

## **POLICY: Aids and Adaptations Policy**

Date Approved: 9 April 2019

Next Review: April 2022

Responsible Board/Committee: Board

Lead officer: Nick Brake

### **1.0 POLICY STATEMENT**

The Buckinghamshire Housing Association Limited (Bucks Housing) aims to support its tenants to live independently and comfortably in their homes for as long as possible. To this end, Bucks Housing is committed to providing a high-quality aids and adaptations service that is responsive, flexible and efficient.

This policy sets out how Bucks Housing will deal with requests for aids and adaptations, either directly or in conjunction with local authority partners, health professionals, charities and other agencies.

### **2.0 KEY POLICY PRINCIPLES**

2.1 If a tenant wishes to install aids and adaptations to their home (including works via the Disabled Facilities Grant (DFG) process), they should apply for our prior consent.

2.2 We will:

- work closely with our local authority partners, health professionals, charities and other agencies to make sure there is a coordinated approach towards the aids and adaptations service and to promote the best use of resources, including local authority grants, Bucks Housing's own funding and other available resources
- seek to balance the expectations of tenants requesting adaptations with our duty to manage our housing stock effectively
- comply with legal requirements and take good practice guidance into consideration in relation to the provision of adaptations
- support tenants requiring adaptations to move to a more appropriate property, should this be considered the most appropriate and practical solution
- review the rent payable / service charge for an individual property where major adaptations have been completed

- not approve requests for adaptations in cases where we have begun repossession proceedings or where the tenant has applied to purchase the property
- keep records of major adaptations to ensure that the best use is made of the adapted property
- support our tenants in accessing specialist advice and ensure that major adaptation requests are subject to a full assessment of the individual's needs and requirements by an Occupational Therapist (OT)
- aim to ensure that minor works are completed within 20 working days from receipt of the OT's report
- aim to ensure, working in partnership with relevant agencies, that major adaptations are completed within 6 months from receipt of the OT's report
- support leaseholders in obtaining assistance by signposting them to relevant local authority schemes and other relevant agencies.

### 3.0 REFERENCE DOCUMENTS

3.1 This policy should be read in conjunction with the following Bucks Housing policies and procedures:

- Equality, Diversity & Inclusion Policy
- Responsive Repairs Policy & Procedures
- Aids and Adaptations Procedure

### 4.0 DEFINITIONS

4.1 An **adaptation** is a modification to a disabling environment or structure to restore or enable independent living, privacy, confidence and dignity for individuals and their families - providing an individualised solution to the problems experienced by people in a disabling environment.

4.2 An **aid** is a piece of equipment that can assist a person to do something.

4.3 Under the Equality Act, a person has a **disability** if:

- they have a physical or mental impairment
- the impairment has a substantial and long-term adverse effect on their ability to perform normal day to day activities

For the purpose of the Act, the following meanings have been adopted:

- 'Substantial' means more than minor or trivial
- 'Long-term' means that the effect of the impairment has lasted or is likely to last for at least twelve months (there are special rules covering recurring or fluctuating conditions)
- 'Normal day to day activities' include everyday functions such as eating, washing, walking and going shopping

4.4 **Adaptations** are split into two categories: **Minor** and **Major**. These distinctions are based on the nature of the work required to implement the adaptation and do not correspond to the impact the adaptation will have on the individual requiring such work.

4.5 **Minor adaptations** include (this list is not exhaustive):

- Grab rails, hand rails and stair hand rails
- Flashing door bells and smoke alarm alerts
- Window opening equipment
- Provision of suitable taps, door handles, sockets
- Internal door threshold ramps
- Individual door entry systems

4.6 **Major adaptations** require more extensive and complex work. These are often of a structural nature and are fixed alterations to a property. The purpose of the adaptation is to make the property more suitable and accessible to the occupier(s).

Major adaptations include (this list is not exhaustive):

- Level or ramped access to bedrooms or bathrooms
- Fixed ramps and other external facilities
- Widening of doors and windows
- Lifts and hoists
- Stair lifts
- Specially equipped kitchen, bathrooms or showers

## 5.0 SCOPE

5.1 This policy applies to all Bucks Housing tenants.

5.2 This policy and service does not apply to leaseholders (including shared ownership leaseholders), who we will signpost to the relevant agencies.

## 6.0 LEGAL & REGULATORY FRAMEWORK

6.1 **The Homes and Communities Agency (HCA) - (now the Regulator of Social Housing) Regulatory Framework 2015**

The Home Standard requires Registered Providers to:

- meet all applicable statutory requirements that provide for the health and safety of the occupants in their homes

The Tenant Involvement and Empowerment Standard requires Registered Providers to:

- demonstrate that they understand the different needs of their tenants, including in relation to the equality strands and tenants with additional support needs

6.2 **The Equality Act 2010** states that a controller of let premises (e.g. a landlord) may have to make reasonable adjustments in response to a request from a disabled tenant or occupier of those premises. The Act also states that disabled tenants of residential properties can apply for their landlord's consent to make improvements to their property.

Bucks Housing will also have due regard to the following legislation, regulation and good practice guidance which places duties and obligations on our local authority partners:

6.3 **The Housing Grants, Construction and Regeneration Act 1996** makes provision for Disabled Facilities Grants (DFG), which are available from local authorities, to carry out works that are necessary and appropriate to meet the needs of a disabled occupant, provided that it is reasonable and practicable to carry out the works having regard to the age and condition of the dwelling. The maximum grant is £30,000. All grant applications are subject to a statutory means test (except in the case of applications in respect of children with a disability).

6.4 **The Care Act 2014** states that minor aids and adaptations, provided by local authority Social Services, up to the value of £1,000, must always be provided free of charge.

6.5 **The Chronically Sick and Disabled Persons Act 1970** places a duty on Social Services to assist disabled persons in obtaining suitable adaptations within their homes.

6.6 **The NHS & Community Care Act 1990** requires local authorities to carry out a needs assessment where it appears to Social Services that a person may be in need of community care services. This assessment would include identifying needs which could be met by making adaptations to the property.

**The Carers (Recognition and Services) Act 1995** and the **Carers and Disabled Children's Act 2000** extends the above rights to carers.

6.7 **The Disabled Person's Services, Consultation and Representation Act 1986** places a duty on local authorities to assess the needs of disabled persons when asked to do so by the person or their carer.

6.8 **The Community Care (Delayed Discharges) Act 2003** makes a provision that any community care equipment and minor adaptations for the purposes of assisting with nursing at home or aiding daily living which a person has been assessed to need, and for which he or she is eligible, should be provided free if the cost is less than £1,000.

6.9 **The good practice guide, Delivering Housing Adaptations for Disabled People (June 2006 edition,)** describes the statutory duties of social services and housing authorities in relation to their adaptation service and advises local authorities on establishing a high-quality service.

## 7.0 ASSESSMENT

7.1 Applications for aids and adaptations work will only be approved and then work implemented following an assessment by an OT to determine its appropriateness and both short-term and longer-term medical needs. If the tenant does not have an OT, they will be advised to contact their local authority, or their GP, as an assessment of their disability is required.

7.2 The assessment will determine the urgency of the work required.

## 8.0 FINANCIAL CONSIDERATIONS

8.1 We will seek to maximise funding for adaptations through local authority DFG and/or alternative funding available from other agencies. We will assist tenants who need help applying for funding.

8.2 Where tenants fail to qualify for DFG, and alternative funding is not available, Bucks Housing will fund adaptations up to a maximum of £1,000.

8.3 A means test will not apply to aids and adaptations funded by Bucks Housing.

8.4 We may consider requests for top-up funding where an adaptation will cost more than the maximum DFG grant allowed (currently £30,000). Our decision will be based on:

- a recommendation from the OT
- whether other long-term options are available
- whether other funding sources have been explored
- budget availability.

8.5 Any contribution by Bucks Housing exceeding £1,000 must be referred to the Leadership Team for a decision.

## **9.0 FEASIBILITY STUDY**

- 9.1 We will undertake a comprehensive feasibility assessment in exceptional cases, e.g. when the tenant's circumstances are of a complex nature and/or the proposed adaptations may have a very significant impact on the property itself.
- 9.2 As part of the feasibility assessment we will explore:
- if it is possible for the tenant to move to more suitable accommodation provided by Bucks Housing, the local authority or another Registered Provider
  - the suitability of the proposed work for the tenant, for example, in the longer term
  - the implications of the proposed work for future allocations (e.g. bespoke kitchen and bathroom layouts)
  - the implications of the proposed work on the layout and structure of the property.

## **10.0 MAINTENANCE OBLIGATIONS**

- 10.1 Ongoing maintenance or servicing of any item provided via a DFG or a third party is the responsibility of the tenant or the local authority unless otherwise agreed with Bucks Housing.
- 10.2 The tenant may incur a service charge for the ongoing maintenance or servicing of any item provided by Bucks Housing.

## **11.0 TRANSFERS AND MUTUAL EXCHANGES**

- 11.1 In accordance with legislation, and as detailed in our Tenancy Management Policy, we may refuse a mutual exchange in the case of an adapted property.
- 11.2 For both mutual exchanges and transfer requests, each case will be reviewed individually to consider personal circumstances and will include consultation with the tenant.
- 11.3 We may refuse to carry out adaptations to successive dwellings unless there is an overriding need to move, for example overcrowding.

## **12.0 COMMUNAL AREAS**

- 12.1 Where tenants have asked for reasonable adjustments to communal areas, we will consult with other tenants and where an adaptation is practical and appropriate, we may carry out the requested adaptations.

12.2 When planning communal area improvements with tenants, we will ensure that the needs of disabled tenants, as well as non-disabled tenants and visitors are properly considered.

### **13.0 RECYCLING AIDS AND ADAPTATIONS**

13.1 If a property with existing aids and adaptations becomes void, we will make every effort to relet it to someone who needs the aids and adaptations, subject to prior assessment by an OT.

13.2 Level access showers constitute a major alteration to a property and are considered a permanent fixture once they are fitted. Even if the property is not relet to someone who needs a level access shower, we will not generally remove it. If the new tenant wishes to replace the level access shower with a bath, they will need to obtain our prior written permission and finance the cost of the works themselves. This will be explained to the incoming tenant at the property viewing stage.

13.3 Concrete ramps are a permanent fixture and will not be removed.

13.4 Once a tenant has accepted the tenancy of an adapted property, should they require additional adaptations, these will be considered in accordance with this policy.

13.5 Removal of aids or adaptations is a last resort. Where we have removed items, we will try to re-use or recycle them if they are in good working order and may be suitable for another tenant. We will always seek the advice of an OT when assessing whether equipment is suitable to be re-used. If we are unable to re-use or store aids and adaptations that are no longer required, we will seek (where possible) to offer them to other agencies as an alternative to disposal.

13.6 Where a major adaptation is no longer needed by an existing household, and there is a demand for the adapted property, we will work with the household to encourage and assist them to move to alternative accommodation.

### **14.0 MAJOR WORKS PROGRAMMES**

14.1 Before we start any major works, we will identify homes that have already been adapted, as well as tenants requiring adaptations. This will ensure that their needs are considered during the programmed works.

14.2 We will protect or replace existing adaptations where they are affected by the planned works.

14.3 Where new adaptations are required in homes affected by the planned works, we will consider providing these as part of the programme, where this is practical and economic for both the tenant and the Association.

## **15.0 RESPONSIBILITIES**

15.1 The Director of Operations has:

- overall responsibility for the implementation of this policy and for ensuring that adequate resources are made available to enable its objectives to be met
- authority to approve aids and adaptations requests. This authority may be delegated to the Asset Management & Maintenance Manager and/or the Housing Manager.

15.2 The Asset Management & Maintenance Manager is responsible for:

- providing technical support to both tenant(s) and the Housing Management Team
- managing the aids and adaptation works process as defined in this policy.

15.3 The Housing Team is responsible for:

- ensuring that the Asset Management & Maintenance Manager is notified of any aids and adaptation requests from tenants
- signposting and supporting tenants to access DFGs and/or funding from other agencies.

15.4 Tenants are responsible for:

- providing accurate information regarding their circumstances and need for an aid or adaptation
- maintaining and servicing any adaptation which is deemed to be their responsibility
- paying any service charge (where applicable) for the on-going maintenance and servicing of any adaptation installed by Bucks Housing
- informing Bucks Housing if their adapted home is no longer suitable for their needs.

## **16.0 EQUALITY, DIVERSITY & INCLUSION**

16.1 Providing a suitable housing solution for tenants with a disability and/or mobility need is an important commitment within our Equality, Diversity & Inclusion Policy. We undertake to identify those with additional support needs and provide, procure, signpost or refer tenants towards, the advice and support they may need to sustain their tenancy.

## **17.0 MONITORING & REPORTING**

17.1 We will manage compliance through keeping comprehensive and accurate records.

17.2 Activities covered by this policy are subject to periodic audit review, both external and internal.

## **18.0 POLICY REVIEW**

18.1 This policy will be reviewed every three years, unless there are significant changes in legislation, regulation, or central or local government guidance.