

# Housing Management: Aids and Adaptations Policy

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## **1. Purpose**

- 1.1 Melton Borough Council is committed to meeting the needs of its tenants and their household to live independently with privacy and dignity. We aim to support people to continue to live independently and comfortably in their homes for as long as possible or, if this is not possible or practical, to assist them in finding suitable alternative accommodation.
- 1.2 This Policy applies to persons with a disability who are permanent residents in Melton Borough Council's social rented housing and who require aids and adaptations within their home.
- 1.3 The key objectives of the Aids and Adaptations Policy are:
  - a) To set out the criteria by which the Council will assess and approve requests for adaptation work.
  - b) States clearly which adaptations will not be funded and identify limitations or exemptions to the service.
  - c) Indicates what support can be offered in terms of re-housing to more suitable accommodation where an option appraisal makes the application nonviable for the existing dwelling or its occupants.
  - d) Makes best use of existing adaptations in council properties through the reallocation of those properties to those with needs most closely meeting the property attributes.
  - e) States clearly how tenants will be made aware of their responsibility to contribute towards the costs where adaptations will cost more the maximum limit the council will fund, if this applies, or where ongoing service charges will be charged.
- 1.4 Melton Borough Council as a landlord meets the cost to supply and fit aids and adaptations to council homes. These costs are met through the Council's Housing Revenue Account. We will do all we can to ensure there is sufficient funding to meet the needs of tenants, however this may not always be possible.

## **2. Legal and Regulatory Framework**

- 2.1 In determining this policy, regard has been given to the Council's Allocations Policy alongside the Regulatory Framework for Social Landlords, which states that Registered Providers shall:
  - a) Offer tenancies or terms of occupation which are compatible with the purpose of the accommodation, the needs of individual households, the sustainability of the community and the efficient use of their housing stock

- b) Co-operate with the local authorities' strategic housing function and their duties to meet identified local housing needs. This includes assistance with the local authorities' homelessness duties and through meeting obligations in nominations agreements
  - c) Co-operate with relevant organisations to provide an adaptations service that meets tenants' needs
  - d) Develop and deliver services to address under-occupation and overcrowding in their homes within the resources available to them. These services should be focused on the needs of the tenants and will offer choices to them
  - e) Provide tenants wishing to move with access to clear and relevant information about their housing options
- 2.2 The Equality Act 2010 has repealed much of the previous disability legislation. It includes a new duty for public bodies when carrying out their functions to have due regard to promoting equality. Discrimination on grounds of disability can be justified in law if the council has appropriately balanced the needs of the person with a disability and those of others in need of accommodation. Making better overall use of the housing stock and meeting more needs, including those with disabilities, is a legitimate aim.
- 2.3 The Equality Act 2010 'Duty to make Reasonable Adjustments' applies to Landlords and Managers of rented premises or premises available to rent. This duty is not anticipatory – it only arises if CBC are requested to make an adjustment by a person to whom the premises are let or by someone on their behalf.
- 2.4 There are two requirements under the Act:
- 2.4.1 Providing auxiliary aids and services
  - 2.4.2 Changing provisions, criteria or practices (e.g. allowing a disabled person who uses an assistance dog to take a property that might otherwise have stipulated 'no dogs') There is no legal requirement under the Equality Act for CBC to make any changes which would consist of or include the removal or alteration of a physical feature of the property which includes:
    - a) Any feature arising from the design or construction of a building
    - b) Any feature of any approach to, exit from or access to a building
    - c) Any fixtures or fittings in or on a premises
    - d) Any other physical element or quality
- 2.5 The cost of adaptations and the suitability of the current accommodation (including under occupation) are relevant factors when considering proportionality. Alternative means of meeting needs other than adapting

the current property include transfers to more suitable accommodation or tenants contributing to costs may also be considered.

- 2.6 Under the terms of this policy, a person is regarded as being disabled if they have a physical, sensory or mental impairment, which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities within their home. A long-term effect refers to disabilities that have lasted for at least 12 months, the effects of which last for at least 12 months, or which are likely to last for the remainder of a person's life.

### **3. Scope**

- 3.1 This policy covers two areas:
- 3.1.1 Adapting existing homes
  - 3.1.2 Allocation of and best use of existing stock currently part or fully adapted to meet housing demand
- 3.2 The policy recognises the impact aids and adaptations in and around the home can have in helping someone with a disability to maximise their independence. The policy also recognises that alternatives to the provision of new adaptations will be explored with the tenant and their household and in some cases tenants will be required to move to more suitable accommodation.
- 3.3 It confirms the council's commitment to meeting the needs of tenants, which may change over time, as well as effectively using the council's existing housing stock and ensuring a fair distribution of aids and adaptations within finite resources.
- 3.4 Whilst the needs of tenants will be given proper consideration it is inevitable that the use of the councils housing stock must additionally be considered in parallel to ensure that all residents are being treated fairly particularly where the nature of the adaptation is substantial
- 3.5 The council acknowledges that the timely provision of minor adaptations can often sustain the independence of tenants and postpone the need for substantial major adaptations.

### **4. Adapting existing homes**

- 4.1 The term Aids and Adaptations covers a number of related activities including:
- a) Option appraisal and feasibility assessment of recommendations received from the Community Occupational Therapy Service

- b) Commissioning and installation of aids and adaptations to council properties
  - c) The removal and reuse of aids and adaptations in council properties where this offers value for money
  - d) Developing and maintaining an adapted council property list to support new applications for council property
  - e) Supporting tenants through the various stages of the aids and adaptations process
  - f) Receiving and prioritising new applications for re-housing from existing tenants requiring adapted or accessible housing solutions
  - g) Appropriately allocating adapted council properties
  - h) Assessment of new applications for housing
- 4.2 This policy specifically refers to disabled adaptations to properties managed by the council in its capacity as landlord. This policy does not extend to home owners, leaseholders or tenants applying for aids and adaptations to private sector or other social rented properties; such assistance is available through Disabled Facilities Grants (DFG).

## **5. Types of Assistance Available**

- 5.1 There are three categories of Aids and Adaptations for existing tenants covered by this policy.

### **5.2 Equipment and Aids**

- 5.2.1 Provided a tenant meets the Fair Access to Care (FACS) criteria, Health Services or the Community Occupational Therapy Service, Leicestershire County Council (LCC) will provide a range of freestanding portable or medical aids suitable for the functional requirements including:

- a) Portable Hoists
- b) Hospital Beds
- c) Toilet frames and Specialist seats
- d) Bed levers
- e) Wheelchairs
- f) Shower chairs
- g) Chair risers
- h) Walking frames
- i) Reaching devices
- j) Assistive technology

**5.3 Minor Adaptations:** Works which cost £1,000 or less

5.3.1 The provision of these adaptations are usually based on the recommendation of an Occupational Therapist and include items such as:

- a) Grab rails
- b) Hand rails
- c) Lever taps
- d) Stair rails
- e) Lowering/repositioning of light switches and sockets (wheelchair users only)
- f) Steps
- g) Small ramps or removable ramps
- h) Bath lifts
- i) Flashing or amplified doorbells
- j) Door and wall protectors

**5.4 Major Adaptations:** Major adaptations are works that cost over £1,000 and usually involve structural alterations, improvements to, or additions to the fabric of the property. For all Major adaptations a written recommendation from an Occupational therapist must be received.

5.4.1 Major adaptations are provided in line with the provisions of the Housing Grants, Construction and Regeneration Act 1996 for disabled facilities grants (DFG) and in summary help to facilitate:

- a) Access to and from the home
- b) Making the dwelling or building safe for the disabled occupant and other persons residing with him/her.
- c) Access to a room used or usable as the principal family room.
- d) Access to or providing for the disabled occupant, a room for sleeping
- e) Access to, or providing for the disabled occupant, a room(s) in which there is a lavatory, a shower and or bath, a wash hand basin, or facilitating the use of such facilities by the disabled occupant
- f) The preparation and cooking of food by the disabled occupant
- g) Improving/providing a heating system in the dwelling to meet the needs of the disabled occupant.
- h) The use by the disabled occupant of a source of power, light or heat by altering the position of one or more means of access to or control of that source or by providing additional means of control.
- i) Access and movement by the disabled occupant around the dwelling in order to enable him/her to care for a person who is normally resident in the dwelling and is in need of such care.
- j) Facilitating access to and from a garden by a disabled occupant

#### 5.4.2 Examples of major adaptations include:

- a) Level access showers
- b) Large permanent ramps
- c) Door widening
- d) Stair lifts
- e) Kitchen refurbishment with low level units (appliances excluded)
- f) Through floor lifts
- g) Tracked Hoists (works associated with strengthening the structure and additional electric points only – hoists are a medical aid)
- h) Swing doors or doors operated electrically
- i) Extensions – Ground floor level only

## 6. Eligibility

- 6.1 Aids and Adaptations will only be considered for MBC tenants named in the tenancy agreement or a member of the immediate family who is permanently resident in the household.

### **And**

Have an impairment which has a significant long term effect on their ability to:

- a) Carry out normal day-day activities in and around their home
- b) Access essential facilities within their home

- 6.2 Adaptations for children of tenants will only be completed at the property which is the principal home.

- 6.3 Major Adaptations will not be approved for individuals who are waiting for medical procedures which will improve mobility until their expected recovery is complete. Adaptations will be considered when a tenant is waiting to be discharged from hospital and require their current homes to be adapted, however it may not be possible for them to be completed prior to discharge.

- 6.4 Adaptations will not be carried out for lodgers or temporary visitors

- 6.5 Generally adaptations will be carried out where a secure tenancy is held, although consideration will be given if tenants are introductory tenants. If the tenancy is in its introductory period and is less than 12 months old adaptations may not be carried out if the tenant failed to declare that they or a member of their household had a pre-existing disability where it would have been reasonable for them to do so.



- 6.6 Requests for major adaptations will not be approved where a Right-to-Buy application has been received. Tenants in these cases will be signposted to the assistance available through the council's DFG programme once they have bought their home.
- 6.7 Tenants seeking to Transfer or Mutual Exchange will be considered on their individual merit and whether they are leaving or going to a suitably adapted property will form part of this consideration.
- 6.8 The Council will not progress with an adaptation where possession proceedings have commenced or a possession order is already in place.
- 6.9 We will only consider carrying out minor and major adaptations that have been recommended by an occupational therapist from Leicestershire County Council.

## **7. The Application Process for Adaptations**

- 7.1 Mobility aids e.g., walking sticks, frames and wheelchairs are not provided by Leicestershire County Council. A GP or health care professional can provide a referral for a mobility assessment or to the wheelchair service.
- 7.2 Applications for minor adaptations can be made using the online self-service assessment form on the Leicestershire County Council website:

[https://leicestershirecc-self.achieveservice.com/en/AchieveForms/?mode=fill&consentMessage=yes&form\\_uri=sandbox-publish://AF-Process-80894339-a4d5-4ec0-9956-10011cd1c601/AF-Stage-ebaac6fb-0e0c-4e42-8b05-9965d9d283eb/definition.json&process=1&process\\_uri=sandbox-processes://AF-Process-80894339-a4d5-4ec0-9956-10011cd1c601&process\\_id=AF-Process-80894339-a4d5-4ec0-9956-10011cd1c601&ga=2.126515588.801749736.1602592688-2030938730.1602231048](https://leicestershirecc-self.achieveservice.com/en/AchieveForms/?mode=fill&consentMessage=yes&form_uri=sandbox-publish://AF-Process-80894339-a4d5-4ec0-9956-10011cd1c601/AF-Stage-ebaac6fb-0e0c-4e42-8b05-9965d9d283eb/definition.json&process=1&process_uri=sandbox-processes://AF-Process-80894339-a4d5-4ec0-9956-10011cd1c601&process_id=AF-Process-80894339-a4d5-4ec0-9956-10011cd1c601&ga=2.126515588.801749736.1602592688-2030938730.1602231048)

- 7.3 Self-referrals for a care and support assessment, which will include consideration of home adaptations to meet your essential needs, can be made directly to Leicestershire Adult Social Care on (0116) 3050004.

- 7.4 Further information on Aids and Adaptations can be found here:

<https://www.leicestershire.gov.uk/adult-social-care-and-health/living-independently-at-home/equipment-home-adaptations-and-assistive-technology>

- 7.5 Once a referral is received and reviewed by the Occupational Therapy Service, they will contact the tenant from which is usually by telephone

to undertake an initial screening. An appointment to visit (if required) will be made with the tenant to identify any adaptations that are necessary, appropriate and qualifying. If a need for adaptations is identified the Occupational Therapy Service will in turn send a written recommendation to the Council for consideration and an options appraisal will be undertaken.

## **8. Qualification for Adaptations**

8.1 An assessment of needs, by an Occupational Therapist must be undertaken for all major adaptations identifying any necessary and appropriate adaptations required to meet the needs of the disabled person. Following the assessment the Occupational Therapist will provide a written recommendation to the Council.

### **8.2 Threshold Indicators and Options Appraisal Process for Major Adaptations**

8.2.1 In assessing the recommendations received from the Community Occupational Therapy Service, the Council will consider in more detail a number of factors and threshold indicators to establish if it is willing to proceed. To do this it will undertake an Options Appraisal process which includes.

- a) Establishing if the aids and adaptations are feasible, reasonable and practicable.
- b) Where necessary, gather further information through an application form, site visits, case conferences and key professionals.
- c) Identify if any threshold indicators have been reached, and if they have, recommend an options appraisal be undertaken
- d) The Council must be satisfied that the recommended works are:
  - a. Reasonable, feasible and practicable with regard to the type, age and condition of the dwelling
  - b. Necessary and appropriate to meet the ongoing needs and prognosis of the disabled occupant, having regard for end of life care protocols.

8.3 For example, the Council would not normally provide a level access shower to a first floor flat unless there was lift access to the first floor. The Council will also consider the wider impact of the requested adaptation in relation to issues such as others in the household, regular visitors to the property, under-occupancy levels. Some of the Council's properties are unsuitable by design for adaptation.

- 8.4 If a tenant has expressed the intention to move from the property, e.g. by way of transfer, mutual exchange or other method, the Council may decide not to approve major adaptations at their current property. However, each application will be considered on its individual merit.

## **9. Assessing a referral**

- 9.1 On deciding whether it is reasonable and practicable to undertake major adaptations the council will consider the following threshold indicators:

### 9.1.1 The Building/ Property

- a) The age and structural condition of the property
- b) Existing adaptations at the property
- c) Cost of adaptations necessary to make the property suitable
- d) Length of time the adaptation will take and incumbent void rent loss if the tenant has to be decanted
- e) Property constraints in terms of its adaptability
- f) Architectural and structural characteristics of the dwelling, some of which may render certain types of adaptation inappropriate, for example properties with narrow doors, stairways and passages, or steep slopes and flight of steps
- g) If the adaptation is for a level access shower in a first floor flat the means of accessing the flat
- h) Where a sheltered scheme has an adapted communal bathroom and that bathroom would meet the needs of the tenant and it is reasonable that the tenant can use the facility the council will not further adapt the bathroom within the tenants accommodation
- i) Where works would require planning permission or building regulation approval which has not been, or would not be, granted
- j) Whether adaptations make the best use of the council's housing stock and future let ability of a property
- k) Whether adaptations affect the amenity of the area for other residents
- l) Whether there is a 2nd reception room which could be utilised as a bedroom /bathroom when a stair lift and wet room to the 1st floor is being recommended

### 9.1.2 The Demand

- a) Property type and demand
- b) Availability of more suitable alternative adapted or part adapted accommodation
- c) A suitable, alternative adapted property is offered and refused
- d) Whether the property is a ground floor home in a block of flats
- e) Whether the property is a bungalow

### 9.1.3 The Person/ The tenancy

- a) Availability of the disabled person's existing support network and carers
- b) Affordability (rent increase and under occupation for instance)
- c) The tenants intentions regarding the long term use of the property
- d) Where the council is taking possession proceedings against the tenant for example, for rent arrears (in line with general needs transfer requests) and anti-social behavior
- e) Any competing needs of different members of the family which cannot be met in that particular home
- f) Whether the property and proposed adaptations will meet the long-term needs of the disabled person. For instance if a tenant has a deteriorating condition which means ground floor rooms would meet their future needs better than adapting the first floor
- g) Current occupancy of a property, for example is it under-occupied or will it be over occupied on completion
- h) The request is to address specialist medical needs of an individual other than basic needs (Example of specialist needs: self-washing facilities, hospital beds or hoists)

9.2 An options appraisal process will automatically apply to cases that hit one or more of the following triggers but may also be referred through the process if a larger number of other threshold indicators are in question:

- a) Where the property is currently under or over-occupied or will become under or over-occupied if the adaptations are undertaken
- b) Where a possession order has been obtained or is in the process of being obtained
- c) Where the estimated cost of adapting a property is £5,000 or above
- d) The property cannot be adapted because of design constraints
- e) If there are likely to be excessive costs

## 10. Approval process

10.1 The Housing Asset Management Team in consultation with Tenancy Services, will complete a Options appraisal that will include a summary of the recommendations.

10.2 Where ever possible the Council will seek to carry out the most cost effective adaptation to the property which adequately meets the applicant and households needs, this usually means that an adaptation is carried out within the existing footprint and structure.

Value of Works	Options Required	Appraisal	Approval Required by
up to £1000	Not Required		Project Officer
Up to £5000	Where apply	thresholds	Housing Asset Manager
Between £5001 and £15,000	Yes		Assistant Director for Housing & Communities
Over £15,000	Yes		Director & Portfolio Holder

10.3 If adaptations qualify and are considered the most appropriate solution, the Council will:

- a) Instruct the production of any schemes, costs and drawings as necessary
- b) Ensure relevant permissions are obtained
- c) Approve the undertaking of such work with relevant contractors
- d) Monitor and ensure quality control of the works
- e) Agree and implement where applicable the need to reclassify the property in terms of adaptations undertaken and any reduction or increase in bedrooms due to the adaptations
- f) Work with relevant partners, such as our housing maintenance service provider, to facilitate the adaptations to properties
- g) Add the recommendation to the waiting list
- h) Inform the tenant of the outcome and estimate a timeframe within 6 months of receiving the recommendation
- i) If the decision is to seek suitable alternative accommodation for a 12 month period then at the end of the 12 month period the case will be reviewed and reconsidered if suitable accommodation has not been identified
- j) If the applicant has failed to engage during the 12 month period or suitable alternative accommodation has been refused this will form part of consideration when case is reviewed. The Council will not normally approve a Complex adaptation if an applicant has failed to cooperate and consider all housing options available

## 11.Exclusions

11.1 The following are examples of aids and adaptations that will not be funded:

- a) Adaptations for the use of or storage of mobility scooters
- b) Vehicular access, hard standings and driveways
- c) Certain pieces of non-specialist fixtures or equipment and appliances will not be classed as aids and adaptations. In general, this applies where the fixture, equipment, or appliance has the same use for another occupant who is not disabled. For example ovens and hobs and other appliances forming part of an adapted kitchen
- d) Safe play areas inside or outside
- e) Extensions and loft conversions would only be considered if a suitably sized property did not exist in the councils housing stock
- f) If the proposed adaptation results in the disabled person still being unable to access a significant proportion of the home

## **12. Funding and Prioritisation of Adaptations**

- 12.1 The annual funding of aids and adaptations is a fixed amount, with demand often exceeding the financial resources available. Therefore, the Council will prioritise the demand in a way that best meets the greatest needs. All major adaptations are subject to budget availability, but in exceptional cases and subject to Member approval, an increase in budget may be required.
- 12.2 The Council will normally only fund major adaptations up to a maximum limit of £30,000. This is set in line with DFG limits, currently £30,000. Anything not being funded by the Council, e.g. over the maximum limit, or having a client contribution, will need to be funded by other means. In such circumstances, the Council will discuss with the tenant the options of self-funding, alternative funding available or re-housing
- 12.3 An options appraisal will be required for all adaptations over £5,000
- 12.4 Prioritisation of adaptations will be by means of a waiting list and the Occupational Therapists assessment of how critical and urgent the adaptation is. In general terms, this means dealing with the highest priority cases first and will take into account the length of time a person has been waiting. Should funds be depleted the Council will inform tenants who are awaiting an adaptation to explain the position and give an indication as to how long they are likely to have to wait. Where necessary, the Council will also work with the tenant to explore alternative options such as re-housing or other sources of funding.

## **13. Inspections**

- 13.1 Whilst work is being undertaken the Projects Officer will wherever possible visit the property to ensure that the work is being undertaken as per the specification and when the work is completed, the officer will carry out a final inspection, with the Occupational Therapist, to ensure it has been completed satisfactorily.

## **14. Rent and service charges**

- 14.1 A service charge will be applied to cover the costs of annual servicing, testing and maintenance of any specialist equipment provided as part of the works.
- 14.2 Service charges will cover the cost of a sinking fund which will be established to pay for replacement equipment at the end of its useful life. These charges will be payable weekly with the rent in accordance with the Rent Setting and Service Charge Policy and Tenancy Agreement. If the tenant is in receipt of support for their housing costs, the charge may be covered in part or in full in accordance with the benefits regulations. The cost of charges will be discussed and agreed with the tenant before any equipment is installed.
- 14.3 Rent increases will also be made where the structure of the building is increased in size to accommodate an adaptation or internal modifications e.g. additional rooms. The increase in rent will be discussed with you before adaption work is carried out.
- 14.4 Examples of adaptations subject to weekly service charge include:
- a) Stair lift
  - b) Through floor lift
  - c) Tracked hoists
  - d) Specialist bathing equipment
- 14.5 Examples of adaptations subject to weekly rent increase include:
- a) Bedroom/living room extension
  - b) Bathroom extension
  - c) Loft or garage conversion
- 14.6 The service charge and additional rent payment will be reviewed annually.

## **15. Properties that cannot be adapted**

### **15.1 Adaptations to Common Parts/Communal Access**

- 15.1.1 Common parts relate to those areas outside of an individual dwelling but within the structure of the building, for example, entrance hallways or communal staircases to blocks of flats. Communal access relates to shared access to a group of properties, for example, shared paths and steps. Aids and adaptations to common parts and communal areas including handrails or ramps to a shared path will be reviewed on a case by case basis via an option appraisal. The council will take into account

of the health, safety and needs of all affected occupants as well as the local area needs and the most appropriate funding agreed where necessary.

## **16. Installing Own Aids and Adaptations – Permissions**

- 16.1 In some circumstances tenants may wish to install their own aids and adaptations such as showers over baths or stair lifts. Tenants need to make an application through the Alterations process, for adaptations they wish to make to the property before the work is undertaken. Introductory tenants may also be able to undertake these works if supporting evidence is provided from their Occupational Therapist or General Practitioner.
- 16.2 When tenants wish to install their own aids and adaptations these will not normally be maintained by the Council, therefore the tenant will be responsible for any servicing or repairs costs that are required as a result of the adaptation. Any Planning or Building Regulation fees and costs will be met by the tenant if applicable. Under certain circumstances the Council may agree to take responsibility for tenant alterations and the tenant will need to agree to sign over ownership free of charge, Rent and Service Charges will be levied for the ongoing maintenance and adaptations.
- 16.3 In the case of tenant installed aids and adaptations, at the end of the tenancy the tenant will be required to remove them and make good any damage to the property.

## **17. Allocation Managing and Re-letting of properties – this policy:**

- a) Identifies the appropriate matching of customers' needs on the housing register to adapted and void properties via the keyways allocation scheme
- b) Requires acceptance of the adapted property 'as is', unless a new tenant's disability at a later stage require it to be altered
- c) Ensures the adapted property list will be kept up to date
- d) Considers if current adapted properties make best use of available stock
- e) Provides financial help to existing tenants where a move to more suitable accommodation is the most appropriate option
- f) Allows the Direct Matching of adapted properties to meet current tenants needs when a decision has been reached not to adapt the tenants current home

## **18. Re-lets, Matching Need and Re-housing**

- 18.1 Adapted Properties List



18.1.1 A list of adapted properties detailing the type of adaptation present in a property will be kept up to date by the Housing Asset Management Team and shared with the Tenancy Services and Housing Options Team. Adverts for properties will clearly describe adaptations to interested bidders.

18.1.2 Allocation of properties will be based on the criteria set out in the Council's current Allocations Policy except when a direct match is required to meet the needs of a current tenant.

18.1.3 It is expected that there will be appropriate matching of applicants needs on the housing register to an adapted void property to ensure best use of the Council's facilities and resources. This could mean a part adapted property could be offered that doesn't meet exact needs but could do with additional adaptations. An example of this includes where a wet room has been installed in a 1st floor bathroom which would meet bathing needs however due to mobility problems accessing it would be difficult. With the provision of a stair lift the property would meet all essential needs.

## 18.2 Accessible Housing List

18.2.1 The Housing Options Team will keep a list of applicants requiring an adapted property detailing what is required, this will be shared with the Tenancy Services Manager.

18.2.2 The Tenancy Services Manager will share details of any approved Direct Match tenant for whom the decision has been made not to adapt their current property.

## **19. Direct Matching / Discretionary Lets**

19.1 If a property becomes vacant and has extensive or specific adaptations, the decision may be made not to advertise the property and offer a direct let. The decision will be made by the Tenancy Services Manager to meet the needs of those on the Accessible Housing List. Properties may be offered directly to a current tenant waiting for adaptations to their current home where the need has become urgent and an options appraisal identifies reasons not to proceed adapting the current home or a waiting list applicant who can make full use of the adaptations and to date no properties have become available which would suit their needs.

19.2 The council will hold a list of all the applicants who require extensive or specific adaptations. When a property is identified as not being suitable for a normal let an attempt can will be made to match it to the applicant most in need, based on priority banding and waiting time.

19.3 The council reserves the right to withdraw adapted properties from the lettings list as appropriate to meet urgent unmet demand.

## **20. Letting adapted properties**

- 20.1 If a person requiring adaptations applies to join the housing register, they may, after being assessed by an Occupational Therapist, be granted priority banding for any suitable adapted properties in line with the current Councils Allocation Policy.
- 20.2 If a tenant no longer requires the adaptations and would prefer to move from an adapted property to an un-adapted home, the council will consider awarding priority if it has someone else who needs that type of adapted home.
- 20.3 Future tenants must accept the adapted property 'as is', unless after taking up the tenancy a new recommendation identifies additional adaptations are required.
- 20.4 Where the adaptation is preventing the property from being relet, after 2 advertising cycles and Direct Match offers being made the council may consider offering it to applicants without a need for the adaptations. In most cases the adaptation will not be removed. Applications to remove the adaptation will not be approved. In some cases it may be appropriate to remove in part or the whole adaptation and where practical to do so place it into storage. Each case will be considered on a case by case basis with input and advice from relevant officers.

## **21. Re-housing current tenants**

- 21.1 For all requests for major adaptations, the council will discuss with the tenant the option of a transfer to alternative accommodation that better meets the needs of the disabled person. This will be done on receipt of an Occupational Therapist recommendation. This could include arranging a suitable alternative home within the council's stock, for which a discretionary direct match or priority medical banding may be given.
- 21.2 Examples of why this may be considered:
  - a) A vacant property which is already suitably adapted to meet the essential needs of the tenant can be identified
  - b) A vacant property which is more suitable to be adapted to meet the essential needs of the tenant can be identified
  - c) An extension can be avoided by a move to a larger property
  - d) The current property is not suitable for a particular adaptation.
  - e) Adaptations to a property may reduce its potential to be let in the future.
  - f) There is under occupation by at least one bedroom or more

- 21.3 Where it is considered that a move to more suitable accommodation would be possible and/or is the best solution, a priority banding may be given to the tenant to enable them to move more quickly.
- 21.4 If suitable accommodation is available the tenant would be expected to accept the alternative property.
- 21.5 Once an offer has been accepted on an alternative property, the customer will be expected to take up the tenancy and move in to this property as soon as is practical.
- 21.6 If a tenant refuses two reasonable offers of alternative accommodation, the council will inform the tenant that they may be excluded from any further considerations under such circumstances, the council may also discuss with the tenant the options of self-funding or alternative funding.
- 21.7 In cases where re-housing is being looked at as the approved/preferred option, then this must be possible within a reasonable timescale (based on an assessment of risk and availability of accommodation). If it is not possible to find suitable alternative accommodation within a reasonable time, adaptations to the existing property or another property will be considered. A reasonable timescale is deemed to be no longer than 12 months from the date the decision not to adapt has been made.
- 21.8 If any additional aids and adaptations are required to the new property these will not be undertaken until confirmation of the tenants intention to move has been received.

## **22. Financial assistance towards moving**

- 22.1 Where an offer is accepted to transfer/re-house under the Aids and Adaptations Policy, the council may help with the cost of moving to the other home.
- 22.2 Tenants who take up the option to be re-housed may receive financial assistance to cover relocation expenses. Assistance will vary according to circumstances but may include:
- a) Removal costs
  - b) Disconnection and reconnection of cooker, and essential appliances
  - c) Refitting of carpets
  - d) Redecoration allowance or where appropriate redecorating of rooms in a new home

## **23. Adapting Vacant Properties**

- 23.1 There may be occasion where a property would be suitable if additional adaptations were installed. However under the council's current allocation scheme unless a property meets the needs of the household

they would not be nominated to it. This does limit the choices disabled applicants and current tenants have to move. If adaptations were undertaken in a vacant property they may not be suitable for all. Many adaptations are recommended according to the individual's needs and are not a generic assumption.

- 23.2 If the council is considering offering applicants or a current tenant a vacant un-adapted or partially adapted property which may require further adaptations to address needs, council officers, the Occupational Therapist and Projects Officer will firstly assess the suitability of the property to meet essential needs. The priorities of the Occupational Therapy Service do not always result in an immediate response to such requests. However where possible this will be pursued only when it would not hold up a letting or result in void loss.
- 23.3 Once the Occupational Therapist and Projects Officer have made their assessment of a vacant property, the council reserves the right to withdraw any offer of accommodation if the property is not deemed suitable. If extensive major adaptations are required or there is no funding available to carry out the works, the offer of accommodation may be withdrawn. The customer will be advised regarding the outcome and of their alternative housing options.
- 23.4 If major adaptations are required and the property is deemed suitable, some or all of the adaptation work will be carried out as a priority where possible and practical, to minimise void times. The customer will be expected to take up the tenancy as soon as is practical. If the tenant is able to live in the property whilst awaiting some or all of the adaptation work they will be expected to do so. If minor adaptations are required the customer will be expected to take up the tenancy prior to the adaptations being carried out.
- 23.5 Prior to undertaking major works, applicants who are existing council tenants will be required to sign a tenancy agreement for the newly allocated property. The property they currently reside in will then be treated as a decant property. Upon completion of works the tenant will be required to vacate the decant property and move into their new property. They will have no rights to remain in the decant property.
- 23.5.1 Note; the tenant will only be responsible for paying rent at the property where they are actually residing.
- 23.6 Applicants who are not existing council tenants will be required to sign a Declaration of Understanding prior to works being undertaken. The Declaration of Understanding highlights that the applicant is making a commitment to move into the property as soon as it is available and adapted if they cannot take up immediate residence and that they will not receive another offer of accommodation. In such cases applicants will be considered as adequately housed. Failure to take up an adapted property offer once works have commenced, will be deemed a refusal of

a reasonable offer and this will affect any future applications they make for re-housing or aids and adaptations.

#### **24.Future occupation and successive applications**

- 24.1 Once major or extensive adaptations have been completed at a property it is expected that the tenant requiring the adaptation will continue to live at the address, unless circumstances do not allow this (for example, no longer able to use the property due to a worsening medical condition and further adaptations are not possible).
- 24.2 If a tenant applies to be re-housed, unless their circumstances have changed, they would normally be considered to be adequately housed and would have no priority on the housing register.
- 24.3 Tenants requesting consideration to undertake a mutual exchange to a property without adaptations when it is clear they have been provided for them in their current property will be refused consent if they chose to move to an un-adapted/unsuitable property.
- 24.4 Where significant work has taken place at a property and the person(s) requiring the adaptation(s) dies or is unable to remain at the property and permanently resides elsewhere, the remaining family members may be asked to move to alternative accommodation to allow the adapted property to be let to a disabled tenant or applicant. Similarly, where the disabled person remains after death of a partner in a joint tenancy, the disabled person may be required to move to alternative adapted accommodation if for example, the property is grossly under-occupied.

#### **25.Prioritising adaptations**

- 25.1 Wherever possible minor adaptations will be completed in date order, based upon the application date. Circumstances beyond the control of the Council, such as a need to order specialist equipment could impact upon this.
- 25.2 Once approved, the Council will also seek to complete complex adaptations and major adaptations in chronological order, based upon the date the referral was received from the Lightbulb team Occupational Therapist. However, delays in identifying a suitable property, in ordering specialist equipment and in finding a suitable contractor could impact on this.
- 25.3 Cases identified by the Occupational Therapist (or other officers/agencies) as an urgent priority will be escalated appropriately.

## **26. Dispute resolution**

- 26.1 If a resident or tenant is dissatisfied with a decision made under this Policy they can request a review of the decision. The review will normally be conducted by a Senior Officer not involved in the original decision.
- 26.2 If the resident or tenant remains dissatisfied with the outcome or they wish to complain about the quality of service they have received they can submit a formal complaint.
- 26.3 The Councils Corporate Complaints Policy is based on a two stage procedure:
- Stage 1 Complaint –First Contact complaint  
Stage 2 Complaint –Service Review
- 26.4 If the complainant remains dissatisfied at the end completion of stage 2 they will be advised to contact the relevant Ombudsman.

## Appendix A

Definition of a qualifying Disabled Person for a home adaptations is taken as the same as the definition relating to DFG legislation:-

For the purposes of the legislation relating to DFG's a person is defined as being disabled if:

- Their sight, hearing, or speech is substantially impaired
- They have a mental disorder or impairment of any kind, or
- They are physically substantially disabled by illness, injury, impairment present since birth or otherwise

A person aged under 18 is taken to be disabled if:

- They are registered in a register of disabled children maintained under the Children Act 1989, or
- In the opinion of the social services Council (Leicestershire County Council) they are a disabled child as defined for the purposes of Part III of the Children Act 1989

A person aged 18 or over is taken to be disabled if:

- They are registered as a result of any arrangements made under section 29(1) of the National Assistance Act 1948, or
- They are a person for whose welfare arrangements have been made under that section or might be made under it

These criteria will be used by Occupational Therapists from Leicestershire county Council in order to access those eligible for referral to Melton Borough Council for adaptations.