



South  
Cambridgeshire  
District Council

## Appendix A

# AIDS & ADAPTATIONS POLICY

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## Section 1: Introduction

- 1.1 This policy aims to enable South Cambridgeshire District Council, to assist their tenants who are disabled or suffer from long-term ill health to live independently and to carry out essential day-to-day activities in their homes. Specifically it sets out the principles that will be applied in relation to the provision of aids and adaptations. The policy extends to immediate family members of the tenant and consideration will also be given to other permanent members of the household.
- 1.2 This policy sets out the terms under which adaptations will be approved and administered for Council tenants only. In considering the provision of disabled facilities the most appropriate solution will be sought in all cases which aim to offer best value for money whilst meeting the needs of the customer.
- 1.3 Funding for Aids & Adaptations will be through the Housing Revenue Account.
- 1.4 The Head of Housing and Property Services is responsible for ensuring compliance with this procedure.
- 1.5 This policy contributes to the Council's housing vision 'to be the best housing service by providing good quality housing across all tenures that is accessible to all – that enhances residents' quality of life, their health and wellbeing'.

## Section 2: Definition

- 2.1 For the purposes of this policy, a person is disabled under the Housing Grants, Construction and Regeneration Act 1996 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

Generally the impairment of the applicant must have lasted or is likely to last for at least 12 months.



### **Section 3: Legal Context**

- 3.1 The Council has a duty to make reasonable adjustments to policies, practices and procedures and to provide auxiliary aids and services to enable a disabled person to rent a property and facilitate a disabled person's enjoyment of the premises (Part 3 of the Disability Discrimination Act 2005).
- 3.2 The Council needs to have regard to the special needs of the chronically sick and disabled (S3 Chronically Sick and Disabled Persons Act 1970).
- 3.3 The Council as a Housing Landlord needs to consider the housing conditions and need of the district (S8 Housing Act 1985) and a responsibility to provide reasonable adjustment for disabled tenants.
- 3.4 The Equality Act 2010 prohibits discrimination against people with the protected characteristics that are specified in section 4 of the Act. Disability is one of the specified protected characteristics.
- 3.5 This Policy takes into account the Housing Grants Construction and Regeneration Act 1996 for the provision of disabled facilities.

### **Section 4: Meeting the Statutory Duties**

- 4.1 In order to ensure compliance with the statutory duties the following steps must be taken:
  - 4.1.1 Determine whether the works are necessary and appropriate to meet the needs of the disabled occupant.
  - 4.1.2 Determine whether the works are reasonable and practicable.

### **Section 5: Necessary and Appropriate Works**

- 5.1 Section 24 of the Housing Grants, Construction and Regeneration Act 1996 places a duty on housing authorities who are not themselves a social services authority to consult the relevant social services authority.



- 5.2 Assessment will be carried out by the Occupational Therapy (OT) Service through the NHS but not exclusively should the Council engage such services directly in the future. The assessment will be sent to the Council with the OT recommendations of the works required.

## Section 6: Reasonable and Practicable Works

- 6.1. Section 24(3)(b) of the Housing Grants, Construction and Regeneration Act 1996 requires housing authorities to satisfy themselves that the works are reasonable and practicable having regard to the age and condition of the property.
- 6.2 There are no restrictions in place with regard to the age of the property and each case will need to be examined on its own merits. However, the following issues indicate the nature of the obstacles to approval that may arise:
- 6.2.1 Architectural, structural characteristics or physical location of the property that make certain adaptations not possible, inappropriate, or impractical.
- 6.2.2 Conservation considerations and planning restraints.
- 6.2.3 The impact on other occupants of the proposed works if they reduce or limit the existing facilities or amenities within the property.

## Section 7: Providing the Service

### 7.1 Minor Works Adaptations

7.1.1 The following minor works will not necessarily require referral by an OT and may be requested directly by the tenant in order to reduce waiting times for simple works that the tenant themselves can identify as necessary and appropriate. These include:

- Grab rails
- Half step
- Lever taps
- Second Bannister rail



7.1.2 The installation of these works will be in consultation with the tenant in relation to height, position etc. as appropriate.

## 7.2 Significant Adaptations

7.2.1 For the purposes of this section a significant adaptation will include the following (this list is not exhaustive):

- Internal Stair lift
- Door opening equipment
- Window opening equipment
- Level Access shower
- Over bath shower
- Specialist bath (e.g. Parker bath)
- Widening of internal doorways
- Provision of wider doorway and /or level access threshold to the main or most appropriate entrance
- Provision of a ramp to the main or most appropriate entrance
- Overhead tracking and hoists
- Specialist WC (e.g. Closomat)
- Through Floor lifts
- Other specialist equipment requested by an Occupational Therapist (e.g. air conditioning units, telecom equipment that removes the need to install more expensive adaptations etc.)
- Works to enable access to garden including fencing.

7.2.2 Significant adaptations will require a referral from an OT in order to ensure that the service provision meets the SCDC's statutory duties as set out in section 4 of this policy.

7.2.3 Tenants who contact the Council directly asking for the installation of a significant adaptation will be referred to the Cambridgeshire County Council Occupational Therapy Services, or other internal assessment mechanisms provided directly in the future.

7.2.4 On receipt of the referral from the OT, the Project Manager for disabled facilities will consider the reasonableness and practicality of the works requested. If approved, and funds are available in the budget the work will be procured.

7.2.5 Applications will only be refused with good reason. Proposals for adaptations that are impractical or will not benefit a resident for a reasonable amount of time will be refused. In this instance the Project Manager will write to the resident and OT, explaining why the proposal was unsuccessful.



### 7.3 Major Adaptations (extensions and conversions)

7.3.1 For the purposes of this section a major adaptation will include:

- The provision of an extension to the property irrespective of cost.
- A combination of significant adaptations that result in the cost of the works to a single property exceeding £5,000.

7.3.2 Major adaptations will require a referral from an OT in order to ensure that the service provision is meeting the Council's statutory duties as set out in section 4 of this policy.

7.3.3 Major adaptations may not be considered where significant alterations are recommended which may in turn result in high reinstatement costs to bring the property back into general needs usage.

7.3.4 On receipt of the referral the Council will consider the reasonableness and practicality of the works requested. If agreed the Project Manager will complete a project appraisal for consideration by the Contracts Manager (Planned and Cyclical).

7.3.5 Approval will only be granted providing that, in consultation with the tenant:

- no suitable alternative accommodation can be found within the Council's current housing stock
- if the long term needs of the tenants can be met by the extension and/or major works.

## **Section 8: Equalities Issues**

8.1 Good practice states that the service provided to tenants of the Housing authority should not be less advantageous than that provided to applicants in the private sector. In order to ensure equity of service the following principles will be adopted:

### 8.1.1 Housing Transfer

The Council will always seek in the first instance to assess whether the property will meet the needs of the tenant in the long term and take account of the physical surroundings as well as any ongoing health and



care needs. Where it is considered that their needs will be better met by transferring they will be encouraged to consider this as an option

Due to the high costs involved and the potential difficulties around future maintenance, the Council will restrict building extensions and seek to transfer tenants to a more suitable property in the first instance

Adaptions may not be carried out to a property where the tenant/s are under occupying by 2 or more bedrooms. The Council, will in this instance look to move the tenant to a more suitable property. Couples who need to have separate bedrooms for medical reasons will not be adversely affected by this rule and SCDC will seek advice from medical professionals in such cases.

Where a decision is made that the residents' needs are best met by moving to more suitable accommodation, a priority transfer within the Council's stock will be approved and /or a priority move to another social housing provider may be sought. The OT will be consulted on the suitability of any proposed property.

The Council may be able to provide assistance with the cost of moving if the tenant is down sizing or if not approval will be at the discretion of the Head of Housing and Property Services.

If the tenant requires a major adaptation and a move to an alternative property is not the preferred option of the tenant, this will be stated in the project appraisal and considered by the Contracts Manager as part of the appraisal process.

#### 8.1.2 Applicants with disabilities who are family members of the tenant

If the applicant is not a tenant or joint tenant of the property the following approach will be taken:

- Parents of the tenant – if the applicant is a parent of the tenant and the property is their main residence the application will proceed in line with the process outlined in section 6 above.
- Minor Children of the tenant (a) – if the relevant person is a child of the tenant and under the age of 18, and the property is their main residence the application will be made by the parents.
- Adult Children of the tenant (b) – if the applicant is a child of the tenant and over the age of 18 and the property is their main residence consideration will be given to the succession rights of the applicant in relation to the future occupancy of the property. If it is likely that a future under-occupancy could occur then the process outlined in paragraph 8.1.1 above will be actively considered having



had regard to appropriate care packages already in place or those available.

#### 8.1.3 Rent Arrears

If tenants who require any adaptations are in serious rent arrears at the time the referral is received, the decision to proceed will be taken by the Project Manager in consultation with the Housing Officer.

#### 8.1.4 Right to Buy

Requests for adaptations will not normally be approved where a Right to Buy application has been received by the Council. Following completion of a Right to Buy sale, adaptations could, however, be considered by way of a Disabled Facilities Grant application.

#### 8.1.5 Requests for Transfer/Mutual Exchange

Applicants who are seeking a transfer or mutual exchange will each be considered on their individual merit. Whether the applicant is leaving a suitably adapted property will form part of this consideration.

## Section 9: The Cost of Servicing Adaptations

- 9.1 If an adaptation is carried out which results in the installation of a piece of equipment that requires ongoing servicing beyond the period of the initial warranty the cost will be met by the Council.

## Section 10: Repair, Maintenance and Replacement Costs

- 10.1 When an adaptation is completed and following any period of guarantee provided by the manufacturer / contractor, the adaptation will be considered to be an integral part of the property. The ongoing repair, maintenance and replacement of the adaptation will be managed and funded in line with the repairs and maintenance budgets, policies, procedures, and service standards.





## Section 11: Rent Adjustment

- 11.1 In order to ensure tenants do not suffer discrimination on the grounds of their disability the Council will only consider rental adjustment in the following cases:
- (a) Where an adaptation results in a structural change to the property the rental value of the property may be adjusted in line with relevant rental policy in place at the time that the adaptation is completed.

## Section 12: Removal of Adaptations

- 12.1 In order to ensure long-term value for money, it is the aim of the Council to maximise the use of adaptations installed within its stock and will seek to match applicants with suitably adapted stock. In practice this has limited success as often the property is not in the right location, of suitable size or fitted with the adaptations required. As new tenancies are now entered into through the Choice Based Lettings system. Prospective tenants bid for the property in the full knowledge of the adaptations installed in the property. In order to control the budgets subsequent requests for removal of those adaptations will be refused unless they can be considered on the following grounds:
- 12.2 Level Access Shower - unless the applicant has a proven medical condition that requires them to have access to a bath, the following conditions will apply:
- Ground floor flats, Bungalows and Ground floor extensions – the request for removal will be refused and the level access shower will be renewed at the end of its useful life unless a bath is required for medical reasons (supported by an OT referral).
  - Houses and first floor flats – removal will be considered on the basis of the age and condition of the shower room unless a bath is required for medical reasons (supported by an OT referral).
  - Stair lift - in vacated (void) properties the stair lift will be removed.



### 12.3 Modular / Timber Ramps

- In flats and houses the ramp will be removed as soon as the tenant for whom it was installed no longer requires it.
- In void properties the ramp will be removed in line with the following criteria:
  - If it is the only adaptation in the property the ramp will be removed
  - If any other significant or major adaptations have been installed an assessment will be made as part of the void process before the property is advertised for letting under the choice based lettings procedure

### 12.4 Concrete Ramps

- Will not be removed unless the condition is deemed to present a health and safety hazard.

### 12.5 Other Significant adaptations

- Will not be removed and the Choice Based Lettings system will endeavour to ensure that the property is allocated to applicants in need of the adaptation

12.6 Major Adaptations will not be removed or altered unless as a result of a referral from an Occupational Therapist.

## **Section 13: Complaints and Appeals**

13.1 Complaints will be dealt with in accordance with the Housing Service's Complaints Procedures

### 13.2 Appeals

13.2.1 Appeals against decisions made under this policy will only be considered if made within 60 days of receipt of the decision by the applicant.

13.2.2 Appeals will be considered by the Head of Housing and Property Services.



13.2.3 A report detailing the reasons why the referral has been refused will be submitted for their consideration and a copy will be made available to the applicant and their Occupational Therapist.

13.2.4 The Appeal will be heard within 30 days of receipt.

13.2.5 The decision of the appeal will be communicated in writing to both the applicant and their Occupational Therapist within 7 days of the date of the decision being made.

## **Section 14: Review of the Policy**

- 14.1 The Head of Housing and Property Services has delegated authority to update this policy where changes are required as a result of new legislation or changes to existing legislation in relation to eligibility criteria of applicants or works, or to financial limits, as issued by the Department of Communities and Local Government (or its successors).
- 14.2 A full policy review will be carried out every 2 years and submitted to the Housing Portfolio Holder for approval.