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Disabled Adaptations Policy

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1. Executive Summary

East Kent Housing (EKH) acting in the capacity of 'Managing Agent' on behalf of Canterbury City Council, Dover District Council, Folkestone & Hythe District Council and Thanet District Council (the Client Councils) aims to provide increased alignment to the way that housing adaptations are managed through the Housing Revenue Account (HRA) and the Disabled Facilities Grant (DFG) regimes. The key features of this policy include:

- Greater focus on supporting residents to consider how their housing needs may be met in the longer term.
- Financial assistance to support residents with the costs of relocating where needed.
- Support in meeting residents overall well-being including support for carers, safety in the home, access to welfare benefits, social inclusion and referrals to sensory services and other healthcare services.
- Ensuring best use is made of adapted properties and that these are let to those in greatest need.
- Ensuring the available budget is used efficiently.

2. Introduction

The purpose of this policy is wherever possible adopt a consistent and common approach to the management of disabled adaptations delivered on behalf of the four Client Councils by EKH.

This policy standardises a number of procedures across the four Client Councils, including:

- The consideration of residents adaptations as assessed by a qualified Occupational Therapist registered with the Health & Care Professions Council (HCPC) in the UK
- The financial thresholds and categories for assessed adaptations
- Adaptations that EKH will and will not progress and options for residents
- Circumstances where EKH are required to refer the adaptations to the Client Council
- Indicative timescales within which work is expected to be carried out
- EKH communication with residents, Occupational Therapists (OTs), Social Services, Client Councils, professionals and other specialist agencies

- The management of waiting lists by EKH (e.g. where there is a high demand for adaptations that exceeds the annual budget)

This policy sets out the parameters within which the Kent County Council Occupational Therapist Team, EKH and the Client Councils will cooperate.

The policy seeks to promote fairness and equality throughout the activities of EKH, regardless of where the applicant lives, their background or circumstances.

3. Policy Aims

The primary aim of the Adaptations Service is to enable EKH and the Client Councils, within the financial and legislative constraints applicable to social housing, to identify housing solutions which best meet the assessed needs of residents with disabilities.

This policy supports the best use of financial resources and property assets. This may result in adaptations being declined where the assessed needs cannot be met within the residents current home either because of the financial cost involved, a potentially detrimental impact on the future use of the property, the practical difficulties of adapting the property and the availability of alternative solutions which may include the allocation of more suitable housing.

Adaptations will not be carried out where it is considered reasonable for a resident to move to a more suitable Council property and where there is a reasonable expectation that this accommodation will become available within a period of 12 months from the date at which EKH is made aware of the residents assessed needs.

The policy will also guide Occupational Therapists (OT) and other professionals to understand what EKH and the Client Councils will and will not be able to assist with in terms of adaptation to a residents home.

EKH aim to operate a service that offers suitable, practical and cost-effective solutions that best meet residents' assessed needs.

The key principles of this policy are to:

- provide a seamless service that puts residents at the heart of the process
- offer a range of options for residents that are both achievable and realistic
- find the best possible solution for residents to meet their individual needs
- operate legally and according to best practice
- operate within the available budget and provide value for money
- minimise waiting lists and waiting times
- measure the impact of this policy in terms of real outcomes
- work with the Client Council allocations teams to make best use of the housing stock (property assets)

Under this policy EKH will consider solutions that best meet the long-term needs of residents and their families as a primary objective, ensuring their safety, well-being and quality of life.

EKH aim to ensure that no resident waits longer than 12 months for a 'Major' adaptation and 3 months for a 'Minor' adaptation to be progressed. EKH will work with the Client Councils to agree appropriate levels of resources to meet this aim.

4. Relevant legislation

In determining this policy, regard has been given to the Client Councils Allocations Policies and the relevant statutory provisions and requirements mentioned in the Care Act 2014, the Equality Act 2010, the Chronically Sick and Disabled Persons Act 1970, the Housing Grants, Construction and Regeneration Act 1996, as amended by the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002.

Section 149 of the Equality Act 2010 imposes a duty on a public authority, where it must in the exercise of its functions, have due regard for the need to eliminate discrimination and promote equality. Necessary and Appropriate, Reasonable and Practicable Works Section 24 of the Housing Grants, Construction and Regeneration Act 1996 places a duty on housing authorities who are not themselves a social services authority to consult the relevant social services authority and to satisfy themselves that the works are reasonable and practicable having regard to the age and condition of the property.

- Assessments are completed by Occupational Therapists (OT's) in line with their good practice guide and a referral is submitted to EKH detailing the nature of the work required. Each case will be individually assessed on its own merits and EKH will decide what is reasonable taking account of the need to make housing available to a wide range of people in need, over the long term.
- It is not considered reasonable to carry out adaptations that require structural alteration to the property (beyond that of widening door openings, removal of non-load bearing internal walls and forming openings less than 1.2m wide in floors and walls), involve alterations to the common parts of blocks of flats that will impact the use of these areas by residents of the block, require alterations to services that are communal to any block of flats (with the exception of door entry systems), involve the installation of flush floor showers and wet rooms to flats above the ground floor of a block of flats, limit the future use of family housing to households with disabilities. EKH will support such families to move to suitable accommodation.
- Reasonableness also relates to cost, and where the particular construction type of a property makes it excessively costly to adapt (the lower limit of 10% or £5,000 more than the equivalent cost of the adaptation to a property of standard housing construction will be applied in such instances). EKH will

refuse the adaptation in favour of offering alternative housing that meets the applicants needs or which can be readily adapted at a lower cost.

5. Definition

The Equality Act 2010 defines a disabled person as someone who has a physical or mental impairment which has a substantial and long-term adverse effect on his or her ability to carry out normal day-to-day activities.

A long-term adverse effect refers to disabilities:

- That have lasted for at least 12 months
- The effects of which will last for at least 12 months
- Which are likely to last for the remainder of a person's life

Occupational Therapists (OT) and other professionals are required to confirm that all three criteria apply to each assessment submitted to EKH for consideration.

6. Adaptation Process Overview

In order for adaptation work to be carried out, residents must request a referral to an OT approved by KCC Social Services. The OT will assess the level of disability need and a referral must be sent to EKH to be processed. This referral and any supporting information must be sent by a secure method of communication taking account of the requirements of the GDPR legislation. Where information is communicated electronically this must be password protected. In some cases the OT will request a joint visit with EKH in order to consider the feasibility of a proposal they may wish to recommend.

EKH will categorise assessments as follows:

- **Minor Adaptations** – works of £1,000 and under and stairlifts up to £5,000 are considered routine and are progressed in referral date order within 3 months
- **Major Adaptations** – works over £1,000 are sub-categorised by the OT as either 'critical' or 'substantial'. These are reviewed monthly with 'critical' taking higher priority

'Critical' major works will be carried out as soon as possible and are intended to be progressed within 6 months.

'Substantial' (and therefore not critical) major works will be put on a waiting list and carried out the order received by EKH, these are intended to be progressed within 12 months.

Performance of the contractor will be monitored through customer satisfaction surveys and post-inspections to ensure EKH meets its performance targets.

Adaptation budgets and waiting lists will be reviewed monthly with the KCC OT service and reported quarterly to EKH management and Client Councils.

7. Examples of Work that will be carried out by East Kent Housing

The following is a list of examples of adaptation work that EKH will carry out to an individual flat or house; this list is not exhaustive:

- Installation of grab rails in various locations throughout a property
- Installation of access steps/ramps to front and rear entrances
- Additional internal banister rails
- Additional external handrails
- Installation of lever taps
- Alterations to the height of electrical sockets and switches
- Fixed aids for visual and hearing impairment (door bells/ fire alarm/ smoke detectors)
- Specialist Equipment (fixed rise/fall baths, shower stretchers, wash/dry toilets)
- Level access shower facilities
- Over bath shower facilities
- Kitchen adaptations
- Extensions (within prescribed Disabled Facilities Grant (DFG) limits and where no alternative viable solution is possible)
- Work that would be eligible for funding under DFG legislation

The on-going maintenance and servicing of adaptations will be funded from annual repair and maintenance revenue budgets. The renewal/ replacement of previously installed adaptations will be treated as a renewal funded from capital budgets.

Provision of appliances and portable specialist equipment will not be funded as these are considered to be either a residents responsibility or that of health and social services.

8. Extensions and Conversions

In some instances extensions and/or conversions will be considered where these are within the financial limits contained within the DFG legislation, the property is capable of being adapted to meet a resident's needs cost effectively, such adaptation is likely to have an on-going future demand and there is no other reasonable viable alternative (including re-housing). This may include an extension or conversion of an existing outbuilding where ground floor facilities may be provided or are required.

These often require planning permission and building regulation approval, as well as a detailed feasibility study, specification and approval from the Client Council before being tendered and a contractor being appointed to carry out

the work. Work is progressed as quickly as possible and may take up to 24 months to complete.

9. Circumstances where we will not undertake an Adaptation

This section of the policy only relates to adaptations exceeding £1,000. We will not adapt a property in the following circumstances:

- Where a resident or their family is deemed to be under occupying by two or more bedrooms.
- Where a resident or their family are overcrowding and there is every likelihood that they would be rehoused in a suitable alternative property within 24 months (except in exceptional circumstances).
- Where they are waiting for a transfer to another property.
- Where the adaptation is unreasonable (indicative examples: the cost of the adaptation is abnormally expensive, structural alterations beyond those previously described are necessary to facilitate the adaptation, installing a level access shower to a flat above ground floor which cannot be accessed by an existing lift, where the residents needs can be met through amendment of the original proposal/recommendation, such as fencing a proportion of a garden rather than the entire garden or using a ground floor second reception room as a bedroom, where it requires alteration to common areas and this would have fire, health and safety implications or it would impact upon the use of the common area by other residents).
- Where there is suitable alternative adapted, part adapted accommodation or where it is considered likely that a suitable property will become available within 12 months of the request being made.
- Where an adaptation would adversely affect the council's ability to make the best use of the stock and to relet the property in the future without removing or altering the adaptation(s).
- Where the cost of the adaptation exceeds the equivalent maximum value applied to a DFG.
- Where the residents requirements are such that further adaptations will be required within 24 months and during that time it is considered likely that alternative suitable accommodation will be available.
- Where an adaptation would place others at risk (e.g. a communal stair lift with no alternative access for other first floor residents).
- Where a resident leaves a property (through their own choice or through eviction) that has previously been adapted for their needs within 5 years of any adaptation having been completed.
- Where the property is unsuitable for adaptation due to its construction form or type.
- Where the Client Council does not own the property.
- Where the property is used for temporary housing.
- Where the Client Council intends to dispose of the property within the next 36 months.
- Where the property forms part of a redevelopment proposal.
- Where the property is subject to structural movement or environmental monitoring.

10. Financial Restrictions

The financial limits as defined in legislation are expected to be applied to all adaptations (£30,000 at 1 April 2018). Where costs for major adaptations, extensions and conversions exceed these prescribed limits they will not be approved. In exceptional circumstances (where there are no reasonable alternative solutions likely to arise within 36 months) they may be referred to the Client Council for consideration and review. Approval and budget allocation will be at the sole discretion of the Client Council and may require a contribution from the resident for any costs over the £30,000 limit. Residents must also be made aware that this may be subject to a 'means test' and that if a property is increased in size, it may be subject to an increase in rent and property value.

EKH will not remove substantial adaptations (e.g. extensions) or previously installed major adaptations solely on the basis that the resident no longer needs it, even if they (or a new non-disabled resident) request it.

11. Long-term diagnosis

The long-term diagnosis of a resident's condition and the future use and occupation of the property will be key considerations when making a decision about the most appropriate solution or proposal.

EKH will work in close partnership with the OTs and KCC Social Services when developing adaptation proposals.

12. Redevelopment

Where a resident living in an adapted property is being moved because of redevelopment or refurbishment of their home, essential adaptations will be carried out in the new home being offered. This is most likely to apply to the residents of previously converted housing, older properties and sheltered housing schemes which require refurbishment. It may involve providing showers to residents who have previously only had access to communal facilities.

13. Planned Maintenance

EKH will ensure, subject to funding constraints, that any necessary adaptation works are carried out through the Capital Programmes. Our commitment to maintenance programmes that improve accessibility is intended to reduce the pressure on the adaptations budget.

An example of this is the programme to replace baths with level access shower facilities in sheltered housing schemes and ground floor one bedroomed flats.

14. Limitations

It is recognised that residents with disabilities will sometimes require very specific, tailored solutions to meet their needs. Any adaptation work will therefore only be undertaken after careful consideration of various factors including:

- The current and future needs of the resident(s) and their household
- The individual resident's level of disability
- Professional assessment/recommendations of healthcare professionals
- Characteristics of the dwelling, its construction and internal arrangement
- Planning and building regulation requirements and legislation
- Budget provision and long term property asset implications
- The most cost effective means of achieving the required outcome
- Alternative solutions to address assessed needs
- Impact upon other residents and the common areas
- Fire, health and safety legislation

15. Under-Occupancy

Where a resident is under-occupying a property by two or more bedrooms adaptation requests will be refused.

Where a resident is under-occupying a property by one bedroom EKH will consider the practicalities and cost involved in adapting the under-occupied property and its future use against the potential benefits to the resident and the Client Council of moving them to a suitable smaller home.

Our primary aim is to ensure residents are housed in the most appropriate home to meet their needs. Secondary aims are to ensure budgets are spent effectively and that the long term benefits derived from the housing stock is preserved for future use.

Where EKH feel a resident's needs are best met by moving to a smaller suitable home, our overarching concern will always be to consider the wider impact of a potential move on the resident's well-being and continuity of care. This will be judged on a case-by-case basis in collaboration with the OT and the Client Council.

Where a resident is under-occupying but has been granted under-occupation exemption via spare room subsidy, EKH will authorise adaptations providing the property is suitable to be adapted. Evidence of exemption must be provided.

16. Overcrowding

Where a resident and their household is deemed to be overcrowded any referral for additional space, for example an extra bedroom, will not be deemed a valid adaptation on the grounds of social overcrowding. This will be classed as a Housing Needs issue and will be referred to the Client Council to help the resident find a more suitable property to meet that need.

17. End of tenancy

Major adaptations will not be carried out where eviction action is pending or where the tenancy will not, or is not likely to continue, beyond a period of 12 months from the date upon which the recommended adaptation is received by EKH. This is to ensure that adaptations are not carried out at a property if the resident that needs the adaptation is going to be moving.

18. Right-to-buy

EKH will not carry out adaptations to properties that are going through the right-to-buy process. Any adaptation may be progressed by applying for adaptations through the DFG. If a resident is completing a right-to-buy application it should be noted that the sale and value of a property will be affected if major adaptations have already been carried out.

19. Suitability of property for adaptation

In some cases a property may not be suitable for adaptation due to the characteristics of the building. For example, because of its age, location, internal layout, type of construction, surrounding buildings, or ground conditions. Where an adaptation cannot be carried out for any of these reasons, EKH will recommend moving the resident to a more suitable property that can be adapted to meet their needs.

20. Level access showers above ground floor

New residents with a disability or who are elderly are not usually housed in flats above ground floor level, as access may prove difficult for them. For disabled and elderly residents currently living in flats above the ground floor, EKH will actively encourage rehousing in a ground floor property before considering any adaptation recommending the installation of level access showers in these properties.

In doing so EKH will consider the likelihood of a suitable property being available within 24 months and the long-term needs of the resident, as well as their ability to access the property.

21. Pavement crossovers and hard standings

Pavement crossovers and hard standings for car parking are primarily aimed at wheelchair users and residents with severe disabilities. These requests are subject to approval by the local Planning Department and Kent County Council Highways and they will only be progressed once such approvals are received.

22. Mutual Exchanges and Transfers

Where a resident requests a mutual exchange or transfer from their adapted property, through their own choice, to one that is not suitably adapted, EKH will only carry out further adaptations where the existing ones were completed more than 5 years before the move. EKH will take account of the reasons for the move and work with the resident(s) to consider the option that best meets their long-term needs and requirements of the resident(s) and/or their family.

23. Stair lifts and through floor lifts in stand-alone properties

Stair lifts are classified as a minor adaptation and these will be progressed where the property will accommodate the stairlift installation and the necessary power supply.

Through floor lifts will be considered after all alternative solutions have been explored, including re-housing. These types of adaptations are subject to the constraints of the existing construction of the property and a fire safety assessment.

24. Specialist fixed and free-standing equipment

Specialist equipment such as rise and fall baths, bath and shower stretchers that are fixed to the structure of the property will be considered after all alternative solutions have been explored. These types of adaptations are subject to the; constraints of the existing construction, layout of the property, budget availability and financial expenditure limits applicable to adaptations.

It should be noted that the cost of such specialist equipment and the limited supply source may require EKH to undertake additional financial approval processes including obtaining a 'Waiver' for the purchase of these items.

Specialist free standing equipment will not be funded as an adaptation or installed by EKH as this is considered a Health and Social Service/ resident responsibility.

25. Communal areas and flatted accommodation

EKH recognises that where works are both essential and reasonably practical, we shall consider essential access requirements to the common areas of blocks

of flats and estates. Such proposals may require the consent of other residents and must not impair or compromise other residents safety and will therefore be risk assessed on a case by case basis.

26. Stair lifts in communal areas of blocks of flats

EKH will not authorise the installation of a stair lift in a communal staircase in a block of flats or the shared common areas of property. This is due to the increased risk of an impeded exit, to the disabled person, other users of the building and the emergency services.

27. Access and Egress

Suitable access will be considered for the main front door and/or existing rear door(s) to a property, where reasonable and practical. If this is not viable the most economical provision will be explored, which may include other adaptations such as changing windows to doors. This will be at the discretion of EKH in conjunction with the OT.

28. Referrals relating to behaviour

It is appreciated that where a resident has challenging behaviour as a result of their disability it can cause difficulties and put additional strain on the resident, their family and neighbours.

Sometimes in these circumstances additional space or specialist facilities and equipment are recommended.

If a resident is unable to share a bedroom for reasons of privacy, safety or due to a medical condition that affects their behaviour, and adequate additional space could be provided within the property by converting the existing property or space within it that would meet their assessed need this will be considered before considering an extension.

For other referrals relating to behaviour, EKH will work with the OT to consider the best solution and only carry out an adaptation where there is a genuine medical need that satisfies the requirements of this policy, and only when all alternative options have been exhausted.

29. Mobility Scooters

EKH will not provide provision for resident's mobility scooters.

Residents will be responsible for altering access paths/gates and supplying hard standings, sheds, electrical supply and any other associated works

connected to accommodating their scooter, after receiving permission from EKH and where applicable Building Control and Planning.

Mobility scooters must not be positioned in communal areas or stored near habitable properties, to ensure prevention of risk of fire.

30. Other options available to residents

In cases where a residents assessed needs and the recommended adaptation, does not meet the requirements of this Policy residents may choose to apply for DFG funding or consider other options that may be available, such as:

- Funding through a charity
- Armed forces associations
- Self-funding

These funding options are subject to written permission from EKH and will only be agreed if the option is reasonable and meets the resident's assessed needs.

If a resident carries out their own work, they will also need permission in writing from EKH before any work is started.

In these cases the resident must:

- Ensure the proposed work is carried out by a fully competent qualified contractor
- Conform to the appropriate regulations and legislation
- Be responsible for putting right any damage relating to the works being carried out
- Contact EKH upon completion of any work so we can inspect the work to ensure it has been carried out to a satisfactory standard
- Provide EKH with any relevant certificates of the work upon completion
- Maintain and repair any equipment or fittings they have installed.

If a resident carries out their own work with written permission from EKH, EKH reserves the right to request that the property is put back to its original condition upon termination of the tenancy and any such requirement will be made known to the resident as part of the original written permission. The cost of this must be met by the resident.

31. Communication and Consultation

EKH recognises the importance of communicating with residents and will:

- Provide clear and comprehensive advice and information to residents, with an aim for a single point of contact
- Contact residents to confirm approval of recommended adaptations; when the work will be carried out, or that there is a waiting list

- Keep residents informed of where they are on the waiting list and provide an approximate waiting time for their adaptations
- Inform residents and explain why recommended adaptations have been refused under the limitations of this policy
- Consult in person with residents regarding major works and explain the scope of the works and how long it will take to complete.
- Where appropriate, provide residents with colour choices (e.g. for major bathroom adaptations – paint, tiles, flooring etc. - within EKH specification)
- Work with occupational therapy and healthcare professionals on individual cases to ensure the most timely and cost-effective options are considered

EKH will actively promote this policy and the adaptations service.

32. Performance Monitoring

EKH recognise the importance of working in partnership with residents and stakeholders to develop and continually improve our services and raise standards.

To demonstrate this EKH is committed to:

- Monitoring completed adaptations through the use of customer satisfaction surveys; to ensure we maintain performance and help inform future service improvements
- Publishing information in relation to EKH performance against the aims and standards set out in this policy
- Training EKH staff to recognise the need for adaptations and to enable them to give guidance to residents who may require an OT referral
- Complying with the EKH Comments, Complaints and Compliments policy when a tenant wishes to complain or make a comment about any aspect of the adaptations process

33. Equality and Diversity

Through the management of this policy EKH aim to treat all residents fairly, and with respect and professionalism regardless of their gender, race, age, disability, religion, sexual orientation and/or marital status.

To enable all residents to have clear information and equal access to our services, EKH will publish this policy in a range of languages and formats and/or through a range of media, where appropriate, upon request. Full details of our approach are set out in the EKH Equality and Diversity Policy.

Where there is a barrier to accessing information about the service, extra effort will be made by EKH staff and its representatives to ensure the resident understands the process. This may involve asking a relative or third party for help, or employing translation or interpretation services if necessary.

EKH staff will be sensitive to people who have lived in properties for a long time, to ensure that any solution (whether an adaptation or a move) is in the tenant's best interest and supports their long-term needs, well-being and continuity of care.

34. Policy Monitoring and Review

This policy and any associated procedures will be reviewed at least every three years. The review will ensure that a comprehensive service is being offered that meets residents' requirements. The policy will also be reviewed in accordance with any future legislative changes as and when they occur, or if the policy is deemed to be unfit for purpose and/or no longer reflects residents' changing needs.

Monitoring of performance and satisfaction with the adaptations service will be used to inform any future policy review in this area. All reviews will consider whether:

- The current policy adheres to legislative and regulatory requirements, and reflects good practice
- The aims and objectives of the policy are being met
- The current policy outcomes meet the needs and requirements of our customer base
- Service users are aware and understand the policy and believe it to be fair and consistent
- The service offers value for money

Overall monitoring and review of this policy will be undertaken in consultation with staff, resident groups, the four East Kent Councils, the KCC Occupational Therapy Service and other relevant partners and stakeholders.