

## **POLICY SCRUTINY GROUP – 25TH SEPTEMBER 2018**

### **Report of the Lead Member for Housing Lead Member: Councillor Mercer**

#### **ITEM 7      HOUSING ADAPTATIONS POLICY 2018-2022**

##### Purpose of report

To enable the Group to review the draft Housing Adaptations Policy 2018-2022.

##### Action Requested

The consider the Housing Adaptations Policy 2018-2022, as attached at Appendix 3.

##### Reason

To scrutinise the Policy in a timely manner in accordance with the Group's work programme.

##### Background

The Council's properties are adapted to modify the home environment in order to restore or enable independent living, privacy, confidence and dignity for disabled tenants and their families. In some circumstances properties may be adapted to meet the needs of prospective tenants.

An adaptation is defined as the provision of fixed equipment and/or modification to the property or associated land.

The Leicestershire County Council Social Service has a statutory requirement under the Chronically Sick and Disabled Persons Act 1970 to assess needs in respect of adaptations. Occupational Therapists (OTs) make recommendations to the Council's Landlord Service for adaptations. The vast majority of adaptations undertaken are therefore reactive, and this new policy supports continuing partnership working with Leicestershire County Council to support tenants with a wide variety of needs.

The policy also sets out the circumstances in which properties may be adapted, the factors that will be taken in to account when an adaptation request is received, and the decision making and appeal processes. Housing Revenue Account (HRA) finance and making the best use of the Council's housing stock are key considerations within the policy.

The Council has a statutory duty under the *Housing Grants, Construction and Regeneration Act 1996*, as amended by the *Regulatory Reform (Housing Assistance) (England and Wales) Order 2002* to provide means tested Disabled Facilities Grants (DFGs). The Council has an existing Private Sector Grants Policy which sets out the Council's policy in this respect. A DFG cannot be used to fund an adaption at the Council's stock due to Housing Revenue Account (HRA) ring-fencing

legislation. DFGs are means tested, whereas adaptations to the Council's stock are not, and are funded solely through the Council's Housing Revenue Account.

Appendix 1 sets out the Housing Revenue Account budgets and spend for the period 2014-19. Members of the Group will note that in most years adaptation budgets are increased to meet need.

A key difference between this proposed policy and the Council's policy concerning DFGs is that this policy sets a cap of £30,000 on funding an adaptation/s at a property, and this reflects the maximum amount of grant set out in legislation. The DFG policy contains provision for a further discretionary award of £10,000 on top of the statutory £30,000. Setting the cap at the legislative benchmark will limit HRA expenditure, and extensions to property will generally not be undertaken. Four requests for extension were considered last year; however all were refused on the basis of high cost and a reasonable offer of alternative accommodation being made. The £30,000 cap appears in the policies of many other local authorities. A summary of approved and rejected adaptation requests for the financial year 2017-18 can be found at Appendix 2.

An overriding principle in approving/refusing adaptations work will be that all options are explored to meet the specific needs of the tenant (and their household), including a transfer to more suitable housing, particularly where this would prevent spending significant sums on major alterations to the existing home. Best use of stock is therefore considered within the policy. This policy ensures that all applications for adaptation, individual circumstances, and recommendations from OTs will be considered.

The new Housing Allocations Policy approved by the Cabinet on 19th October 2017 contains provision around the matching of adapted properties to applicants with a need for adaptations and who are most suited to the vacancy:

*Wheelchair standard properties or properties with similar significant specialist disabled adaptations will be matched to applicants who have a need for the adaptations and who are most suited to the vacancy. An Occupational Therapist may need to be consulted on the suitability of the property for the applicant(s).*

*If an applicant who has a need for accommodation with disabled adaptations bids for a property that does not meet this need the Council will consider whether it is reasonable and practical to adapt the property, taking into account budget availability and best use of available housing stock.*

*Where there is a shortage of accessible or adapted properties the Council may, subject to budget availability, identify properties that are potentially suitable for adaptation and consider giving applicants who have disabilities preference for these properties.*

The age and condition, and other physical characteristics of the property and its context will be a consideration when assessing requests for adaptation. Members will note that it may not be reasonable or practical to undertake, for example,

adaptations involving major structural works at properties of a non-standard construction type (e.g. pre-fabricated properties).

The circumstances of each case will be different in some aspect, and in all instances the Council will consider whether it is reasonable and practical to carry out the adaptations. This policy sets out the mechanism by which individual cases will be individually considered on a sound and informed basis.

Provision of this policy framework will support speed of decision making. There are a number of factors that have the capacity to affect timescales, including: planning permission (which may take up to twelve weeks), building control, site assessments, and pricing exercises. The Council's aim will be to significantly exceed statutory timescales and targets to achieve this will be set and monitored at service level.

### Policy Development and Consultation

An informal discussion has been held with OTs employed by the County Council. OTs have noted that there may be circumstances where installation of a level access shower at first floor (or above) accommodation where there is no existing lift may be medically appropriate. The policy is flexible in this respect, although as stated all requests will be considered in a best use of stock context. The general principles were accepted, and measures to support speed of decision making were welcomed.

Members of the Housing Management Advisory Board considered an earlier version of the policy on 12th September 2018 which sets out the broad policy principles. It is expected that feedback from the Board will be available for the Group to consider at its meeting on 25th September 2018.

Background Papers: None

Officer to contact: Peter Oliver  
Head of Landlord Services  
[peter.oliver@charnwood.gov.uk](mailto:peter.oliver@charnwood.gov.uk)  
01509 634952

### Appendices

Appendix 1 – Housing Revenue Account Budgets and Spend 2014-19  
Appendix 2 – Summary of Approved and Rejected Major Adaptation Requests  
Appendix 3 – Draft Housing Adaptations Policy 2018-2022

## Appendix 1 - Housing Revenue Account Budgets and Spend 2014-19

The HRA Business Plan 2014 identified £3.1m for *adaptations for vulnerable tenants* over 5 year period 2014-2018. Spend has broadly been in alignment with this, albeit most years the budget has been increased using underspends from other budgets.

<b>Budget</b>	<b>Value (,000)</b>
5 Year HRA Business Plan Amount	3100
Combined budgets (Major adaptations, Minor adaptations, Stair lifts)	2947
Spend actual (excluding 18/19)	2858
Spend predicted (estimate 18/19 at full value)	3493

Table 1 - HRA Business Plan Amount, Budgets and Spend

The below table shows original budget position by year compared to outturn position over the period 2014-2018/19.

	<b>(,000)</b>					
	<b>Major</b>		<b>Minor</b>		<b>Stair lifts</b>	
	<b>Original Budget</b>	<b>Spend</b>	<b>Original Budget</b>	<b>Spend</b>	<b>Original Budget</b>	<b>Spend</b>
18/19	525*		60		50	
17/18	450	440	50	42	60	60
16/17	450	580	150	83	60	137
15/16	450	580	150	36	60	117
14/15	312	668	75	55	45	60
<b>TOTAL</b>	<b>2187</b>	<b>2268</b>	<b>485</b>	<b>216</b>	<b>275</b>	<b>374</b>

Table 2 - Original Budget compared to outturn (,000)

## Appendix 2 - Summary of Approved and Rejected Major Adaptation Requests

The vast majority of budget spend is on major adaptations. The below table details approved major adaptation requests for 2017/18. The approved works do not correlate with the spend detailed at table 2 for the year 2017/18 as not all approved requests were delivered in the year.

Type of Major Adaptation	Quantity
Level access shower	69
Over bath shower	14
External works e.g. ramps, steps etc.	16
Bathroom alterations	13
Kitchen alterations	4
Internal alterations	8
Doors	4
First floor toilet	3
Electrical	1
Door entry	1

Table 3 - Approved adaptation requests 2017/18

The below table details rejected major adaptation requests for 2017/18.

Type of Major Adaptation	Quantity	Refusal Reason
Ramps	3	Not feasible
Hardstanding	3	Did not meet criteria - e.g. parking close by
Extensions	4	High cost and offers made of suitable alternative accommodation

Table 4 - Rejected major adaptation requests for 2017/18



# **Charnwood Borough Council**

## **Housing Adaptations Policy**

**2018-2022**

**Draft Version 2.2  
September 2018**

Created/Amended by	Date Reviewed	Detail of Amendment	Version
Created by Ian Philp, Landlord Services Manager	November 2017	First draft	1.0
Amended by Ian Philp	December 2017	General amendments and clarifications  Consulted SMT (Landlord Services)	2.0
Amended by P Oliver Head of Landlord Services	August 2018	Amendments, including introduction of cap following consultation with Asset Management Team, Housing Needs Team, and Corporate Improvement and Policy Officer	2.1
Amended by Head of Landlord Services	September 2018	Specific references to key legislative drivers introduced, definitions revised to reflect social model of disability. Amendments made following meeting with County Council OTs. Consulted Head of Housing and considered DFG Policy. Consideration of best practice set out in <i>Delivering Housing Adaptations for Disabled People</i> best practice guide.	2.2

## 1. Introduction

This policy will ensure that the Council's Landlord Service provides an adaptations service of quality and timeliness that meets the needs of disabled people, accords with the social model of disability and fulfils the Council's legal requirements.

The purpose of an adaptation is to modify the home environment in order to restore or enable independent living, privacy, confidence and dignity for tenants and their families.

The Council's Landlord Service works closely with its partners in the provision of adaptations. Occupational Therapists (OT) and Housing Support Co-ordinators<sup>1</sup>

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<sup>1</sup> Roles undertaking the statutory assessment of needs function will be referred to as OT

carry out assessment of needs in tenants' homes. Leicestershire County Council (LCC) has statutory responsibility for OT assessments and performs this service for the Council's tenants.

Assessment for adaptations will take into account the needs of individuals and their carers/households.

Adaptations to Council homes are funded through the Council's Housing Revenue Account. The budget for is determined on an annual basis and funds the following works:

- Minor adaptations
- Major adaptations
- Stair lifts

Council tenants are not eligible for assistance with Mandatory or Discretionary Grants through the Council's Private Sector Housing Grants Policy.

This Policy will be supported by clear operating procedures, standard forms and letters in order to achieve the objectives set out in Section 2.

## 2. Objectives of the Policy

The objectives of this Policy are to:

- support tenants and other permanent members of the household to live comfortably, safely and independently in their home.
- ensure that tenants are aware of the options available to maintain and sustain independent living.
- give priority to mandatory adaptations work, works within the dwelling and those that support access and egress.
- provide an accessible and cost effective adaptations service based on a fair and objective assessment of individual needs on a case by case basis.
- support speed of decision making and minimise waiting times for adaptations work to be carried out.
- make best use of the Council's housing stock and budgets.
- ensure the future proofing of the Council's stock.
- ensure that appropriate technical consideration is given to recommendations, and that statutory obligations in respect of building control and other relevant legislation are complied with.

## 3. Scope of the Policy

This Policy applies to all current tenants of Council-owned dwellings, and prospective tenants of the Council with a reasonable prospect of an offer of accommodation.



#### 4. Policy Statement

In practice<sup>2</sup>, there are two categories of Adaptations work: Minor and Major. This Policy covers both Minor and Major Adaptations work.

##### **Minor Adaptations**

This is generally works that cost below £500, and will be subject to an assessment and report from the OT at LCC.

Examples of minor adaptations are:

- Handrails at the front and/or rear entrance of the property
- An additional stair rail
- Grab rails
- Half steps
- Lever taps
- Key safes
- Fillet ramps (small internal timber ramp)

##### **Major Adaptations**

All other adaptations work costing £500 and over is classed as a major adaptation, and will only be carried out once a report has been received from the OT at LCC and after a subsequent decision has been made by the Council. Examples of major adaptations work are:

- Level access showers or other modifications to the bathroom
- Over the bath showers
- Major structural conversions
- Re-modelling of rooms and layout of the property
- Stair lifts/vertical or through floor lifts and platform lifts
- Concrete ramps for wheelchair use
- Shower screens
- Alterations to kitchen surfaces (i.e. lowering surfaces for wheelchair users)
- Installing patio doors in flats
- The widening of paths around the property
- Widening doors

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<sup>2</sup> The framework for mandatory adaptation works is set out in section 23(1) of the 1996 Act, subsequently been added to by The Disabled Facilities Grants (Maximum Amounts and Additional Purposes)(England)Order 2008 as allowed for by section 23(1)(l) of the Act. These works are set out at Appendix 1.

## **Advice, Information and Support**

Advice, information and support will be provided where tenants are considering what options are possible in relation to their individual circumstances.

Where tenant's request adaptations work, they will need to be referred to LCC for a full assessment. This can be done on a tenant's behalf by the Repairs and Investment Team or by the tenant directly contacting LCC.

## **Eligibility**

Any Council tenant can apply for adaptations to their home either in person or via a member of their family, but it must be based on the LCC's eligibility criteria. The adaptation requested must meet the needs of the tenant or another permanent member of the household.

## **Assessment**

The OT at LCC will contact the tenant to make arrangements to assess their requirements. This will be done in the tenant's home. Due to the nature of the works, if a joint visit is required by Repairs and Investment staff, this will be arranged.

Following the home visit, the OT will send an assessment report to the Council. This information will include a recommendation as to the works and materials required and an indication on the priority (i.e. urgent, ASAP, or standard).

The Repairs and Investment staff will be the key contact for tenants from this point onward.

## **Decision-making Process**

Minor Adaptations work of a standard nature will generally be approved and ordered. Tenants successful in their application will be dealt with in date order within the priority recommended by the OT. Requests for Minor adaptations of a non-standard nature would generally require a survey by a Surveyor from the Council to assess feasibility for the works.

Major Adaptations work of a standard nature such as level access showers, over the bath showers, stair lifts, and ramps will generally be approved and ordered when they are received.

Requests for Major adaptations of a non-standard nature would generally require a survey by a Surveyor from the Council to assess feasibility for the works.

Any decisions on Major Adaptations work, or where there is a case that requires more in-depth consideration, including, but not limited to, those listed below will be referred for consideration by the Adaptations Review Panel.

- Major internal alterations/external alterations
- Through floor lifts
- Hard-standings and dropped kerbs
- Adaptations with an estimated cost in excess of £7,000
- Adaptations with a non-standard design or concept
- Adaptations at properties of non-standard construction, and / or where there are significant site complexities.

The Project Surveyor will present the case to the Adaptations Review Panel for consideration and decision.

The Adaptations Review Panel comprises the:

- Repairs and Investment Manager
- Project Surveying Team Leader or Principal Officer - Investment and Programme Delivery
- Customer Liaison Officer
- Housing Needs Manager or Senior Allocations and Lettings Officer

### **Maximum Value of Adaptation/s**

Adaptations requests for households may be approved up to the value of £30,000.

### **Considerations**

The Council will consider whether it is reasonable and practical to carry out the adaptations as recommended by the OT.

While the circumstances of each case will be different in some aspects and will therefore have to be considered on the basis of individual need, the rationale for the decisions on major adaptations work will be based on considerations including, but not limited to:

#### Tenant/Tenancy considerations

- The tenant's views and preferences
- The property to be adapted must be the main residence of the person who will benefit from the adaptations and likely to remain so in the foreseeable future.
- The current and likely future under or over occupancy of the property.
- Adaptations should address the immediate and longer term needs of the disabled person.
- The type of tenancy held by the tenant: non-secure, introductory, secure tenancy.
- Whether there is an imminent risk of the tenancy ending i.e. through eviction or notice to quit.
- Any pending right to buy, transfer, or mutual exchange application.

- Whether the tenant has moved from a property that would have been more suitable for their needs compared to their current property, and they are deemed to have deliberately worsened their circumstances.

### Property considerations

- The property type and its construction
- Properties of a non-standard construction type are generally not considered reasonable or practical for major structural adaptation works e.g. installation of a through floor lift.
- Adaptations involving the installation of a level access shower at a first floor (or above) location where there is no existing lift may not be considered reasonable or practicable to undertake.
- If the property is suitable for adaptation.
- Properties with narrow doorways, halls, stairways and passages may make wheelchair use in and around the dwelling difficult; or with difficult or limited access e.g. steep flights of steps making access for wheelchair use difficult and therefore making continued or prospective occupation of the dwelling open to question.
- If space in the current property is being used to its maximum benefit
- If alterations can be made to the internal layout.
- The number of living rooms on the ground floor of the property.
- If the property has previously been adapted.
- If there are any existing adaptations to the property.
- If any existing adaptations can be recycled.
- Where the adaptation concerns a communal area, whether the adaptation presents a hazard to users of the building e.g. stair lift obstructing means of escape.
- Conservation considerations and planning constraints may prevent certain types of adaptation being carried out.

### Other considerations

- If the works are supported (or not) by the OT.
- Where substantial work is recommended, the potential delays resulting from any planning and building regulations approvals and the design and completion of the works.
- The consideration of all other housing options.
- If there is another property that would be more suitable (rehousing option).
- Would the tenant and household have to be decanted on a temporary basis for the works to be completed (and, if so, is there suitable housing for the tenant to move to during the period of the works)?
- Full exploration of any viable alternatives.
- The impact on other occupants of proposed works which will reduce or limit the existing facilities or amenities in the dwelling.
- The budget available for adaptations work.
- The cost of the works.
- Extensions are likely to cost in excess of £30,000, and therefore generally will not be considered reasonable or practical to undertake.

The overriding principle in approving/refusing adaptations work will be that all options are explored to meet the specific needs of the tenant (and their household), including a transfer to more suitable housing, particularly where this would prevent spending significant sums on major alterations to the existing home.

### **Post inspection of works**

To ensure that adaptations work is carried out to the appropriate standards and to the satisfaction of the tenant, we will carry out:

- Post inspections on 100% of major adaptations work.
- Post inspection of 10% of minor adaptations work.
- After care visits by the contractor to the tenant on completion of the major adaptations work.
- Follow-up contact by the Customer Liaison Officer after 4 weeks from the completion of major works to complete a customer satisfaction survey and to check that there are no issues with adaptations work.

### **Procurement of works**

All adaptations works will be procured in line with the current relevant Corporate, Financial and European Union Regulations and Requirements applicable at the time of processing the applications. Contract Procedure Rules will be adhered to.

The current approach is:

- Stair lifts are completed by a specialist contractor.
- Other major adaptations work is carried out by the decent homes contractor.
- Minor adaptations work is carried out by the in-house Repairs service.

### **Complaints and Appeals Process**

The priority given to tenants seeking an adaptation cannot be appealed against because it is based on the professional opinion of the OT.

Decisions on whether adaptations work is approved can be appealed through the Council's Complaints Scheme. Complaints will in the first instance be considered by the Surveyor at Stage 0, and the Principal Officer - Investment and Programme Delivery at Stage 1.

If the decision to refuse the adaptations work is upheld at Stage 1 and the tenant wants to escalate the complaint, it will be referred to Stage 2 of the Complaints Policy for Corporate review.

In cases where the Adaptations Review Panel have already reviewed and made a decision on any requests for Major Adaptations work, the decision will be reviewed at

Stage 1 of the Complaints Policy by the Head of Landlord Services. If the decision to refuse the adaptations work is upheld at Stage 1 and the tenant wants to escalate the complaint, it will be referred to Stage 2 of the Complaints Policy for Corporate review.

## 5. Timescales, Performance monitoring, target setting and reporting

Tenants requesting adaptations will be notified of a decision as soon as is reasonably practicable, and no later than six months after the date of receipt of the OT recommendation.

An order with a suitable contractor for the approved works will be placed as soon as reasonably possible after the decision is made.

We will monitor performance using the following performance indicators:

- Satisfaction with the adaptations service
- Average waiting time for a decision on an adaptation request (from receipt of recommendation)
- Average time to carry out minor adaptations (following order of works)
- Average waiting time for major adaptations (following order of works)
- Average time to carry out minor adaptations (from receipt of recommendation)
- Average waiting time for major adaptations (from receipt of recommendation)
- % of minor adaptations completed within target
- % of major adaptations completed within target

Annual targets will be set on a team and individual basis.

We will report performance against the targets to the Landlord Services Senior Management Team for monitoring and review purposes.

We will compare our performance with that of other organisations, and we will seek to identify and implement good practice.

Equalities data will be captured for applications that are refused.

## 6. Multi-agency and team working

Meeting the needs of our tenants and helping them to live comfortably, safely and independently in their home will only be successfully implemented if there are effective relationships with other teams and agencies. We will strive to foster and nurture excellent relationships with such teams and organisations that include (but are not limited to):

- OTs
- Adult and Children's Social Care
- Tenancy management and support teams
- Housing Needs Team

- Building Control and Planning
- External support agencies such as the Bridge, Citizens Advice Bureau

## 7. Training and development

In order to achieve the objectives of this Policy, staff must be suitably trained in this Policy and accompanying procedures. This will be achieved by a variety of methods including induction training for new employees, job shadowing, internal briefings on matters such as legislative changes, and internal and external refresher training.

Tenants will be made aware of this Policy using the Council's website, social media, tenants' newsletter and information leaflets.

## 8. Review of the Policy

This Policy will be reviewed every four years or at an earlier period if there are legislative, regulatory or corporate policy changes.

## 9. Responsibility and accountability

Responsibility for this Policy and any associated procedures lies with the Head of Landlord Services.

## 10. Other Policies

The following policies need to be taken into consideration in respect of this Policy:

- Complaints Policy
- Choice Based Lettings Housing Allocations Policy
- Equality Strategy
- Housing Asset Management Strategy
- Housing Revenue Account Business Plan
- Housing Strategy
- Private Sector Grants Policy

## Appendix 1

The Housing Grants, Construction and Regeneration Act 1996 sets out the purposes of adaptation that are eligible for a mandatory grant as follows:

- Facilitating access to and from the dwelling (which can include a qualifying houseboat, park home or, in the case of a flat, the building in which the flat is located) for example via a ramp or work to the threshold and associated doors.
- Facilitating access to a room used or usable as the principle family room.
- Facilitating access to a room used or usable for sleeping, or alternatively providing such a room for the disabled occupant, for example, a stair lift.
- Facilitating access to a room in which there is a lavatory, a bath or a shower (or both) and a wash basin, or providing a room in which there is such a facility. For example, a level access shower or over bath shower or a washing WC where self- hygiene cannot be achieved satisfactorily. Facilitating the use by the disabled occupant of such facility.
- Facilities for the preparation and cooking of food by the disabled occupant where appropriate, for example, lowering worktop or sockets.
- Making the dwelling safe, for example, through the provision of an enhanced alarm system for those with hearing difficulties, or where a disabled person has behavioural problems, minimising the risk of harm through appropriate adaptations.
- Improving any heating system within the dwelling, or providing a heating system to meet the needs of the disabled occupant, for example, the provision of heating to rooms used by the disabled occupant - the main living room, bedroom and bathroom.
- Facilitating the use by the disabled occupant of a source of power, light or heat, for example, by altering the position of one or more means of access to or control of that source or providing additional means of control.
- Facilitating access and movement by the disabled occupant around the dwelling in order to care for another person who normally resides there and is in need of such care, for example, to provide access to an area that the disabled occupant would not normally need access to, but which is used by a person to whom they are providing care.
- Facilitating access to the garden for a disabled occupant.
- In considering an application, the Council must be satisfied that the relevant works are necessary and appropriate to meet the needs of the disabled occupant and that it is reasonable and practicable to carry out the relevant works having regard to the age and condition of the dwelling.