1.0 Purpose of Procedure

- To ensure that, as far as practical, Council homes are adapted to suit the needs of residents with disabilities.

- To ensure the efficient use of the housing stock and encourage residents to occupy homes that are suitable for their reasonable use and needs.

- The above being achieved by applying the same criteria and terms as if a Mandatory Disabled Facility Grant had been awarded by the Council.

2.0 Procedure

2.1 When an enquiry is received directly by the Council requesting the adaptation of a tenants home without any supporting Occupational Therapist recommendations it is to be processed by a Housing Management Officer (HMO) as 2.2 below

2.2 The HMO will, before taking any further action refer the matter to West Sussex County Council Occupational Therapy unit to request a home visit by an Occupational Therapist (OT).

The resulting OT assessment will provide guidance and details of the specific nature of work required to best accommodate the residents disability based upon mandatory requirements under DFG legislation. However:

- Minor works such as lever taps, level door thresholds can be forwarded by the HMO directly to the Surveying Section to arrange work. The Housing Management Officer should establish if the resident would like or requires a
visit by an occupational therapist that may result in further adaptations & if necessary inform WSCC accordingly.

- Doctors letters of recommendation can be accepted and actioned for installation of standard domestic heating systems, they must however include the recommended system & fuel, and any special precautions that may be required. (radiator covers etc.)

- The applicant / tenant shall be informed of the action taken by The HMO under 2.2

2.3 Upon receipt of the Occupational Therapist (OT) referral the HMO needs to establish and confirm the following:

i) The person requiring the adaptation is the tenant or someone who resides with the tenant on a permanent basis.

ii) The tenant has a secure tenancy (e.g. the tenancy has not been ended by a court order).

iii) If the tenant is willing to move to more suitable accommodation should it be available as a transfer, or, under the ‘Choice Based Letting’ scheme. This maybe a property:
   - already adapted & suited to their needs.
   - in a more convenient location.
   - that can be more easily adapted.
   - that is of a more suitable size.

HMO should also advise and encourage the tenant to consider the benefits of the Council’s “Tenants Incentive Scheme” if the property is under-occupied.

iv) Following consultation with the surveyor & the Monitoring & System Support section (MSS):

   The HMO is to advise the tenant of any revision in rent either resulting from their move, or as a result of the adaptations and obtain their agreement.

As from 1st January 2009 rent supplements may apply on completion of the following adaptation work: (further defined in Guidance Notes page 8)

- Construction of an extension.
- Full refurbishment of a kitchen.
- Full refurbishment of a bathroom.
- Installation of new central heating.
- Structural or other revisions that change the number of habitable rooms, level of accommodation or potential legal occupancy.
- Off road car hard-standing, cross over, or garage for sole use

2.4 HMO’s are to take appropriate action depending on the findings and residents agreement:

i) Liaise with Housing Needs to move the tenant to a more suitable property, dependant on availability.

ii) If the move takes place then arrange adaptations before, or after depending upon agreement with the resident and Occupational Therapist.

iii) Arrange for the necessary works to be carried out
2.5 If works are required, the Housing Management Officer is to pass the referral to the Housing Enquiries Officer (HEO) who is to raise an Inspection ticket on HMS, note the Job number on the O.T. request and send to the Surveying Section. The HEO is then to record the adaption on a spreadsheet.

3.0 Surveyor duties
3.1 Record & monitor progress & general details for each individual case on the internal spreadsheet system. Progress HMS job orders through relevant stages to completion & payment

3.2 The appointed surveyor is to liaise with the tenant, HMO, O.T. and contractors to arrange the work, using the Schedule of Rates for disabled adaptations or other normal contract arrangements.

3.3 The tenant shall be advised of an estimated start date for work, the likely time the work will take and be kept informed of any changes to the work programme.

3.4 Work shall include a minimum of one mains powered smoke detector/alarm with strobe light per floor positioned in effective location(s) and as best suited to the residents abilities and needs as possible including testing or resetting the detectors operation.

3.5 Site visits during the course of works shall be carried out at the surveyors discretion or if reasonably requested by the contractor, OT or tenant etc.

3.6 Upon completion, the work shall be inspected or checked for compliance & quality by the appointed surveyor, and a standard satisfaction survey card left for the tenant to complete and return.

3.7 Also on completion: the surveyor shall inform the Monitoring & Systems Support section of any works qualifying for a rent supplement as detailed in 2.3 (iv). Annual deadline for information 30th November for rent adjustments to take effect from April the following year.

4.0 Vacant properties
4.1 When an adapted property becomes vacant the Maintenance Officer (MO) carrying out the void inspection is to notify the Lettings section about the type & extent of any adaptations.

Especially accounting for the type of work completed before 1st January 2009 that may affect the rent as detailed in 2.3 (iv)

4.2 The Lettings Section is to ensure that wherever possible and practical that the property is re-let to tenants in need of an adapted property that suits their needs.

In some instances it may be appropriate to inform WSCC of the allocation so that arrangements can be made to ensure a reassessment is carried out to ensure the adaptations are suited to the needs of the new incoming disabled resident.

Document continues with Adur Homes Policy Guidance: pages 4 - 9
Adur Homes Policy Guidance

Housing Investment Programme
Adaptations for tenants & residential family members with disabilities

1.0 General information
Council tenants are eligible to apply for Disabled Facility Grants (DFGs), however, Adur District Council use an allocation from the Major Repairs Allowance (MRA) to finance adaptations in tenants homes.

Works are only to be carried out on the same criteria and terms as if a Mandatory DFG had been awarded.

However if the Council takes a long time to do the adaptations itself or, if they refuse to carry out any adaptations needed, then the person does have the right to make an application for a DFG and be assessed in the same way as private owners and tenants.

The person will have to get the agreement of the Council for any major alterations to the home and permission cannot be withheld unreasonably.

Social Services Departments may provide funding for certain works but these tend to be for minor adaptations and equipment rather than structural works.
They may be able to provide or arrange top up funding to help with the cost of work not covered by Council policy or cost limitations although these occurrences are rare.

The Social Services department still has a responsibility, under section 2 of the Chronically Sick and Disabled Persons Act 1970 to arrange for the provision of adaptations for someone assessed as in need.

Under this Act the Council has a duty to provide services to disabled people including:
• the provision of practical assistance within the home
• the provision of disability aids and equipment
  (WSCC providing hoists & ancillary aids and equipment)
• assistance with adaptations to the home

Government guidance states:
“An adaptation shall not be approved unless the Council are satisfied that:
• the relevant works (generally as prescribed by the OT) are necessary and appropriate to meet the needs of the disabled occupant.
• it is reasonable and practicable to carry out the works, having regard to the age and condition of the dwelling or building.”

2.0 The Assessment - What is “Necessary and Appropriate”

Although the Act requires Housing Departments to consult with Social Services over whether the proposed works are necessary and appropriate, the final decision rests with the Council whether or not to approve work.
They are not bound to follow the social service department’s advice.
The Council has the duty of deciding whether the works are “reasonable and practicable”, taking into account the age and state of the property. Works must also be regarded as “necessary and appropriate” and this must take into consideration adaptations or improvements to enable a care plan to be put in place or a disabled
occupant to remain in his or her own home, retaining or regaining as great a degree of independence as can reasonably be achieved.

The guidance (issued by the Departments of Health and the Environment as LAC (90) 7/DoE Circular states:

‘it is neither appropriate nor practical to impose strict boundaries on what works may be regarded as necessary and appropriate to meet the assessed needs: much will depend on the circumstances of each individual case and on the judgment of the professional advisers concerned.’

The Department of Communities and Local Government also takes the view that authorities should seek to differentiate between:

- What is desirable - what may be perfectly legitimate aspirations on the part of the client; and
- What is actually needed and for which support from the public purse is justified.

With regard to appropriateness:

‘the proposed works would normally be expected actually to meet, in so far as possible to determine, the assessed needs of the individual and should take into account both medical and physical needs. This may mean providing facilities other than those requested.’

An application for adaptation must be supported by a WSCC Occupational Therapist report and recommendations and can be considered appropriate if the relevant works are for any one or more of the following purposes in accordance with Mandatory DFG criteria:

<table>
<thead>
<tr>
<th>Purpose</th>
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<tbody>
<tr>
<td>Facilitating a disabled occupants’ access to and from the dwelling.</td>
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<tr>
<td>Making the dwelling safe for the disabled occupant and others residing with them</td>
</tr>
<tr>
<td>Facilitating the disabled occupant’s access to a room used (or usable) as the principal family room.</td>
</tr>
<tr>
<td>Facilitating the disabled occupant’s access to (or providing) a room in which there is a lavatory, bath or shower and wash basin, or facilitating the use of any of these.</td>
</tr>
<tr>
<td>Facilitating the preparation and cooking of food by the disabled occupant.</td>
</tr>
<tr>
<td>Improving the heating in the dwelling to meet the needs of the disabled occupant or, if there is not an existing heating installation in the dwelling, or the system is unsuitable for use by the disabled occupant.</td>
</tr>
<tr>
<td>Facilitating access and movement by the disabled occupant around the dwelling in order for to care for a person who is normally resident in the dwelling and is in need of care.</td>
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• Facilitating the disabled occupant’s use of a source of power, light or heat by altering the position of one or more means of access or control of that source, or by providing additional means of control.

As from 22nd May 2008:

• An upper financial limit of £30,000 has been set by Government for mandatory adaptation work, including consultant /architect fees if appropriate. (previously £25,000)
• Separate consideration to be given to approving new referrals where adaptation work has previously been carried out and the cumulative value of all adaptation work exceeds the above limit within a five year period.
• Facilitating access to garden areas for general leisure purposes, not withstanding the requirement to assist access to and from the dwelling.

• Information only
As from 22 May 2008 a charge can be placed on the property if the work is over £5,000 to a maximum of £10,000 in value over a prescribed 5 or 10 year period. This can be considered to be more appropriate to private landlords and owners, but there may be future scope to apply this ruling under RTB.

Practical Information

The following is for general guidance only and not a definitive list of all considerations or types of work.

1.0 Kitchens
In cases where the disabled person would not normally carry out the preparation and cooking of food, it may not be appropriate to carry out adaptations to the kitchen. However, in some cases it may be necessary for the disabled person to make drinks or light meals even where someone else does most of the cooking and preparation.

2.0 Heating
People with limited mobility who remain in one room for long periods of time usually need greater warmth than mobile able-bodied people. In some cases, the condition a person has may mean certain types of heating are unsuitable, i.e. solid fuel, which has to be carried by the disabled person from outside.

The Department of Environment's view is that adaptations should not be used to adjust or install heating in rooms which are not normally used by the disabled person and the installation of heating or the replacement of one type of central heating by another should only be considered where the health of a disabled person would otherwise be adversely affected. A letter of support from a GP is usually required.

3.0 Care of others
Certain works may be required to enable the disabled person to care for another person usually resident in the dwelling, for example a young child, and this extends to those other than relatives. Most of the points previously mentioned above concern access to someone’s home in its present state.
However, the provision of facilities does allow for the extension of a property, for example an extension to a bathroom or bedroom (but not a living room).

For example if the request is for ground floor facilities to assist an individual with a heart problem or breathing difficulties, the social services department may decide that a through-floor lift is best on the basis that this would not only provide access to the existing upstairs toilet/bathroom but also reduce difficulties and physical stress managing the stairs.

4.0 Psychological needs
The Government considers that there may also be times when the psychological needs of both a disabled person and his or her carer will need special consideration.

For instance, when the relationship within a house is fragile, and the proposed works can assist in ensuring that these relationships are not further strained resulting in a breakdown in the caring arrangements.

Provision for privacy of the disabled person or carer, for example, might be an important consideration. Where helpers or carers are also involved in fulfilling the disabled person’s care plan the adaptation would usually be expected to result in the task of care being eased.

Guidelines are open to interpretation, and other important factors should be kept in mind, but are not to be guaranteed when adaptations are being considered.

5.0 The need for reasonable & functional space.

5.1 The need for a dining room.
Approval cannot be given for a dining room. However, someone cannot be expected to use an existing dining room as a ground floor bedroom, but possibly agreement might be reached to do so. Eating off a tray is not a viable alternative to using a table.

5.2 The need for a disabled child to have a separate bedroom
Disabled children may need attention during the night and if another child shares the room it is not fair to constantly disturb them.

5.3 The need to retain a spare room/carers room
It may be appropriate to retain a spare room for the partner if the disabled person becomes very restless at night. It is also important to consider accommodating a carer. It does not make sense to carry out expensive adaptations if plans are short-sighted as further adaptations may need to be carried out in future.

5.4 The need to retain a room for a temple or a room to be used for prayer
This need is becoming easier to establish as cultural needs are being taken into account more readily by local authorities and are recognised as being important. Similarly it is important to respect the Asian tradition of having separate living rooms for men and women.

5.5 Home working
There is no obligation to provide or adapt an existing room to allow someone to work from home. However, such the policy must be sufficiently flexible to allow
work in exceptional circumstances. Authorities that do not incorporate such flexibility may be subject to judicial review as they have ‘fettered their discretion’.

6.0 Battery powered mobility vehicles
The provision of shelter / secure storage for battery powered vehicles is not a mandatory requirement. Hard standings, access paths and recharging points can be provided if practical and confirmation has been received from an Occupational Therapist.

7.0 Communal ways and areas

7.1 Battery powered vehicles
Communal way storage & recharging within enclosed areas not permissible as the vehicles constitute a health & safety and fire risk.

7.2 Stair lifts
Generally not permissible, as for battery vehicles, in very exceptional circumstances they may be considered dependant on the layout and accommodation served by the communal way.

Only relevant cases to date are at Courtfields where the communal way serves a single ground & first floor flat. Special criteria, fire precautions and Building Control Regulations must be fully satisfied.

7.3 Leasehold contribution
Adaptations to communal ways & areas can be carried out to improve access for an individual tenant in block of flats or maisonettes, if supported by an OT referral. In these cases leasehold contribution to work is to be waived.

Other access works undertaken as part of a wider contract e.g. for communal way refurbishment, environmental improvements etc. will generally require contribution under the terms of the leases.

8.0 Rent Revisions

8.1 The rent for a property may be increased for any adaptation work as detailed in 2.3 (iv) of the procedure. DCLG documents indicate disabled adaptations should not attract a rent revision. However, to maintain parity with the policy for rent increases following major improvements to other council homes it is currently considered only appropriate and equitable to apply identical criteria.

8.2.1 Any applications for adaptations received after 31st December 2008 may attract rent supplements on completion of adaptations.

Rents are only be recalculated once per year, therefore, if an improvement is completed in May which has a bearing on rent, the rent revision will be implemented the following April.

The cut-off date for advising MSSD is 30 November each year, in order to carry out the processing needed to implement the charge the following April.

8.2.2 Criteria for rent increases:
- Construction of an extension
  Applies to any extension, estimated size of extension and its intended use to be notified to MSS to consider rent implications.
• **Full refurbishment of a kitchen**
  If the significant majority of kitchen units are to be replaced with alternative
  units or facilities, also requiring full redecoration, floor coverings and revision
  of electrical circuits.

• **Full refurbishment of a bathroom**
  The replacement of all sanitary-ware, redecoration, floor coverings and
  revision of electrical circuits. The conversion from a bath to a level access
  shower is not to be considered as a full refurbishment as it is only an
  alternative bathing facility.

• **Installation of full central heating**
  Rent increase only to be considered if no full system previously in place, the
  revision or alteration of an existing installation does warrant rent increase

• **Structural or other revision**
  Alterations that result in the creation or loss of a habitable rooms or
  accommodation e.g.
  - Creation of a lounge diner from two previously separate rooms.
  - Creation of an additional bedroom, by way of changing the designation
    of a room, or dividing or altering the layout of the property.
  - Construction of an extension either to increase existing room space, or
    create a new room for any purpose.

• **Off road car park hard-standing, cross over, garage for sole use**
  In all instances MSS must be informed of any change of layout that results in
  the above in order to consider any rent implications and to update HMS
  accommodation attributes.

• **Other major works or adaptations as considered necessary as identified**
  by the Senior Building Surveyor and approved by the Executive Head of
  Housing

  9.0 **Re-letting of adapted properties**

  9.3 The Lettings Section is to ensure that wherever possible and practical that a
  vacant property is re-let to tenants in need of an adapted property that suits their
  needs. (As detailed in procedure item 4.2)

  9.4 When re-letting a property it may be necessary to review the rent
  e.g. where a adaptation has been carried out for a previous occupier, or
  completed before the 1st January 2009 deadline as detailed in 2.3 (iv) of the
  procedure.

  9.5 Where stair lift is no longer required in a property arrangements are to be made
  for a specialist to remove the equipment and where reasonable & practical the
  contractor shall be requested to credit the Council for any trade value of the lift.

  9.6 It is not the Councils policy to return properties back to there previous layout or
  facilities prior to adaptation work when re-let.
  e.g. level access showers are not to be removed and a bath installed:
  this is only to take place in exceptional circumstances, and only with the authority
  of the Executive Head of Housing

  For further detail see guidance documents listed in the header of this document.