

East Devon District Council

Landlord Disabled Adaptation Policy

Purpose: Our Policy is designed to work with strategic partners and communities to improve community well being. We will encourage our tenants to live in properties that are suitable for their needs and this may include transferring a tenant to a more suitable property. We will wherever possible help tenants to manage more independently by adapting their properties through minor and major adaptation works.

Key Stakeholder: Property and Asset Manager

Date: March 2019

Version number: 4.0

Status: Final Version

Review Frequency: Every two years

Next review date: March 2021

1 INTRODUCTION

The purpose of EDDC's Landlord Disabled Adaptation Policy is to identify how we will encourage our tenants to live in properties that are suitable for their needs as well as helping them to live independently by adapting their homes through minor and major adaptation works.

2 POLICY STATEMENT

EDDC's approach to dealing with requests for adaptations to our housing stock will be in accordance with this policy. We are committed to encouraging our tenants and their household to live independently in the community by carrying out adaptations to their home or moving to a more suitable home when required.

3 SCOPE OF THE POLICY

This policy recognises the impact adaptations in and around the home can have in helping someone with a disability to maximise their independence. The policy recognises that alternatives to the provision of adaptations will be explored with the tenant and their household, and wherever possible tenants will be encouraged to move to more suitable accommodation if necessary. It confirms our commitment to respond to meet the needs of our tenants as

these may change over time as well as effectively using our existing housing stock. The policy recognises that a disability can take many forms and can affect a person's ability to fully access and enjoy their home.

We have consulted with key stakeholders whilst reviewing this document including;

- Tenants
- Children & Family Health Devon
- Care Direct Plus Team (East)
- Housing Officers

4 DEFINITIONS

Adaptations

An adaptation is an alteration or addition to any part of a dwelling which is provided in order to make it easier or safer for use by a person with a disability or mobility problem. This may be the tenant or a member of their household. Throughout this policy references to the tenant will include their household.

Disability

A disability is defined as a physical or mental impairment which has a substantial and long term adverse effect on the ability to carry out normal day to day activities.

A person is defined as 'disabled' under the Housing Grants, Construction and Regeneration Act 1996 if;

- a) Their sight, hearing or speech is substantially impaired;
- b) They have a mental disorder or impairment of any kind; or
- c) They are physically substantially disabled by illness, injury or 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.

Occupational Therapist (OT)

A professional who works with a person who has a permanent or temporary impairment. An OT aims to help people perform daily tasks in their living and working environments, and to assist them to develop the skills to live independently.

Statement of Need

A document prepared by an OT and countersigned by the tenant which states the needs of the tenant and the adaptations required in the home.

Minor Adaptation Request

A document prepared by an OT, Healthcare Worker, Housing Officer which states the needs of the Tenant and the 'minor' adaptations required in the home.

Child

A member of the household under the age of 18.

5 ADAPTATIONS IN GENERAL

- 5.1 We work closely with colleagues in partner organisations involved in ensuring tenants can continue to live independently in our community.
- 5.2 Where minor or major adaptations are required to a property, adaptations will be considered so it is more suitable for a tenant to live in and help them to live independently. All adaptations provided will comply with current legislation.
- 5.3 Any adaption to a property that has been funded by the Council is owned by the Council and must not be removed by the tenant at the end of their tenancy. Any adaptation to a property provided by the tenant that is not portable/removable will become the property of the Council and must not be removed at the end of the tenancy.
- 5.4 The Council will set a budget for the provision of adaptations which will be reviewed annually. Adaptations that are carried out by the Council within the scope of this policy will normally be funded up to £30,000. Tenants or householders may need to contribute towards the cost of works over £1,000 and under £30,000. Cases may require assessment that will be based on an individual's financial circumstances.
- 5.5 Where tenants are prepared to fund any adaptations themselves (to speed up the process), we will encourage this subject to our written permission being obtained before any work commences. We will not withhold permission unless there are valid and substantial reasons to do so. Tenants will not be eligible to be reimbursed for adaptation works to their properties if they have already completed works. In such circumstances if permission has not be given, tenants may find themselves in breach of the tenancy agreement.
- 5.6 We will not progress adaptations in cases where we are seeking possession of the property because of a breach of tenancy conditions.

- 5.7 We will not make any adaptations to a property which has changed hands by way of mutual exchange for at least 12 months from exchange date, unless there are very significant changes in the tenants circumstances. Such cases require the approval of the Property and Asset Manager.
- 5.8 We will not adapt properties where tenants are on an introductory tenancy, unless there are exceptional circumstances. Such cases require the approval of the Property and Asset Manager.
- 5.9 We will consider adaptations to facilitate Tenants discharge from hospital; such cases will be reviewed by Adaptations Officer and will require approval of the Property & Asset Manager.
- 5.10 When providing adaptations for household members who are not named on the tenancy agreement, they must be registered as living at the property for council tax purposes and if aged over eighteen, they should be registered on the electoral role for that address.
- 5.11 Adaptations for a child will only be carried out at the main residence of a child who has a disability whose parents are separated. This is normally the residence of the parent who is in receipt of child benefit, if applicable for that child.
- 5.12 Where a tenant funds any major adaptations to their property we will refer them to our Permissions Process which in turn will refer them to our colleagues in Planning Services to check whether or not Planning Permission or Building Regulations are required.
- 5.13 When the budget for adaptations is fully committed in any one financial year, tenants will be put on a date ordered waiting list for adaptation works to commence in the new financial year.

6 MINOR ADAPTATIONS

- 6.1 Minor adaptations are those which normally involve no structural alterations or additions to a property and do not exceed £1,200.
- 6.2 Minor adaptations where it is estimated work will cost less than £250 will not require an OT assessment and will be approved jointly by the tenant and the Housing Property & Asset team.
- 6.3 Minor adaptations where the work is estimated to cost between £250 and £1,200 may require an OT assessment depending on the work required. The

Property & Asset team will decide whether to refer the adaptation to the OT service.

6.4 If a tenant feels that they may require a minor adaptation to their home they should contact the Housing Repairs Service who will refer the case to the appropriate team. Where the tenant resides in sheltered housing, the Mobile Support Officer can assist with this process.

6.5 Examples of types of minor adaptations include (but not restricted to):-

Visual impairment needs

- Specialist internal lighting
- Audible alarms (fire/CO)
- Staircase adaptations e.g stair edging and nosings
- External lighting

Access

- Internal door threshold ramps
- Improved access and widened pathway to main entrance
- Door entry systems/automated doors

Hearing impairment needs

- Flashing doorbells
- Fire (smoke/heat detector) alarm alerts
- CO detector alerts

Rails

- Main entrance support rails
- Grab rails
- Newel post rails
- Hand rails
- Stair hand rails

Kitchens and bathrooms

- Window opening equipment
- Kitchen lever taps
- Kitchen cupboard handles
- Bathroom lever taps
- WC level flush handles
- Bath and WC grab rails

General needs

- Door and wall protectors
- Altering height of electrical sockets and switches
- Safety glass

This list is not exhaustive and any suitable and reasonable 'minor' adaptation will be considered if this helps the tenant to live independently.

6.6 We will agree at the outset a timeframe for commencement and completion of work with the tenant.

7 MAJOR ADAPTATIONS

7.1 Major adaptations include extensive structural alterations such as extensions to properties that will normally cost between £1,200 and £30,000. The Council will not provide funding in excess of £30,000 for any adaptation. Any additional funding will need to be provided by a partner organisation, or the tenant unless agreed otherwise by the Housing Service Lead.

7.2 All adaptations estimated to cost between £1,200 and £30,000 will require an OT assessment and will require the completion of a Statement of Need from an Occupational Therapist. The Statement of Need also has to be signed by the tenant in order to agree the content and to progress an adaptation.

7.3 Adaptations are carried out to provide improved access in and out of the property and to help with access to facilities within the home. It may also provide the essential facilities themselves. Types of major adaptations include but are not restricted to:-

- Installation of ramps or widening door ways
- Installation of improved lighting or adapting or providing a room specifically to make it safer for a disabled person
- Provision of a stair lift/through floor lift
- Provision of a level access shower
- Adaptation of heating or lighting controls for easier use

7.4 Recommended adaptations will be considered on the grounds of reasonableness and whether practicable, taking into the account the type, age and condition of the property.

7.5 Where major adaptations works are not practical to a tenants home we will work closely with the tenant, our Housing colleagues and other agencies to find a more suitable property to enable the tenant to transfer. Tenants who choose to move may be entitled to a disturbance allowance when downsizing (moving to a smaller property).

7.6 Only in exceptional circumstances will an adaptation be carried out to a property where the tenant is under occupying or overcrowding their home, or are on the Council's housing register waiting for a transfer. Such cases will be agreed at the discretion of the Property and Asset Manager.

- 7.7 The Council has a large number of 'adapted' properties including ground floor flats and bungalows that are suitable for people with a disability. Generally the Council will not provide 'major' adaptations to family housing or any flat above ground floor, other than in exceptional circumstances. The Property and Asset Manager is required to approve any exceptional circumstance cases. These cases will be discussed and considered at the internal adaptations panel meetings (held every 2 months). Where appropriate, Officers will consider the application alongside the appropriate Occupational Therapist who will also be invited to attend the meeting.
- 7.8 Approval to works that exceed £1,200 will be carried out on the condition that:
- An Occupational Therapist completes an assessment and provides a Statement of Need form which demonstrates that the proposed adaptation is necessary and appropriate to enable access to essential facilities.
 - The Council has been unable to identify a suitably adapted property which it would be reasonable to expect the tenant to move to.
 - The proposed works comply with all Planning Permission, Building Regulation requirements and compliance regulations.
- 7.9 Where funding is required beyond the maximum of £30,000 to a property we will work closely with partner organisations and the tenant to ensure other long term options have been considered and other funding sources have been explored.
- 7.10 If a tenant purchases a mobility scooter or any aid to mobility that requires alterations to the outside of their home such as vehicular access, hard standings, pathways or the provision of a 'shelter' or electricity for charging the 'vehicle', then the tenant is required to fund these works themselves. The tenant should also request the appropriate permissions for such works to be carried out.

We will strive to provide generic storage solutions to sheltered sites within restrictions of budget and site layout. Such solutions should not be relied upon and tenants should still discuss with the housing service how they propose to store such items prior to purchasing them.

- 7.11 Once adaptations have been carried out at a property we will arrange for someone to inspect the works to ensure that the tenant is satisfied and that the work has been undertaken professionally and to the required standard, including cases where the tenant has funded the work themselves.

- 7.12 An annual programme to undertake servicing and maintenance of equipment such as stairlifts, lifting equipment and automatic sanitaryware will be put in place by the Council. The Council will meet the cost of all routine repairs and maintenance to any adaptations provided or adopted by them.
- 7.13 If any aids or adaptations have been wilfully damaged by the tenant, a household member or visitor to the property, the tenant will be recharged for any costs incurred for putting the property right.
- 7.14 On change of tenancies all sheltered properties will have a level access shower/wet room installed as standard if a Bathroom Refurbishment is considered a requirement as part of the void work; a bath will not be installed unless it is required to meet a specific medical need, by a Statement of Need and at discretion of/by agreement of the Property & Asset Manager.

8 ADAPTED HOMES

- 8.1 In some cases we are able to provide suitable properties to enable tenants to move as an alternative to providing major adaptations.
- 8.2 The Property & Asset Team will work closely with the Senior Allocation Officer when a tenant/OT requests a major adaption to consider whether a move to suitable alternative accommodation is an option that can be considered within a reasonable timescale (within 3 months). If a move to alternative accommodation has not materialised after three months then the adaptation request will be reviewed, particularly in relation to safety issues and consideration will be given to adapting the property the Tenant currently resides in all at the discretion of/by agreement of the Property & Asset Manager.
- 8.3 Where it is considered that a move to other suitable accommodation would be possible, a priority banding will be given to the tenant to move through the Devon Home Choice scheme. It is possible to award a 'B' priority to help move a tenant quickly. This can be given as a result of a 'social need' or 'effective management of the housing stock'. Alternatively a direct match can be applied when a suitable property becomes empty.
- 8.4 Adapted properties that become available will be offered to those in greatest housing need for this type of property in accordance with the Devon Home Choice policy.
- 8.5 Where an existing adapted property may require further adaptations to meet the needs of a tenant transferring from their existing home, we will work

closely with partner organisations including the specialist Occupational Therapists to undertake any works required to minimise delays in re-letting. This may require the tenant to move prior to further adaptations being provided.

- 8.6 Where a Tenant has reversed an adaptation without permission then the adaptation must be reinstated at the Tenants own expense.
- 8.7 Adapted Homes will be exempt from the Right to Buy Policy in line with The 1985 Housing Act Schedule 5.

9 EXCLUSIONS

- 9.1 We will not adapt a property which is subject to a Right to Buy application.
- 9.2 Other than in exceptional circumstances approved by the Property and Asset Manager an adaptation will not be carried out to a property where:
- (a) the tenant is registered with Devon Home Choice and waiting for a transfer or
 - (b) the property is under or over occupied or above ground floor.

10 RESPONSIBILITIES UNDER THIS POLICY

In implementing this policy, EDDC's overall objective is to:-

- Ensure that all legislation is adhered to.
- Adhere to the terms that are set out in the Tenancy Agreement.
- Effectively investigate all permissions and enquiries relating to adaptations and ensure they are dealt with and the appropriate action is taken within a reasonable timescale.
- Ensure that all permissions and enquiries are recorded and monitored.
- Ensure that we focus on the needs of the tenant.
- Involve the tenant at each key stage of works.
- Fast track any cases where there is an urgent need to carry out adaption works unless to a property that is 'excluded'.
- Ensure that all work is carried out to the required specification and high standard.
- Provide clear information on accessing the service and ensuring this is available to everyone.
- Ensure that appropriate consideration has been given to the tenant's financial ability to contribute to the work.

11 PERMISSIONS/ENQUIRIES PROCEDURE

- 11.1 All permission and enquiries relating to adaptations to a property are dealt with by our Housing Repairs Service which is based at the Council Offices Blackdown House, Border Road, Heathpark Industrial Estate, Honiton, EX14 1EJ Telephone number 01395 517458. The adaptations team can be contacted directly via email at adaptations@eastdevon.gov.uk
- 11.2 If an OT assessment is required the enquiry will be referred to Devon County Council to progress. A tenant can request the OT assessment by telephoning:
- Adult services: Care Direct on 0345 1551 007 or 0845 1551 007
 - Childrens services: Children & Family Health Devon 0330 024 5321

12 PROCESS

- 12.1 The Property & Asset (adaptations) team will consider all requests for major adaptations or minor adaptations that require an OT assessment and the provision of a statement of need.
- 12.2 Our Maintenance Surveyors will consider all minor adaptations that do not require OT involvement, with support from the Property & Asset (adaptations) team.
- 12.3 All requests for an adaptation will be acknowledged within ten working days in writing, email or by text.
- 12.4 All adaptation requests will be considered and where necessary referred to the OT service for assessment. If required, a statement of need will be provided by the OT service to the Property & Asset (adaptations) team. Once this is received the tenant will be informed as to whether the Council will provide the recommended adaptation.
- 12.5 Our initial investigation following receipt of an adaptation request should take no more than ten working days but in the event that an officer has to contact other agencies for further information, the investigation may take longer to deal with.

13 LEGAL FRAMEWORK

The Council has to operate within the framework created by legislation and its own strategies and policies.

References include;

- The Equality Act 2010
- The Care Act 2014
- Chronically Sick and Disabled Persons Act 1970
- The Housing Act 1985
- Housing Grants, Construction and Regeneration Act 1996

14 REVIEW OF POLICY

East Devon District Council will review its policy on a two yearly basis or in light of changes to legislation, regulatory guidance, best practice and customer feedback. The next review is due March 2021