and implemented.
- Establish a Desk for the Disabled at municipal level to help with the identification of their needs and assist them to achieve their aspirations.

5.2.3.2 General Interventions:

There are number of strategic interventions in place to ensure that the disabled are given an opportunity in the construction industry through the creation of sustainable jobs. These interventions include;

- The creation of sustainable jobs and business projects

- Educate the disabled and assist them to become self-sufficient and contribute towards economic growth
- Facilitation of information and communication technologies
- Development of partnerships between stakeholders
- Provision of business skills training, facilitation of business incubation, mentoring and support services
- Review regulatory framework that stifle the disabled's advancement
- Encourage disabled contractors to register with the construction Industry Development Board
- Create equality in society and ensure disabled have equal opportunity to financial, administrative and construction related support and capacity building initiatives

#### *5.2.4 Plans for disabled Persons*

The Department has set targets on all procurement contracts to be allocated for disabled persons in terms of both ownership and partnership. A database of the disabled within housing construction is to be developed. Its consolidation is expected to result in increased participation by the disabled in the area of housing delivery with expected returns or economic benefits for members of the sector.

#### *5.2.5 The Department has considered several approaches on how best to deal with vulnerable groups to improve economic status in Gauteng:*

**Project Identification:** Small projects will be identified each financial year. Contracts resulting from the identified projects will be equally distributed to existing and emerging contractors by disabled persons or groups with the assistance of a consultancy firm.

**Sub-Contracting:** A tripartite agreement will be entered into between the Department, an established contractor and a disabled contractor or group.

**Maintenance:** The Department will cater for persons with disability by means of direct involvement in urban renewal programmes which have a wider scope of delivery angles, paving, fencing, fittings, renovations, painting and other artistic forms.

#### *5.2.6 The Integrated Small-Enterprise Strategy:*

This strategy aims to promote entrepreneurship, strengthening the enabling environment and enhancing competitiveness.

#### *5.2.7 HDSIS and the Six Trusts in Support of SMME Strategy:*

- Substantially strengthen support for SMME access to finance
- Create an enabling regulatory environment
- Further expand market opportunities
- Localize small business support
- Initiate a national entrepreneurship drive and expand education and training for small business
- Co-fund minimum business-infrastructure facilities in local-authority areas across the country

### 5.2.8 Objectives of the SMME Strategy

- Increase the contribution of small enterprises to the growth of South African Economy
- Create sustainable long term jobs in the small enterprise sector
- Increase the competitiveness of small-enterprise sector and its enabling environment so that it is better able to take advantage of opportunities emerging in national, African and international markets

### 5.2.9 Instruments to Advance small-business development:

- Procurement Regulations
- Co-ordination structures
- Information and support services
- Monitoring and evaluation
- Catalyst projects
- Piloting of initiatives
- Entrepreneurship
- Networking organizations
- Small-business incubators

The Department has developed the HDSIS strategy to ensure the development of the disabled as a sector. Business opportunities for the disabled will promote non-discriminatory practices. The HDSIS is one way of fostering commitment to good governance, development and poverty reduction where the disabled will be provided with opportunities to participate in the economy without any restrictions and where the foundation for their businesses to prosper would be established.

## **5.3. Cape Town Department of Human Settlements: Provincial Programme for the Delivery of Housing (Draft):**

### *5.3.1 Legal Framework and Documents relating to Special Needs Housing: HIV/AIDS Framework Document:*

A document prepared by the Department of Housing, which proposes a range of interventions including the need for the Department to assist Social Development with shelter requirements and solutions. The need for the investigations of a subsidy which provides additional rooms for households already bearing strain of providing care.

Institutional Subsidy Scheme (Chapter 6 of the Housing Code)

This is the closest subsidy mechanism to special needs housing projects with the main objective being the acquisition and development of housing for occupation.

### *5.3.2 Objectives of the programme:*

Is to facilitate the delivery of accommodation of those persons who find themselves in circumstances which classify them as potential beneficiaries in terms of the programme. This is to be addressed through the delivery of:

- Hospices
- Places of safety/shelters
- Foster care Facilities
- Palliative care
- Homes for older persons
- Victims of domestic violence and abuse
- Rehabilitation centers

### *5.3.3 Principles of the Programme:*

#### 5.3.3.1 Partnerships:

The success of the programme lies on the effective cross-departmental cooperation ie, a partnership between Department of Local Government Housing, the relevant Municipality either the department of Social Development or Health an appropriate welfare organization and any other financiers who maybe essential to the success of the project.

#### 5.3.3.2 Co-ordinated Approach:

The Department Of Local Government and Housing must satisfy itself that projects funded under this programme are in line with the municipality and the district integrated development planning.

#### 5.3.3.3 Community participation:

It is a pre- requisite for project approval that the affected community members must participate and be actively involved in all the aspects of of the project development that is planned and will be undertaken.

#### 5.3.3.4 Access to funding:

The funding under this programme will only be available within the context of an approved housing development project and may not be accessed on an individual beneficiary community member basis

### *5.3.4 Application of Programme:*

Special needs housing should be defined as shelter which benefits those who are disadvantaged in the following ways:

- Severe chronic diseases
- Orphans and vulnerable kids
- Frail and infirm
- Disabled
- Older persons
- Victims of domestic abuse and violence
- Substance abuse

### *5.3.5 Funding for Special Needs Housing*

Due to the special requirements of these facilities which are integral to care and accommodation provided it is proposed that the institutional subsidy be made

available for every bed accommodated Provisions have been made for the additional funding of project preparation i.e., municipalities can attain the necessary technical and financial support in order to eliminate all the relevant risks are appropriately eliminated.

#### *5.3.6 Delivery Models:*

##### 5.3.6.1 Institutional Model:

Typical project types that fall under this model include

- Hospices
- Shelters
- Children's homes
- Homes for older persons, physically and or intellectually disabled

##### 5.3.6.2 Community Home Care Model

This model consists of a care giver with between four to six beneficiaries in her care with homes located in affected communities. The housing subsidy is utilized to either acquire existing housing stock or develop new housing stock. In cases such as the foster care grant, the organization has an agreement with care giver in respect of the sharing of the operational costs.

#### *5.3.7 Norms and Standards In Respect of Special Housing Needs:*

Top Structures:

The application of funding available under this programme must in all cases result in the achievement of compliance with the following minimum norms and standards. However the MEC will have discretion to allow any deviations necessary by the specific development conditions that may prevail.

The minimum size of permanent residential structures to be provided by means of the housing subsidy is 40 square meters of gross floor area.

Each house must include:

- Two bedrooms
- A separate bathroom with a toilet, shower and hand basin
- A combined living area with wash basin and
- A ready board electrical installation where electricity supply is available

Variations could include row houses or semi-detached houses, family units or units for single persons.

The homebuilder must be registered with the NHBRC. This implies that the Ministerial National Norms and Standards, the National Building Regulations and Standards imposed by the NHRBC will apply to all the approved projects.

#### *5.3.8 Roles and Responsibilities:*

5.3.8.1 Department of Local Government and Housing; The Department will facilitate the project approval process, liaise with the respective departments of Social Development and Health in this regard; evaluate and monitor housing delivery and assist with consumer education and capacity building.

5.3.8.2 Municipality; Municipalities are required to create an enabling environment for the Successful implementation of the programme by; acting as developer of the Special Needs Housing delivery mechanisms providing for funding in their IDP for such developments appoint the necessary expertise to deliver submit project applications to the MEC for consideration provide support and participate in meetings prioritize land for development assume ownership of the engineering services installed provide bulk and connector engineering services approve house building plans, inspect and certify work in progress promote advocacy and awareness campaign

5.3.8.3 Department of Social Development; give guidance regarding viability of proposed projects allocate applicable grants for the day to day running costs of such developments where applicable and monitor the running of such a facility and report to relevant department regarding any concerns

5.3.8.4 Department of Health; give guidance regarding viability of projects allocate applicable grants for the day to day running costs of such developments where applicable monitor the running of such a facility and report to the relevant department regarding any concerns

Institution; initiate the project in collaboration with the relevant Municipality will be responsible for the running and maintenance of the facility obtain the necessary support/resources to make the project viable provide information required by the involved State departments from time to time

#### **5.4. Housing New South Wales: Housing Assistance for Elderly Clients Policy:**

##### *5.4.1 Background*

The Department acknowledges the special needs of elderly clients and their households and the need to deliver services that are culturally appropriate.

The Department recognizes that the Aboriginal community suffers greater levels of ill health and thus has a considerably shorter life expectancies than the general population. The average life span of an Aboriginal person or Torres Strait Islander is approximately 20 years less than non-Aboriginal people. To reflect this, the age eligibility for Aboriginal applicants for the elderly client's policy is 55 years of age and over.

The policy aims to reduce waiting times for all eligible elderly clients and settle them into appropriate housing within a short space of time.

##### *5.4.2 Eligibility Criteria:*

Elderly clients seeking housing must provide the following proof of age:

Birth certificate/Passport

If the client is an Aboriginal person or Torres Strait Islander, and none of the above are available, a written estimate of age as recognized by an incorporated Aboriginal organization or Land Council.

Elderly Aboriginal and Torres Strait Islander clients must also provide documents that confirm their Aboriginality, including: An Aboriginal Housing Office Declaration (DH3020) endorsed by the client's Land Council.

#### *5.4.3 Tenancy:*

To be eligible for public housing, the applicant must be able to sustain a successful tenancy, i.e. that they must be able to meet the obligations of their tenancy, with or without support. The determining factors taken into consideration are:

- Pay their rent
- Look after the property
- Not create a nuisance and annoyance to their neighbors
- Live independently with, or without, support
- Live in the property on an ongoing basis.

Should the Elderly tenants qualify in their application they are offered an interim 18 month fixed term lease after which they will then be offered a 10 year fixed term lease.

#### *5.4.4 Allocations:*

The Department will then allocate a suitable property which meets the elderly client's needs including:

- Access to medical and other relevant services
- Ease of access and mobility
- Safety and security.

#### *5.4.5 Type of Dwelling:*

The Department has a range of dwellings which can be allocated to elderly clients. These include dwellings with special features such as modifications and ground floor access. The type of dwelling which best matches the client's needs will be determined by the following

- The number of people in the household
- The particular needs specified by the client

#### *5.4.6 Clients with Medical or Disability Needs:*

Clients with medical or disability needs may be entitled to an extra bedroom or a modified dwelling. They must provide documentation from their doctor or another health professional explaining their needs in accordance with their specific disability. Clients with a disability may also be entitled to apply for Disability Rental Subsidy.

#### *5.4.7 Specifying Particular Needs:*

Clients have the option to specify the features they need in a property, including the need for a property either:

- On the ground floor
- Modified for clients with a disability, or
- Allows ease of mobility both internally

The Department then requires the applicant to provide proof from the relevant medical practitioner in support of their request.

## **5.5 Housing New South Wales (HNSW): Special Assistance Subsidy-Disabled(SAS-D):**

### *5.5.1 Background:*

The Special Assistance Subsidy - Disability (SAS-D) is paid to people with a disability who:

- Are approved for Priority Housing, or
- Have reached their turn on the public housing list;

while they wait for a suitable HNSW dwelling. This ensures they are not financially disadvantaged while they wait. The subsidy contributes to their weekly rent in the private market while they wait to be housed in public housing. This means that HNSW pays the difference between the amount the applicant pays and reasonable market rent. The amount of rent a client pays is similar to the amount they would pay as a public housing tenant.

### *5.5.2 Eligibility:*

Applicants who are approved for Priority Housing are eligible for the Special Assistance Subsidy - Disability while waiting for Housing NSW to provide suitable accommodation. They are eligible for this subsidy from the day they are approved for Priority Housing.

Clients with a disability who have reached their turn on the public housing waiting list may also be eligible for the Special Assistance Subsidy - Disability if Housing NSW cannot provide suitable accommodation. The SAS-D allows clients with a disability to access affordable accommodation while Housing NSW finds them suitable accommodation.

5.5.2.1 A person is considered to be disabled if their ability to function is impaired or they have a medical condition that:

- Is due to an intellectual, psychiatric, sensory or physical condition or combination of conditions
- Is permanent or likely to be permanent, and
- Results in:
  - A substantially reduced capacity of the person for communication learning and mobility
  - The need for ongoing support services, or
  - An inability to obtain housing from the private rental market

Housing NSW's focus is on the effect the disability has on the individual's ability to find and keep suitable and affordable housing located near necessary health or support facilities. Having a disability does not automatically guarantee access to SAS-D.

Tenants do not need to reapply for SAS-D each year. However a regularly review is conducted in respect of the income details of SAS clients receiving a subsidy and their entitlement to receive same. This is called a scheduled SAS Review.

## **5.6 A National Strategy for Housing in an Ageing Society; Communities and Local Government UK:**

This Strategy is divided into two sections. Section One deals with the demographics regarding older persons and their needs for the future. Section Two outlines the actions that they propose which needs to be taken in order to promote independence by improving their housing choices and provisions for older people.

The following areas where identified as key problems and action points are also cited to resolve these problems:

- The need for information and advice:

Older people can find accessing information and making decisions as to their best choices particularly difficult and destabilizing. It may involve a decision to move out of the family home. These choices could involve complex and inter-related decision making about finance, social support and care. But sources of vital information can be difficult to find. Accessing information on housing, on finance and on care and support can mean going to different places and talking to different people. Older people can also find that their access to the right information and advice is poor for a various reasons which include the lack of resources available to them.

- Action points:

The department will work with local authorities and other partners to strengthen specialist local housing advice, information and 'moving home' services for older people. To consider whether people can be targeted with information about housing options and simple ways of auditing their homes at key transition points such as retirement or onset of ill health.

- Modernizing the Disabled Facilities Grant:

The Disabled Facilities Grant (DFG) funds home adaptations that enable disabled people and people with mobility issues to continue to live independently in their own homes. Older people are the main beneficiaries of DFG. An increase of 20 per cent in current year funding will mean that DFG will reach more people and this together with other changes would mean that Communities and Local Government will implement a number of the Disabled Facilities Grant review recommendations. This will then make it much easier for people living with sensory or mobility disabilities to have their homes adapted for their individual needs.

- Action points:

The Department will promote the concept of Accessible Housing Registers and will support wider adoption of the London and other good practice models as further funding becomes available. People claiming Council Tax Benefit, Housing Benefit

and tax credits for those on low incomes will be fast tracked through the means test process as then they will not be required to provide any further detailed financial information in addition to these benefits. In addition the means test will be amended so that Working Tax Credit and Child Tax Credit will not be considered as income.

- **Planning:**

Providing housing to an ageing population means thinking and planning towns, cities and rural areas differently in the future and planning creatively with better evidence and sharper tools. Too often in the past, planning has not provided the kinds of housing that older people needed, in the places where they want to live. A housing policy for an ageing society is therefore a good housing policy for everyone i.e. building lifetime homes and neighborhoods that are capable of adapting as people's circumstances and needs change.

- **Action points:**

The Department will undertake to make available projections of older households and their size at district and regional level to aid planning. Ensure that planners have the tools and understand the need for Regional Spatial Strategies and Local Development Frameworks to assess and plan for an ageing society and that By ensuring that future planning policy reform will reflect the high priority we are giving to the challenge of ageing.

## **5.7 KZN Department of Social Development: Policy on Disability:**

### *5.7.1 Aim and Objective of the Policy are to:*

- guide and inform the mainstreaming of disability through developing and implementing departmental policies, strategies and integrated service delivery programs
- assist the provision of integrated social services to people who have disabilities
- provide guidance to the department in terms of addressing social barriers that exclude People with Disabilities
- facilitate transformation shifts within the department and society as a whole regarding disability issues
- characterize the role of social development in service provision to People with Disabilities
- facilitate development and implementation of an integrated and comprehensive social security system

### *5.7.2 Approach: Services and Programs*

The Department has three main programme areas namely;

5.7.2.1 Social Security Programme: The focus area in this programme is based on meeting the needs of the poor, vulnerable and those with special needs, which

include People with Disabilities and building on their strengths as well as the strengths of their families, communities and other social groups.

5.7.2.2 Social Welfare Programme: This programme focuses on the provision of disability grants; grants to care-givers, grants that support home-based care and support.

5.7.2.3 Community Development Programme: This programme area focuses on community advancement in order to enhance and amplify the capacity of communities to respond to their own needs and improve their capacity for development. Activities in terms of this programme area will primarily be in the realm of community mobilization, strength based approaches and empowerment programmes.

#### *5.7.3 Levels of intervention for disability mainstreaming:*

- Prevention: the nature of services is designed at strengthening and building the capacity and self-reliance of service recipients. It is the most important phase of social service delivery in that the client is functioning at an adequate level with possibilities of risk-behavior
- Early Intervention (non-statutory): the nature of services provided in terms of this level of intervention are developmental and therapeutic to make certain that those persons who are recognized as being at risk are assisted before they require statutory services, more intensive intervention or placement in alternative care.
- Statutory Intervention / Residential / Alternative Care: the nature of services provided in terms of this level of intervention focuses on strengthening and supporting individuals who are no longer able to function effectively in their communities. This type of intervention may possibly include removing the person from their normal place of abode to alternative care or a residential facility, to prevent secondary abuse. Examples of statutory interventions in respect of disability would be rehabilitation services, provision of residential facilities, social security services, mediation services , Supported / assisted living and independent living programs , Day care and community-based care

### **5.8 The Republic of South Africa's Older Persons Act Of 2006:**

This Act aims to deal effectively with the plight of older persons by establishing a framework which seeks to empower and afford protection to older persons.

#### *5.8.1 Objectives:*

To maintain and promote the status, well-being, safety and security of older persons and maintain and protect the rights of older persons. To shift the emphasis from institutional care to community based care in order to ensure that an older

person remains in his or her community for as long as possible. To also combat the abuse of older persons.

*5.8.2 Creating an enabling and supportive environment for older persons:*

Provides that older persons should enjoy the rights as contemplated in section 9 of the Constitution of South Africa and thus should not be unfairly denied the right to:

- Participate in community life which is appropriate to his or her interests and capabilities
- Participate in inter-generational programmes
- Establish and participate in structures and associations of older persons
- Participate in activities that enhance his or her income-generating capacity
- Live in an environment which caters for his or her changing capabilities

*5.8.3 Community-Based Care and Support Services for Older Persons:*

Provides that the Minister in collaboration with any relevant Minister or Member of Executive Council in a province;

- Develop community based prevention of promotion programmes that namely ensure the independent living of an older person in the community in which he or she resides or home based care which ensures that a frail older person receives maximum care within the community
- Develop programmes aimed at economic empowerment, establishing of recreational opportunities, spiritual, cultural, medical, civic and social services for older persons

*5.8.4 Residential Facilities:*

5.8.4.1 Provides the following rights to older persons residing in a residential facility;

- Appoint a representative to act on his or her behalf
- Have reasonable access to assistance and visitation
- Keep and use personal possessions
- Have access to basic care
- Be informed about the financial status of the residential facility and changes in management
- Participate in social, religious and community activities of his or her choice
- Privacy

5.8.4.2 Outlines that the following services maybe provided at residential facilities;

- 24-hour care and support to frail older persons
- Care and supervision services to older persons who are suffering from dementia or related diseases
- Training of volunteer caregivers to deal with frail older persons

#### *5.8.5 Protection of Older Persons:*

Outlines the following;

- Any person who suspects that an older person has been abused or suffers from an abuse-related injury must immediately notify the Director-General or a police official of his or her suspicion
- On receipt of such a notification the Director-General must investigate the matter
- The police official must inform the Director-General of the alleged abuse or if he or she is satisfied that it will be in the best interests of the older person to remove the alleged offender from the home or place where the older person resides

#### **5.9 United Nations Madrid International Plan of Action on Ageing, 2002:**

The Madrid International Plan encompasses the following actions:

- Recognition of social, cultural, economic and political contribution of older persons by providing opportunities, programmes and support to encourage older persons to participate in such events.
- Establishing of organizations for older persons and taking measures to enable the full and equal participation of older persons in such decision-making processes.
- Employment opportunities for older persons who want to work by ensuring labor market policies aim to foster high rates of growth in production and employment for the benefit of persons of all ages.
- Reduction of poverty by ensuring that older persons with disabilities and those living alone are specifically addressed in poverty eradication strategies and implementation programmes.
- Promotion of “ageing in place” in the community with due regard to affordable housing options for the older persons by promoting equitable allocation of public housing for older persons and encouraging age-friendly and accessible housing designs.
- Improvement in housing and environment design to promote independent living by taking into account the needs of older persons in particular those with disabilities by ensuring that the new urban spaces are free barriers to mobility and access.

## **6. DISCUSSION**

The Gauteng as well as Cape Town Policies make provisions for disabled persons and the aged. They both also confirm that whilst the disabled are a minority within the country and their provinces; however they to are entitled to benefits as any other citizen of the country.

The Gauteng HDSIS Strategy for the disabled seeks to eradicate poverty and create and economically sound country and lays out a foundation for the disabled and aged to be empowered by instilling in them skills and traits which enabled

such classified persons to continue utilizing even after their participation in the programme for housing development.

Whereas the Cape Town Housing Programme aims at to provide all persons with special needs accommodation. This programme seeks to work together with other Government bodies and NGO's to achieve this. They further identify that it would be beneficial that funding for such projects should not accessed on an individual basis but rather within an approved housing development project.

The New South Wales Subsidy Scheme for the disabled is vague in its approach. The Scheme is outlined with the requirements to be met in order to make an application and qualify for the subsidy but makes little effort in breaking down the various options which should be available after taking into consideration the type of disability a person could be encompassing.

Whereas the New South Wales Housing Policy for the Elderly identifies the qualification criteria and the required supporting documents that need to accompany same. The policy makes provisions for allocation, the type of dwelling and its modifications which would be essential in the beneficiary's mobility in the dwelling. It also offers a renewal of lease option.

The National Strategy for Housing in an Ageing Society by the Communities and Local Government, United Kingdom is a lengthy document which identifies many problems which are experienced amongst the aged and disabled within their society, however the Strategy has ideas and action plans but does not indicate how such programmes can be monitored or if any success has been achieved thus far.

The Transitional Housing Policy which is currently used or adapted in KwaZulu Natal, to cater for aged and disabled persons is an inadequate policy in that its target market is not the aged and disabled but rather categorizes them as persons who could benefit under the projects allocated and funded for transitional housing. The policy makes provision for temporary housing solutions instead of permanent residential accommodation and it can therefore be stated that persons with disabilities or the aged should be afforded permanent housing solutions taking into account that they are categorized as vulnerable groups.

## **7. PILOT PROJECTS:**

At this stage both the Gauteng and Cape Town Department of Housing have initiated pilot projects with regard to these policies, however these pilot projects are in their initiation stage therefore feedback on the success rate of the pilot projects cannot be accessed.

## **8. CONCLUSIONS:**

The disadvantage of the of the Cape Town Housing Delivery Programme is that it does not have a clear direction as to how the disabled can be assisted in that it identifies them as a group which is vulnerable and those with special needs but does not seem to consider them as important over and above the groups which include youth and woman.

While the Cape Town Housing Delivery Programme indicates that Department of housing together with the municipality and other relevant departments should work together it does not make mention of how this co operation should occur. It does outline the type of housing that should be made available and the introduction of allocation of funding for the project to be successful.

The Cape Town Department of Housing has in place a Community Home Care Model which aims at creating a family environment as well as an Institutional model which aims at dealing with the high levels of poverty. From the two models it appears that the Community Home Care Model would be the most preferable model as it aims at allocating caregivers between 4 to 6 beneficiaries and this model can easily be implemented and incorporated into the existing housing projects.

The New Wales Subsidy Scheme for the Disabled is an idea which has not been expanded upon completely as it makes mention of providing housing closer to health facilities but does not indicate the manner or method it has adopted in implementing this.

The New South Wales Housing policy for the Elderly is an improvement as it focuses more on the needs of the elderly taking into account their frail nature Circumstances and needs which obviously differs depending on the type of ailments they are dealing with.

The Gauteng HDSIS Six year Strategy is a more ideal and beneficial Policy in respect of the disabled and aged. The Strategy is concisely defined and includes what it aims to achieve. It identifies disabled persons as a vulnerable group and indicates that housing should be provided for such persons within close proximity to social amenities. This policy also seeks to empower communities and actively involve them in the projects.

The promotion of entrepreneurial skills is formulated such that it achieves more then it sets out to i.e. Assist vulnerable persons and help eradicate poverty by providing them with skills even after the completion of the community programmes.

## **9. RECOMMENDATIONS:**

It is therefore recommended that the Gauteng HDSIS Strategy should be used as a guide in establishing and creating a suitable housing policy in KwaZulu-Natal aimed at the aged and disabled. The HDSIS encompasses what is enshrined in the Constitution and the Housing Act, that all persons should be treated equally

and afforded equal opportunity if they were previously disadvantaged irrespective if they are a minority and to empower such persons.

The HDSIS should be incorporated and expanded upon as a policy targeted at disabled and the aged in that this policy addresses the needs of this vulnerable group and has a six year strategy plan and interventions such as the reviewing of regulatory framework in order for the advancement of persons with disability, which would imply that such regulatory framework should be considered and improved upon for the growth of persons with disabilities.

Also to be taken into consideration are the aspects and principles as contained in the “New South Wales Housing Policy for the Elderly”. The basic ideas contained in this policy can be improvised and given a South African context and thus be used as a tool when developing a policy for the aged and disabled.

It is also recommended that the “United Nations Madrid International Plan of Action on the Ageing, 2002” and the “Republic Of South Africa’s Older Persons Act of 2006” can be incorporated as part of the policy legislative framework as it runs parallel to what the policy seeks to achieve thereby enhancing the rights which the vulnerable groups are entitled to.

## 10. REFERENCES:

### a) Documents:

- **KwaZulu-Natal Department of Human Settlements:**  
Transitional Housing Policy
- **Gauteng Department of Human Settlements:**  
Housing Development Sector Involvement Strategy 2008-2014, for the disabled
- **Cape Town Department of Human Settlements:**  
Provincial Programme for the Delivery of Housing (Draft)
- **Department Of Communities and Local Government, United Kingdom:**  
A National Strategy for Housing in an Ageing Society

### b) Websites:

- [www.housing.nsw.gov.au](http://www.housing.nsw.gov.au)
- [www.info.gov.za](http://www.info.gov.za)
- [www.globalaging.org](http://www.globalaging.org)
- [www.socdev.gov.za](http://www.socdev.gov.za)