

Subject: Housing Adaptations Service Review  
Report to: Housing & Neighbourhoods Committee 14 November 2019  
Report by: Independent Living Service Manager

## **SUBJECT MATTER/RECOMMENDATIONS**

Housing & Neighbourhoods Committee are requested to consider the report and approve the following recommendations:

- An increase in the Housing Revenue Account (HRA) revenue budget by £84,500 p.a. to enable the recruitment of one full time Technical Officer and one full time Occupational Therapist on fixed term contracts for 2 years.
- An increase in the Housing Revenue Account (HRA) capital adaptations budget of £200,000 per annum for 2020/21 and 2021/22
- Agree minor modifications to the current Adaptations Policy for Council Tenants as set out in section 7 of this report

## **1. INTRODUCTION/BACKGROUND**

The primary purpose of this report is to set out the rational for increasing the resource to deliver the adaptation service, in addition the report also highlights recent modifications to the Adaptations Policy for Council Tenants.

The Council's Independent Living Services team deliver a range of services that support the borough's residents to live safely and independently in their own homes. The services include the delivery of adaptations that are deemed necessary and appropriate and reasonable and practical to meet an individual's or households needs. These adaptations are funded via the Disabled facilities Grant (DFG) for those residents who own their own home or rent from a private landlord or Registered Provider and via the Housing Revenue Account (HRA) for the Council's own tenants

Appendix one provides an overview of how the services are delivered and Appendix two sets out the organisational structure of the Independent Living Service.

## **2. CURRENT SERVICE DELIVERY**

Table 1 provides a flavour of the demand and adaptation work delivered by the team in 2018/19.

Table 1: Adaptation Activity

Activity	Number of Referrals Recommendations	Number Approved	Number Completed
Disabled Facilities Grant <sup>1</sup>	178	145	131
Adaptations to Council Homes <sup>2</sup>	303	296	288
Be at Home <sup>3</sup>	197	181	164
<b>Totals</b>	<b>678</b>	<b>622</b>	<b>583</b>

In recent years government has annually increased the grant for DFG to Council's. In 2018/19 the Council spent its full allocation of £1.24 million on Disabled Facilities Grants and Be at Home. In addition, a further £350,000 from the HRA was spent on adapting the Council's own stock.

In terms of delivery of the adaptation service there are 3 key functions, the assessment process, the administration of the application and the technical delivery of works.

The 4.5 Technical Officers undertake other work both associated with and independent of the adaptation services, including joint visits to determine feasibility of works, visits to residents whose homes are in serious disrepair, surveying residential properties the Council is seeking to acquire and properties the council owns to determine whether they can be adapted, dealing with claims of latent defects on any of the Councils previous improvement/regeneration projects and arranging urgent adaptation works that facilitate hospital discharge / prevent imminent hospital admission.

### 3. SERVICE CHALLENGES

#### *Managing Current and Future Demand for Adaptations*

The biggest challenge is keeping pace with the demand for adaptations, which continues to remain consistently high. Table 1 notes that the number of completions is lower than the number of approvals by 39 cases. Through-put of cases is dependent on staff resource, in particular Technical Officers. The current resource is insufficient to keep pace with demand resulting in cases being carried over from one year to the next and the creation of a small waiting list. This means that people are waiting longer for their adaptation work.

Currently there are 87 GYBC tenant cases and 11 private sector cases waiting for a Technical Officer to carry out a survey of their home. In addition, it is understood that there are around 100 people waiting for an OT assessment from Norfolk County Council (NCC) Locality Team and a further 42 people waiting for an Integrated Housing Adaptations OT

<sup>1</sup> Includes major works over £1,000

<sup>2</sup> Includes both minor and major works

<sup>3</sup> Includes mostly minor works and some fast track DFG's

assessment. Not everyone waiting for an assessment will require adaptation works, some may need equipment only, however it is likely that at least half will require works further increasing pressure for Technical Officers.

*'Adaptations Without Delay – A guide to planning and delivering home adaptations differently'*<sup>4</sup> published by the Royal College of OT's and the Housing Learning Improvement Network (LIN) advocates a different approach to assessments using trusted assessors instead of OT's for all but the most complex of cases. This document emphasizes the point that DFG legislation does not specify that an OT assessment is needed for every case. The legislation merely requires the housing authority consults with the social services authority. The service currently undertakes most of the minor adaptation work without an OT assessment and would be keen to use the trusted assessor approach for more straightforward major adaptations in the future. The use of Trusted Assessors is being discussed across the 7 districts with NCC. This approach will speed up the assessment process, however unless the Technical Officer resource is addressed there will continue to be delays.

#### *Reducing Waiting Time for Adaptations: Disabled Facilities Grant (DFG)*

The service currently reports on end to end time for DFG's with a target of 240 days. This is measured from initial enquiry to works complete. In 2018/19 and 2019/20 the Councils performance against this target was:

Table 2: Average End to End Time in Calendar Days (Initial Enquiry to Works Complete)

	<b>2018/2019</b>	<b>2019/2020</b>
<b>Quarter 1</b>	258	239
<b>Quarter 2</b>	309	190
<b>Quarter 3</b>	280	
<b>Quarter 4</b>	249	

Members will note the performance for quarter 2 2019/20 has shown a sustained improvement and an average end to end timescale for DFG's of 190 days, however there is a health warning:

- The performance is very likely to see to dip again in future quarters as the service experiences delays with OT assessments. The number of calendar days from initial enquiry to receipt of the D(OT)2 assessment has risen to 74 in the last quarter. This data is being used inform discussions on improvement with the OT and their managers
- The OT resource attached to the Integrated Housing Adaptations Team (IHAT) was reduced to part-time for a period of 8 months while recruitment took place. The full OT

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<sup>4</sup> <https://www.rcot.co.uk/adaptations-without-delay>

resource is now in place, however with pre-agreed holiday and training commitments the two staff have not yet been able to work at full capacity.

- The type and scale of the work will impact on the number of days. If several of the jobs completed in Q2 were straight-forward this would have a positive impact on the end to end times. Larger works invariably take more time both in preparation and delivery.

Further analysis of the 2018/19 data revealed that 24.5% of cases were completed within 6 months (182 days) 43% were completed in 9 months (273 days), 20% were completed in 12 months and 12.5% in just over 12 months. Some of this delay is outside the control of the service where applicants delay the process for personal or health reasons. There is also a delay of 3 to 6 weeks where an electrical isolator switch is required, which can only be fitted by the applicant's electricity supplier.

Norfolk council's monitor the average number of days it takes to complete each stage of the process of a DFG. The table below sets out the data for GYBC and Norfolk.

Table 3: End to End Times for the Seven Key Stages Quarter 4 Performance 2018/19

<b>Activity</b>	<b>Average Day Count GYBC</b>	<b>Average Day Count Norfolk</b>
Initial enquiry to triage by the Assistant Practitioner (AP)	0	7
Triage by AP to visit face to face assessment by OT or AP	13	35
Face to face assessment by OT or AP to works schedule complete by Technical Officer	114	64
Works schedule complete to valid application	30	34
Valid application complete to grant approval	1	6
Grant approval to start of works	14	46
Start of works to completion of works	76	23

The table clearly identifies GYBC as a negative outlier on the Norfolk average in the third and seventh stages of the process. This third stage includes the time taken by the OT to write up the assessment, and the waiting time for a Technical Officer to be available to take the case. The seventh stage is the time taken to carry out the work by the contractor. This can vary depending on the nature and complexity of the works.

#### *Reducing Waiting Time for Adaptations: GYBC Tenants*

The process for delivering adaptations for GYBC tenants is slightly different and there are other factors within the process which place demand on the Technical Officer's time.

OT assessments are given either a priority one (urgent) or priority two (non-urgent) classification. Urgent, priority one cases are dealt with first and the priority two cases are generally added to the waiting list.

Table 4: Applications Received and Completions by Designation in 2018/19<sup>5</sup>

Designation	Number Received	Number Completed
Priority One	45	36
Priority Two	246	215
Void	12	6

Of the 87 GYBC tenants currently waiting for adaptations, 42 are waiting for level access showers. Tenants are advised that there is currently a waiting time of one year for works. The waiting list has remained consistent for several reasons:

- Adaptations in void properties taking precedence over priority two cases. Void cases are often more complex, involving joint visits and assessments, which consume a considerable amount of time particularly if several visits are required as part of the housing allocation matching process.
- Priority one cases can also be more complex and require the Technical Officer reschedule other works to accommodate the urgent need.
- A small number of cases each year are added to the waiting list indicating there isn't quite enough resource to keep up with current demand or tackle the waiting list.

It has been calculated that tackling the backlog of work would take approximately 2 years, require an additional capital budget of £400,000 and an additional full-time Technical Officer.

#### *Occupational Therapist Resource*

The available Occupational Therapist resource continues to be an issue not only for Great Yarmouth but across Norfolk.

Using this decision-making framework, In Adaptations without Delay non-occupational therapy staff (trained trusted assessors or Assistant Practitioner level staff) could conduct more home visits allowing professional OT's to concentrate on the specialist level of intervention.

Given the waiting list for assessment currently sitting with NCC Locality Team and the issues being experienced by Housing Options consideration should be given to the Council engaging its own OT resource. The benefits of this would be:

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<sup>5</sup> Includes recommendations from OTs for both minor and major adaptation works

- Improved response times to assessments both for existing tenants and Housing Options applicants.
- Improved quality of assessments both for existing tenants and housing applicants because of the OT having a better understanding of the council's stock.
- Timely advice on acquisitions and new build based on their knowledge of the waiting list.
- Tenants would be able to refer themselves directly to the OT for adaptations relieving the pressure on assessments within Locality.
- Assessment of temporary accommodation resulting in better outcomes for homeless applicants.
- Assisting with the existing back log of adaptations in the Council's stock, carrying out reassessments of need as required

In addition to the OT resource the trusted assessor approach could also be adopted; with key housing staff receiving training to undertake assessments within the council's own stock.

In terms of the private sector the move towards using trusted assessor needs to be developed in conjunction with the IHAT and NCC to ensure that staff resource is appropriately used including the Assistant Practitioners within the IHAT and Independent Living staff. The adoption of the framework within 'Adaptations without Delay' supports the use of trusted assessors for all but specialist (complex, high risk cases) this should free up OT resource and enable more staff to undertake assessments leading to a reduction in waiting time.

#### **4. THE WAY FORWARD**

There are certainly many challenges, however there are also several exciting opportunities that will improve the applicants experience of the adaptation process leading to a tenure neutral service and creating greater levels of job satisfaction for those staff involved in the process.

##### ***Areas for Change***

*Meeting Existing and Future Demand:* The report is clear that there is a need to increase the Technical Officer resource to reduce waiting times and improve the applicant experience. The additional resource is required to deal with the existing waiting list for adaptations within the council's own stock. Alongside the additional Technical Officer resource, the Council would need to agree and increase in the capital budget for works of £400,000 over two years. Across both tenures it is also apparent that with the introduction of a different approach to assessments will increase demand and therefore the need for additional Technical Officer resource is likely to remain.

*Aligning the DFG and GYBC Tenant Adaptation Process to Develop a Tenure Neutral Approach:* This has already started with work to rationalise the number of IT systems, development of new processes and the introduction of some new ways of working that are starting to yield small gains in time taken to deliver adaptations. To fully align the services and provide a consistent delivery time across both tenures, the current backlog within the Council's own stock needs to be dealt with separately using the additional Technical Officer resource to support this. This will allow the service to move more quickly towards a tenure neutral approach with one case load spanning all tenures. Although the service will work towards adopting a tenure neutral process by April 2020 there will still be a difference in process and potentially the time to deliver applications as means testing still applies for DFG applicants. For this reason, it is proposed to continue collect and monitor performance metrics for DFG and council homes adaptations separately.

*Occupational Therapist Resource:* The report highlights several reasons why the council should consider employing its own OT resource and develop a Trusted Assessor approach. As suggested it would significantly improve the efficiency in several key areas including adaptations, housing allocations and void turn-around times.

***What is Required:***

- 1 FTE Technical Officer (2-year fixed term contract)
- Increase in the HRA capital budget for adaptations of £400,000 spread over two years
- 1 FTE Occupational Therapy post to be shared across Independent Living Service, Housing Options, Tenancy Services and the Housing Enabling function (2-year fixed term contract)
- Access to Trusted Assessor Training.

**5. FINANCIAL IMPLICATIONS:**

*Disabled Facilities Grant: Capital*

The Council receives an annual capital funding allocation from the Better Care Fund to deliver Disabled Facilities Grants which for 2019/2020 is £1,188,068. This grant has increased annually since 2016 to meet the increasing demand for adaptations. The expectation is that this will continue therefore the Council will need the staff resource to ensure the allocated grant is fully spent.

In addition, the Council can choose to provide capital funds via borrowing should the amount of government grant not meet the demand for adaptations.

*Disabled Facilities Grant: Revenue*

The revenue budget for delivery of Disabled Facilities Grants to the private sector sits in the general fund. The service is provided by the Independent Living Team, who operate a Home Improvement Agency that charges a fee to support applicants through the process, the fee is set against the Disabled Facilities Grant. The fees provide income for the council, to off-set the cost of providing the service.

#### GYBC Tenant Adaptations

The cost of the works and the staff resource to deliver those works are met by the Councils HRA. The budget for 2019/20 is £366,300 and reflects the service's current capacity to deliver the works.

Table 5 Indicative Cost of Proposals

<b>Activity</b>	<b>Budget Required</b>	<b>Potential to use Existing Budgets or Generate Income?</b>
1 FTE Technical Officer	£41,400 (Salary + on-costs) £3,700 (non-salary)	No: This post will be funded via the HRA and will require an additional budget.
HRA Budget for dealing with waiting list	£400,000	No: Additional capital requirement within the HRA
1 FTE Occupational Therapist	£47,813 (Salary + on-costs) £3,700 (Non-salary)	Yes: £12,000 of General Fund budget is currently used to fund an externally provided OT service this could be diverted to fund the post. The remainder would be funded from the additional HRA budget mentioned above. Potential savings on void times could also be used to off-set the cost.
Trusted Assessor Training (2-day course)	£420 (per employee)	Yes: In part could be met from within existing training budgets. This would be split across the HRA and GF depending on which service the staff receiving training are from

## 6. LEGAL IMPLICATIONS & RELEVANT LEGISLATION

The following legislation sets out the statutory requirements placed on a local authority in respect of housing and adaptations. This legislation forms the basis of the Council's Private Sector Housing Adaptation & Improvement Policy and the Adaptations Policy for Council Tenants.

### **Chronically Sick and Disabled Persons Act 1970**

Section 1 of the act imposes a duty on the council to provide adaptations or special equipment needs in the home to help with convenience or for safety. Any provision of resources is dependent upon an assessment of need under the NHS & Community Care Act 1990.

### **Disabled Persons Act 1986**

The Disabled Persons Act 1986 strengthens the provisions of the Chronically Sick and Disabled Persons Act 1970 and requires Local Authorities to meet the various needs of disabled people, including provision of aids and adaptations.

### **Housing Act 1985**

Under section 8 of the act the council has a duty to consider housing conditions in its district and the needs of the district for the provision of further housing accommodation. This may include the provision or adaptation of existing accommodation for its own disabled tenants.

### **Housing Grants Construction and Regeneration Act 1996**

Under this act the council has a duty to provide disabled facilities grants to eligible applicants.

### **Equality Act 2010**

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 characteristics.

### **Care Act 2014**

Provides the opportunity to improve local provision of home adaptations in line with the Act's aspirations and duties to integrate, health, social care and housing, achieve efficiency savings and move from crisis intervention to prevention.

The measures outlined in this report will ensure that the Council continues to comply with the relevant legislation and deliver adaptations in a timely manner.

## **7. RISKS**

The following risks have been identified:

**Risk:**

Failure to recruit to Technical Officer post

**Mitigation:**

Advertise in key industry press and websites including Foundations  
Consider use of recruitment agency

Insufficient capacity within the current cohort of contractors on the Contractor Framework



Tender the waiting list work and appoint a single contractor to deliver

Failure to recruit an Occupational Therapist



Advertise in key industry press and websites including Foundations  
Consider use of recruitment agency

Revised processes lead to larger capital budget requirement for both DFG and HRA



Government have increased DFG budgets annually for the last 3 years as a result of recognising the wider system savings of DFG.  
Recruiting an OT for housing will lead to better use of stock negating the need for more costly adaptations

## 8. ADAPTATION POLICY FOR COUNCIL TENANTS

This report also highlights the recent modifications to the Adaptation Policy for Council Tenants.

The current policy, which was adopted in March 2016, was revised in June 2018 following a report to Housing & Neighbourhoods Committee. The policy has recently been reviewed and updated to capture changes in job roles/title, changes to service titles and to provide greater clarity to how applications for adaptations are determined.

The following are the key updates, which are now required:

- Section 6.2: Reasonable & Practical bullet point 3 has been expanded to include *'Where a tenant is receiving palliative care the Council will consider sympathetically individual cases of under-occupation by more than one bedroom. This may include timely provision of some or all of the assessed adaptations where they are technically possible'*
- Section 7.3.1: Assessment Process has been developed to:
  - Take account of the Technical Officers role (bullet point 2),
  - Clarify the process for dealing with cases where there are complex needs and there is a need to work collaboratively to achieve the most appropriate solution, which will

- aim to offer best value for money whilst meeting the needs of the tenant (bullet point 4), and;
- Explain that where a move to more suitable accommodation is recommended this will be subject to availability of suitable housing stock, which will include both Council or Registered Provider stock and in some cases the tenant may also consider a move to the private rented sector.
- Section 8: Cost of Adaptations paragraph one has been expanded to include more examples of when the Council may consider increasing the upper limit of works to £50,000
- Section 9: Tenants Installing their own Adaptations has been developed to provide clarity to how the Council will deal with adaptations that have been carried out at the tenant's own expense with the Council's permission.
- Section 13: Review of Decision now includes a request to review a decision to refuse works on the grounds that it is not reasonable and practical or necessary and appropriate for their needs.

A copy of the revised policy is attached at Appendix 3

## **9. CONCLUSION**

The service is working hard to deliver a cost-effective efficient service, but there is insufficient capacity within the team to deal with both the waiting list for adaptations the potential increase in new demand.

The report outlines areas where the capacity could be enhanced and the benefits this would bring to both the applicant and the Council by moving towards delivery of a tenure neutral service.

The Council has an excellent reputation with partners for delivering services that keep people living at home for longer, however with more resource this could be delivered better and faster resulting in greater system-wide savings across housing, health and social care.

## **10. RECOMMENDATIONS**

Housing & Neighbourhoods Committee are requested to consider the report and approve the following recommendations:

- An increase in the Housing Revenue Account (HRA) revenue budget by £84,500 p.a. to enable the recruitment of one full time Technical Officer and one full time

- Occupational Therapist on fixed term contracts for 2 years.
- An increase in the Housing Revenue Account (HRA) capital adaptations budget of £200,000 per annum for 2020/21 and 2021/22
- Agree minor modifications to the current Adaptations Policy for Council Tenants as set out in section 7 of this report

## 11. APPENDICES

Appendix 1: Overview of the Adaptation Process

Appendix 2: Organisational Structure for Independent Living Service

Appendix 3: Adaptations Policy for Council Tenants 2019

Area for consideration	Comment
Monitoring Officer Consultation:	None
Section 151 Officer Consultation:	Via ELT at 28 <sup>th</sup> October meeting
Existing Council Policies:	Private Sector Housing Adaptations and Improvement Policy GYBC Adaptations Policy for Council Tenants
Financial Implications (including VAT and tax):	Considered and included
Legal Implications (including human rights):	Considered and included
Risk Implications:	Considered and included
Equality Issues/EQIA assessment:	Considered / EQIA to be completed
Crime & Disorder:	None
Every Child Matters:	Considered

### APPENDIX 1 OVERVIEW OF THE ADAPTATION PROCESS

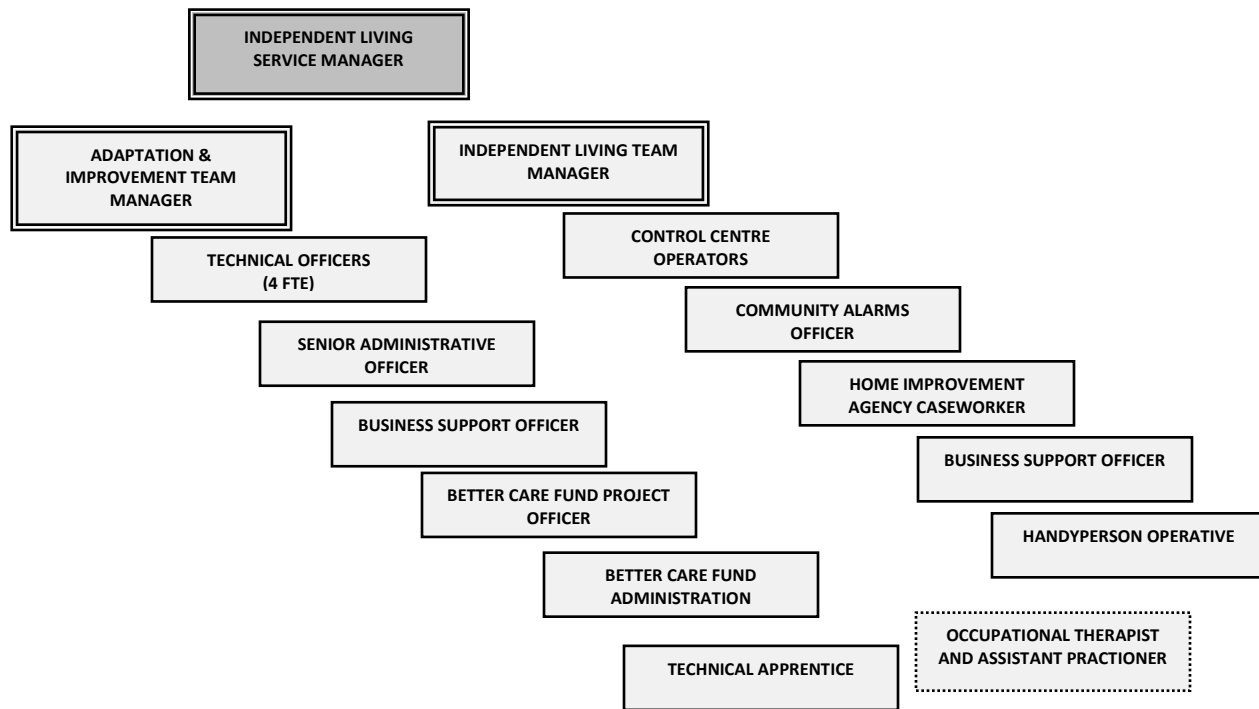
<ul style="list-style-type: none"> <li>Applications for adaptations in council properties can be made to Norfolk County Council Adult Social Care. Applications for adaptations in the private sector using DFG are made directly to the Council's Independent Living Service. Requests for minor adaptations in council tenancies can also be dealt with directly by the Council's Independent Living Service.</li> </ul>
<ul style="list-style-type: none"> <li>A telephone assessment is carried out to determine eligibility and to gather information to determine who the most appropriate person is to visit the client, for DFG applicants this is carried out by the Integrated Housing Adaptations Team and for GYBC tenants it is carried out by Norfolk County Council Locality Team</li> </ul>
<ul style="list-style-type: none"> <li>A home visit is carried out, usually by an Occupational Therapist who will consider if the client needs adaptations and if adaptations are required makes a recommendation of the works necessary</li> </ul>
<ul style="list-style-type: none"> <li>The recommendation is sent to the Borough Council</li> </ul>

<b>PROCESS SPLITS FOR INTO DFG AND GYBC TENANTS</b>	
<b>DFG</b>	<b>GYBC Tenants</b>
<ul style="list-style-type: none"> <li>Applicant is asked to complete an application for the DFG funding.</li> </ul>	<ul style="list-style-type: none"> <li>The tenant is asked to complete an application form.</li> </ul>
<ul style="list-style-type: none"> <li>Once received the application is checked and a financial assessment is carried out to identify if the applicant is eligible for a grant and if so, the level of any contribution the client will make. If the applicant's contribution exceeds the costs of the works required, no grant will be provided.</li> </ul>	<ul style="list-style-type: none"> <li>Once received the application is checked and the case is passed to the Technical Officer to survey for the works.</li> </ul>
<ul style="list-style-type: none"> <li>The applicant is advised in writing whether they have a contribution and invited to proceed with the process.</li> </ul>	
<ul style="list-style-type: none"> <li>Applicant is invited to engage the Council's Home Improvement Agency (HIA)** to help them through the process. The HIA can advise and assist if required to source alternative funding if the applicant has a contribution to make.</li> </ul>	
<b>PROCESS REMERGES</b>	
<ul style="list-style-type: none"> <li>Applicant is advised if they need to arrange for an electrical isolator switch to be fitted prior to commencement of works</li> </ul>	
<ul style="list-style-type: none"> <li>Technical Officer arranges a visit to survey. Survey is carried out and a schedule of works is completed where it is necessary and appropriate and reasonable and practical to carry out the works.</li> </ul>	
<ul style="list-style-type: none"> <li>Technical Officer offers the work to the next available contractor on the framework.</li> </ul>	
<ul style="list-style-type: none"> <li>Technical officer visits with contractor to agree works – prices already set via a schedule of rates and to agree a start date, which is usually within 6 weeks.</li> </ul>	
<ul style="list-style-type: none"> <li>Works start – Technical Officer monitors progress and agrees any variations required.</li> </ul>	
<ul style="list-style-type: none"> <li>Works complete – Technical Officer snags works with contractor.</li> </ul>	
<ul style="list-style-type: none"> <li>Contractor completes any snags before works are signed off by Technical Officer.</li> </ul>	
<ul style="list-style-type: none"> <li>Contractor submits invoice for works.</li> </ul>	
<ul style="list-style-type: none"> <li>Technical Officer checks and agrees payment.</li> </ul>	
<ul style="list-style-type: none"> <li>Satisfaction survey is sent to applicant.</li> </ul>	

\*\* The applicant can choose not to engage the HIA and find their own contractors to carry out the works. From the date the DFG is approved the applicant has 12 months to undertake the work.

The process set out above is for straight-forward adaptations not requiring plans, building control or planning approval. If these are required, they would be completed following an initial survey.

## APPENDIX 2 ORGANISATIONAL STRUCTURE FOR INDEPENDENT LIVING SERVICE



The Independent Living Services Team comprises of 23 team members which equates to 19.2 full time equivalents. The service is subdivided into adaptations and improvements (technical and back office) and Independent Living (alarm installation & monitoring and assessment & support).

Four Technical Officers currently deliver the adaptation works each completing on average 54 cases per year and holding a case load at any one time of between 15 to 20 depending on complexity of the works. The works overseen by the Technical Officers can range from straight forward access such as the provision of ramps, through to whole house adaptations comprising of an extension and significant adaptations both internally and externally. Therefore, the preparation time and works delivery times can vary considerably depending on the scale of the work. Presently 2.5 full time equivalent Technical Officers work on the delivery of DFGs and 1.5 full time equivalents on the delivery of adaptations in the council's own stock.

## APPENDIX 3



**GREAT YARMOUTH**  
BOROUGH COUNCIL

# Adaptations Policy for Council Tenants 2019

<b>Document Originally Created: March 2016</b>	
<b>Revised: April 2018</b>	<b>Revisions agreed by Housing &amp; Neighbourhoods Committee: 14<sup>th</sup> June 2018</b>
<b>Revised June 2019 (Minor revisions to process)</b>	
<b>Review date: June 2021</b>	

<b>1</b>	<b>Background</b>
<b>2</b>	<b>Purpose of the Policy</b>
<b>3</b>	<b>Policy Aims</b>
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<b>4</b>	<b>Relevant Legislation</b>
<b>5</b>	<b>Determining Eligibility for Assistance</b>
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5.2	Adaptations for Children
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<b>7</b>	<b>Types of Assistance Available</b>
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<b>9</b>	<b>Tenants Installing Own Adaptations</b>
<b>10</b>	<b>Removing Adaptations</b>
<b>11</b>	<b>Moving or Buying After Adaptations are Complete</b>
11.1	Mutual Exchange
11.2	Right to Buy
<b>12</b>	<b>Change of Needs</b>
<b>13</b>	<b>Appeals</b>
<b>14</b>	<b>Complaints</b>
<b>15</b>	<b>Monitoring &amp; Review of the Policy</b>

## **1 BACKGROUND**

Under section 8 of the Housing Act 1985 the council has a duty to consider housing conditions in its area and have regard to the particular needs of chronically sick and disabled persons. This includes the provision or adaptation of existing accommodation for its own disabled tenants.

**Great Yarmouth Borough Council (GYBC)** provides funding each year for the provision of aids and adaptations to enable its tenants to remain in their home for as long as it is safe and reasonable to do so. This funding comes from the housing service's capital and revenue budget.

The adaptations Policy specifically refers to adaptations carried out for tenants of GYBC

## **2 PURPOSE OF POLICY**

The purpose of the policy is to set out the council's approach to the provision of aids and adaptations for GYBC tenants, who are eligible to receive them, and how they will be delivered.

The assistance available through this policy aims to provide an efficient, practical and cost-effective adaptation service, taking into account the health and well-being of the tenant and household.

## **3 POLICY AIMS**

The policy aims to help GYBC tenants, and their immediate household, who are disabled or suffer from long-term ill health to live independently in their home.

The council is committed to facilitating the provision of aids and adaptations to properties and will endeavour to deal with requests for assistance as quickly, effectively and sensitively as possible. Applications are dealt with using a priority system combined with date order. Any exceptions to this will need approval from a senior officer.

### **3.1 Definitions**

The policy refers to 'disabled' persons. A person is defined as '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
- they are physically substantially disabled by illness, injury, impairments that have been present since birth or otherwise.

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

## **4 RELEVANT LEGISLATION**

### **Chronically Sick and Disabled Persons Act 1970**

Section 1 of the act imposes a duty on the council to provide adaptations or special equipment needs in the home to help with convenience or for safety. Any provision of resources is dependent upon an assessment of need under the NHS & Community Care Act 1990.

### **Disabled Persons Act 1986**

The Disabled Persons Act 1986 strengthens the provisions of the Chronically Sick and Disabled Persons Act 1970 and requires Local Authorities to meet the various needs of disabled people, including provision of aids and adaptations.

### **Housing Act 1985**

Under section 8 of the act the council has a duty to consider housing conditions in its district and the needs of the district for the provision of further housing accommodation. This may include the provision or adaptation of existing accommodation for its own disabled tenants.

### **Housing Grants Construction and Regeneration Act 1996**

Under this act the council has a duty to provide disabled facilities grants to eligible applicants.

### **Equality Act 2010**

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 characteristics.

## **5 DETERMINING ELIGIBILITY FOR ASSISTANCE**

### **5.1 Eligibility**

Consideration will be given to secure tenants of GYBC or their partner, or member of their immediate family, who is permanently resident in the household and who have an impairment which has a significant or serious long-term effect on their ability to:

- carry out normal day-to-day activities in and around their home
- and / or access essential facilities within their home.

Works for others living at the property such as lodgers, will only be carried out in exceptional circumstances and only if they have been resident with the tenant for more than 12 months.

An applicant who is not a named tenant on the tenancy agreement, must be registered as living at the property for council tax purposes, and if aged over 18 years, they should be registered at that address on the electoral roll. Adaptations will only be considered if the property is the main residence of the individual and they do not hold another tenancy or own another property.

## **5.2 Adaptations for Children**

In cases where a child is disabled, and the parents are separated, adaptation works will usually only be completed at the property of principal residence (normally the residence of the parent who is in receipt of child benefit for that child).

## **5.3 Adaptations to Facilitate Hospital Discharge**

Adaptations will be considered where the applicant is waiting to be discharged from hospital and requires their home to be altered.

## **5.4 Who is not Eligible?**

Circumstances where requests to adapt a property may be refused include:

- Where an individual has no recourse to public funds
- Where major adaptations are required, and the applicant is waiting for medical procedures, which will improve their mobility. This can be reviewed once their recovery time is complete. Temporary or minor adaptations may be considered during this interim period.
- Requests for major 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 under the council's Private Sector Policy by way of a Disabled Facilities Grant.

Reasons for refusal will be provided to the customer in writing and each case will be considered on individual merits. GYBC recognises that there may be occasions where applications for adaptations fall outside of this policy and these will be assessed on an individual basis.

# **6 ASSESSMENT PROCESS**

The policy in respect of adaptations to GYBC dwellings reflects the statutory requirements for disabled facilities grants in the private sector.

Before an application for adaptations can be considered, Norfolk County Council Social Services need to confirm that the applicant is either registered or registerable disabled under the National Assistance Act 1948.

## 6.1 Necessary and Appropriate

An Occupational Therapist will also submit a recommendation of what is required and advise whether the proposed work is '**necessary and appropriate**'. Although there is a duty to consider Social Services advice the formal decision as to whether the proposal is 'necessary and appropriate' is for GYBC to take.

If the application relates to a condition which is medical rather than functional, Social Services will still need to confirm that the applicant is registered or registerable as disabled. However, they will then need to arrange for the applicant's medical practitioner to provide the relevant clinical information to GYBC to assess whether the work is necessary. This may involve a referral to a medical advisor.

To qualify as an adaptation, the work must be designed to:

- Enable a disabled person to gain access to and from their home
- Make the dwelling safe for the disabled person and other occupants
- Enable access to a room which is used as the 'principle family room'
- Facilitate access to and from a room used for sleeping
- Enable access to a toilet, bathroom or shower room and facilitate the use of the facilities
- Facilitate the preparation and cooking of food
- Improve or provide a heating system to meet the needs of a disabled person
- Facilitate the use of a source of power, light or heat by altering the existing means of control or providing additional ones
- Enable a disabled person to have access and movement around the home in order to be able to care for someone else living there

## 6.2 Reasonable and Practical

Once the Occupational Therapists assessment is received and the proposed work is deemed as necessary and appropriate, GYBC must then decide whether the work is '**reasonable and practical**' before proceeding.

The following factors will be considered as part of that assessment process to establish the overall suitability of the property for the works being recommended:

- The cost of the adaptation. The upper limit is £30,000, however, in some cases the limit may be increased to £50,000 at the discretion of the Housing Director.
- The age and structural condition of the property to establish whether the adaptations can be carried out safely without having an adverse effect on the fabric of the property.
- The suitability of the property for the size of household. An adaptation will be considered where the household will be under occupying the property by a

maximum of one bedroom. Where a tenant is receiving palliative care the Council will consider sympathetically individual cases of under-occupation by more than one bedroom. This may include timely provision of some or all of the assessed adaptations where they are technically possible'

- Whether there is suitable alternative accommodation within the social housing stock that is likely to become available within 12 months.
- Whether there are any competing needs of family members that need to be met in that property.
- The impact of the adaptation on the property and its future use.
- The availability of the household's existing support network and carers.
- The household's intentions regarding the long-term use of property.
- Whether the adaptations will meet the long-term needs of the applicant.
- Whether external adaptations, such as ramping would adversely affect the area for other residents e.g. Ramping will not generally be provided in a communal area.
- Where the tenant is in breach of their tenancy agreement e.g. rent arrears or substantiated reports of anti-social behaviour.

If an adaptation is refused on the grounds of it being not reasonable and practical the tenant will be offered the option of transferring to more suitable alternative accommodation. Transfers are dealt with in accordance with the Council's Housing Allocations Scheme.

Tenants can request a review of the decision to refuse the works and this should be done in writing within 28 days of receiving written notification of refusal. Section 13 sets out the review process.

It is important for GYBC to consider all these factors to ensure it makes the best use of its financial resources whilst meeting the needs of the applicant.

## **7 TYPES OF ASSISTANCE AVAILABLE**

There are three categories of aid and adaptations:

- Equipment
- Minor Adaptations
- Major Adaptations

The most appropriate solution will be sought in all cases and will aim to offer the best value for money whilst meeting the needs of the household. This will be

achieved by ensuring that the works are **necessary and appropriate** to meet the needs of the disabled person and are **reasonable and practical** depending on the age and condition of the property, prior to authorising the works as outlined in the legislation guidance (Housing Grants Construction and Regeneration Act 1996).

## 7.1 Equipment

Portable or temporary equipment is available to help with those who have difficulties with daily living activities such as:

- Reaching down to put on socks, stockings or shoes
- Turning the taps on and off or generally managing in the kitchen
- Getting in and out of the bath
- Getting up from a low toilet
- Getting up out of an easy chair
- Carrying things between rooms

Applications for equipment should be made to Norfolk County Council who will then assess and recommend what equipment is required. In some circumstances, equipment may be provided free of charge to those people who meet the eligibility criteria although this is not guaranteed. Further information is available on Norfolk County Council website. [Norfolk County Council Support to Stay at Home](#)

## 7.2 Minor Adaptations

GYBC recognises that the timely provision of minor adaptations can often postpone the need for more substantial adaptations.

The type of work carried out includes:

- Lever taps
- Stair rails
- External grab rails
- Internal grab rails
- ½ steps
- Small ramps

Requests for minor adaptations will normally be made on behalf of the tenant by an Occupational Therapist but they can also be made by a GYBC staff.

## **7.3 Major Adaptations**

Major adaptations can include:

- Bathroom works
- Kitchen works
- Extensions where remodelling the existing layout is not possible and a move has been considered as not appropriate.
- Internal access – door widening, stair-lifts, through floor lifts
- Property access – ramps, car hard-standing (but not the cost of providing the dropped kerb this is met by the tenant).

Requests for major adaptations are recommended to GYBC by an Occupational Therapist following an assessment.

### **7.3.1 Assessment Process**

- An Occupational Therapist will carry out an assessment of the needs of the applicant to determine what is necessary and appropriate (this may include working with other health professionals, such as a medical consultant or GP)
- The Council's Technical Officer will determine whether the works are reasonable and practical taking account of the factors set out in section 6.2.
- The Occupational Therapist's recommendations will normally form the basis of any scheme of works required to meet the needs of the applicant (and where applicable their household), which in some cases may include moving to more suitable accommodation.
- Where the tenant's needs are complex and there may be more than one way of meeting the identified needs; the Occupational Therapist will carry out a joint visit with the Technical Officer. At that visit, in conjunction with the tenant the options will be considered in line with this policy, to establish the most appropriate solution, which will aim to offer best value for money whilst meeting the needs of the tenant. This may include undertaking works that meet the necessary need of the tenant now while other more suitable accommodation is found to meet the whole range of identified needs.
- In cases where a move to more suitable alternative accommodation is recommended, the move will take place as soon as reasonably practicable and will be subject to suitable housing stock being available from the Council or a Registered Providers. In some cases, the tenant may also want to consider a move to the private rented sector.

### **7.3.2 Restrictions**

Major adaptations will normally only be carried out following a recommendation from

an Occupational Therapist, for eligible tenants and in suitable properties.

## **8 COST OF ADAPTATIONS**

The cost of adaptations is met by GYBC from its Housing Revenue Account. The maximum cost of adaptations that can be funded by GYBC is £30,000. There will be a small number of cases where the maximum cost can be increased to £50,000, for example where multiple adaptations are needed, where an extension is recommended to create downstairs living, or where works will meet a particular need which otherwise cannot be met in the existing affordable housing stock within a reasonable time period.

GYBC will consider these applications on a case by case basis to determine whether the maximum cost of works can be increased to £50,000, such decisions are at the discretion of the Housing Director. This discretion will only be used in exceptional cases where:

- Suitable alternative accommodation is not available in the current affordable housing stock, or;
- An applicant has been waiting in excess of a year for a move to a more suitable property that is either adapted or can be adapted at a lower cost, and;
- Alternative funding cannot be identified. This would include making representation to NCC Social Services for top up funding or approaching charitable organisations, and;
- Where discussions with the Occupational Therapist to find an alternative less costly way of meeting the tenant's needs have been exhausted

### **8.1 Means Test**

A means test is not applied to tenants and therefore no financial contribution is required.

GYBC reserve the right to review whether a financial contribution should be sought from tenants at a future date.

## **9 TENANTS INSTALLING THEIR OWN ADAPTATIONS**

Secure tenants of GYBC may be able to organise their own adaptations at their own expense. In all cases, the tenant must obtain written agreement from GYBC before carrying out alterations or adaptations to their property. GYBC will only refuse permission with good reason, such as if the work:

- Would interfere with any maintenance to the property
- May cause a potential health & safety risk

- Would breach regulatory requirements

The written request will need to state what works and adaptations the tenant wishes to carry out and who will be undertaking the works. A tenant must not start works without first gaining written permission from GYBC. GYBC may inspect completed works to ensure they are carried out satisfactorily.

GYBC will also advise the tenant prior to approval of an adaptation that they may be required to remove any adaptations and make good any damage to the property and/or reinstate the original features of the property at the end of their tenancy. For example, when a bath is replaced with a shower, the tenant may be required (depending on the property type) to install a replacement bath at the end of their tenancy.

The tenant will be responsible for the maintenance and repairs of adaptations that they have arranged themselves for the duration of the tenancy. In addition, GYBC will not be liable for any damage or injury caused by the adaptations not installed by them

The amount of rent charged will not be affected by installing privately funded adaptations to the property.

At the end of the secure tenancy, tenants who have carried out adaptations at their own expense and with the approval may be eligible for some compensation in accordance with legislation (Housing Act 1985 Part 4 Section 99A 'Right to compensation for improvements')

If adaptations have been carried out at the tenant's own expense without permission:

- GYBC may agree to take over the ownership of the adaptations subject to the standard of the adaptation works being satisfactory and capable of being granted consent for by the Council.
- The tenant may be required to remove the adaptation, reinstate original features of the property and make good the damage to the property if the quality of the adaptation is not satisfactory, the Council would not have given consent for the adaptation works or it would not be suitable to re-let the property with the adaptation in place.
- If GYBC has to repair any damage after a tenancy has ended caused by the adaptation of the property by the former tenant or remove an adaptation the former tenant had installed, the former tenant will be liable for the cost of the works.

## **10 REMOVING ADAPTATIONS**

Where adaptations have been carried out to a GYBC property and a new tenant

moves in, the adaptations will not normally be removed. Adaptations will only be removed if there are exceptional reasons to do so.

The Council makes every effort to let adapted properties to those tenants who require them.

## **11 MOVING OR BUYING AFTER ADAPTATIONS ARE COMPLETE**

Following a major adaptation, the council would normally expect the tenant to remain in the adapted property for a minimum of five years. However, there may be exceptions where the individual's needs have changed and, with agreement from the Occupational Therapist and the council, a move to a suitable alternative property will be considered. Should the new home require any adaptations to meet specific needs, these will be assessed in accordance with the terms of this policy.

### **11.1 Mutual Exchange**

Mutual exchanges will be considered in line with legislation with Schedule 3 of the Housing Act 1985 setting out the grounds for refusing a mutual exchange). Therefore, permission may be refused if the property:

- Has been adapted or has features that make it suitable for a disabled person
- Is a property owned by a landlord which lets properties to particularly vulnerable people or;
- Is for people with special needs (supported housing) and if the mutual exchange took place there would no longer be such a person living in the property.

### **11.2 Right to Buy**

Applications to exercise the Right to Buy by tenants who have had adaptations carried out by the council may be refused in line with legislation (Housing Act 1985 Schedule 5: Exceptions to the Right To buy). All applications will be assessed on a case by case basis.

## **12 CHANGE OF NEEDS**

If a tenant's needs change after adaptations have been installed for example they can no longer do something that they could manage before, the council, upon request will arrange for the tenants needs to be reassessed.

## **13 REVIEW OF DECISION**

It is important that tenants are able to request a review of a decision in a clear, fair and efficient process. Tenants may request a review of a decision to refuse works on the grounds that it is not reasonable and practical (section 6.2) or necessary and appropriate for their needs (section 6.1). Reviews should take place as soon as possible in order not to disadvantage an applicant.

The review process is as follows:

- a) A review request must be made by the tenant within 28 days of the decision regarding their application. This time limit may be extended in exceptional circumstances.
- b) The review must be conducted by another council officer who was not involved in the original decision and is senior to the officer who made the original decision.
- c) The review process will normally be based on written representations.
- d) The review officer may make further inquiries and interview applicants and other interested parties but there will be no requirement to hold a full oral hearing.
- e) The review should be concluded within 8 weeks of the review request or as soon as reasonably practicable afterwards.
- f) The decision on review will be and communicated in writing to the tenant and give reasons if the review outcome is against the tenant.

## **14 COMPLAINTS**

Any complaints about this policy or its implementation will be addressed through the council's corporate complaints system.

## **15 MONITORING AND REVIEW OF THE POLICY**

The policy will be monitored and be subject to bi-annual review unless there is a fundamental change of legislation.