

Policy 19 - Independent Living

Version: 5

Last Amended: 3 August 2026

Next Review: 31 March 2027

1. Background

Eligibility for ILF Scotland funding is underpinned by the right to independent living. ILF Scotland must be satisfied that Recipients are supported to live in environments where their rights to choice, control, dignity, and participation are upheld, in line with Scottish Government and COSLA's commitment to the principles of independent living as determined by the Scottish Independent Living Coalition. This commitment to the right to independent living is in line with the purpose of ILF Scotland as set out in our Framework Agreement:

“...ILF Scotland will support...equality and human rights for disabled people, with particular focus on realising the right to live independently and be included in the community set out in Article 19 of the UN Convention on the Rights of Persons with Disabilities.”

For the purposes of this policy, independent living is defined as follows:

“Disabled people have the same rights to freedom, choice, dignity and control as other people at home, at work and in the community. It does not mean living alone or without support. Rather, it means having the

right to access practical assistance and support to participate fully in society and to live an ordinary life.”

(Independent Living in Scotland Project, 2008)

In supporting independent living, ILF Scotland recognises the GIRFE approach, which promotes personalised, coordinated and outcomes-focused support based on conversations about what matters to the person.

2. Policy

The requirement to live independently applies to all ILF Recipients whether they live in self-contained or shared accommodation and irrespective of whether they share part of their support.

For Coming Home Recipients, ILF Scotland may meet transitional costs to achieve independent living where that is not currently the case. This is where there is a clear and comprehensive plan in place to support the Recipient to move to an independent living environment. Some of these arrangements will require to be agreed by the Senior Leadership Team.

3. Choice and Control

ILF Scotland can only make payments where the Recipient has choice over where they live and control over what happens in their own home. To help establish whether a person is living independently, the ILF Scotland fund Recipient should have choice and control over:

- who can come into their home and when
- when to come and go from their own home
- who they live with or share their home with

- who provides their support
- how they spend their time
- taking part in their community

4. Care and Support

ILF Scotland requires a full breakdown, including costs, of the care and support arrangements or an individual support plan for each ILF Scotland Recipient. To remain eligible for ILF Scotland funding, Health and Social Care Partnership (HSCPs) / Health and Social Care Trusts (HSCTs) must meet the relevant Threshold Sum (see [Policy 24 - Statutory Input to ILF Scotland Funding](#)) and ILF Scotland should be satisfied that all Recipients receive a significant element of one-to-one support as part of their overall care and support package.

5. Shared Care and Support

The principles of independent living still apply where there are two or more people sharing accommodation and sharing elements of care and support.

ILF Scotland needs to see more than a total budget for a group of people sharing care and support. It must be clear what support each individual needs, the level of support required, the cost of this support, how many people are providing the support, which elements of support are shared with another person, and how many people are sharing that support.

If necessary, ILF Scotland will request a breakdown of the care and support provision and costs for other tenants (if they are not ILF

Scotland Recipients, they do not need to be identified by name) to understand how the care and support arrangements interlink.

Recipients sharing an element of support should have the same choice over their care provider as any other Recipient. Any ILF Scotland funded support should only be for the individual Recipient, in line with the agreed care plan. The Recipient should notify ILF Scotland immediately of any changes.

6. Tenancy / Security of Accommodation

ILF Scotland requires that Recipients have security in their accommodation, with choice and control over their support without placing their home at risk. This security will most commonly be through a tenancy agreement, but may also arise through, for example, home ownership or shared ownership.

ILF Scotland will only provide funding where the Recipient's accommodation and support arrangements are separate enough to allow them to have choice and control over the support they receive.

Where a Recipient's landlord or accommodation provider and their care and support provider are the same, or are closely linked, ILF Scotland must be satisfied that the Recipient's right to remain in their home is not dependent upon continuing to receive support from a particular provider.

ILF Scotland recognises that local authorities and HSCPs may commission services through a variety of agreements and contractual arrangements. However, ILF Scotland must be satisfied that such arrangements do not undermine the Recipient's right to independent

living, including their ability to choose, change or direct their support without jeopardising their tenancy or overall security of accommodation.

ILF Scotland will therefore not normally fund arrangements where:

- the tenancy, occupancy agreement or housing arrangement is conditional upon the Recipient accepting support from a specific care provider
- a breakdown in the relationship with the care provider could place the Recipient's accommodation at risk
- the Recipient would be required to leave their home if they wished to change support provider
- the Recipient is prevented, restricted or discouraged from choosing an alternative provider or employing Personal Assistants or where
- housing and support are so interdependent that the Recipient cannot realistically exercise choice and control over how their support is arranged

Where there is a link between the accommodation provider and support provider, ILF Scotland requires written assurance that the Recipient's security of accommodation will be maintained regardless of their choice of support arrangements.

7. Care Establishments

ILF Scotland funds cannot be used to purchase residential care.

Individuals on the Red category of the Dynamic Support Register moving temporarily to a residential care home may be eligible for funding that meets costs, other than the residential placement costs, to support

transition. Such funding will always require recommendation by an ILF Assessor and approval by the Senior Leadership Team and cannot be used for core residential care costs. ILF Scotland resources are additional to statutory funding, therefore, in funding transitional costs in this manner, ILF Scotland will not assume such costs that are normally the duty of another public body, for example, the HSCP. ILF Scotland will review the use of any transitional support funding after six months and annually thereafter.

Circumstances can arise where the Recipient is not living in a registered care establishment but the arrangements in place suggest that the Recipient is not living truly independently. An ILF Scotland Assessor will consider the specific circumstances of each Recipient in line with the indicators set out in [Section 3](#) above, to make a professional judgement on compatibility with independent living and therefore entitlement to ILF Scotland funding.

For Coming Home Recipients moving from hospital or inappropriate out of area placements, ILF Scotland Assessors will refer to the [UNCRDP guidelines on deinstitutionalisation](#).

8. Should the Accommodation be Registered as a Care Establishment?

This is a decision for the Care Inspectorate (Scotland) or the Regulation and Quality Improvement Authority (Northern Ireland), and ILF Scotland would normally accept their decision. However, if an ILF Scotland Assessor has reason to believe that an establishment should be registered, they will raise this with the HSCP / HSCT. They will refer

serious concerns to the ILF Scotland Senior Leadership Team and potentially to the appropriate regulator.

9. Adult Placement

Adult Placement is separate from residential care home registration and exists to enable disabled people to live within the community in a family environment. It is important that all ILF Scotland funding supports independent living with choice and control. In general, we expect that Adult Placements will provide a satisfactory degree of choice and control. ILF Scotland will normally accept the judgement of the HSCP / HSCT as to the suitability of the Adult Placement. It will need to be satisfied though that the placement follows ILF Scotland independent living policy principles and that the Recipient has adequate choice and control over their arrangements. Where there are concerns about the suitability of an arrangement, ILF Scotland will raise this with the HSCP / HSCT.

We recognise that it may not be straightforward for a disabled person in an Adult Placement to choose to employ his or her own Personal Assistant, but their specific arrangement should not exclude this. ILF Scotland will seek assurance that the Recipient has choice and control over all other aspects of their life in line with the indicators set out in [Section 3](#) above.

10. Version History

Version 1: 1 July 2015

Version 2: 31 March 2023

Version 3: 31 March 2024

Version 4: 31 March 2026

Version 5: 3 August 2026