

Policy Title	Housing Solution for Customers with Disabilities	Housing Solution: Aids and Adaption Policy
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## **Housing Solutions: Aids and Adaptations Policy**

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### **1. Policy Statement**

This Policy applies to all properties owned by Nehemiah Housing. For all properties we manage via a management agreement please also refer to the agreement's terms and conditions.

### **2. Our aim**

This Policy sets out the help and support Nehemiah Housing is able to provide tenants who are in need of aid and adaptations in order to help them remain independent in their home.

The Equality Act 2010 provides a legislative framework to protect the rights of individuals and to advance equality of opportunity for all. Under the Act the legal duty to make reasonable adjustments:

- Where a physical feature puts a disabled person at a substantial disadvantage in comparison with persons who are not disabled.
- Where a disabled person would, but for the provision of an auxiliary aid, be put at a substantial disadvantage in comparison with persons who are not disabled.

Nehemiah is committed to building successful, sustainable, and diverse communities by providing housing and well-being services in a culturally sensitive way to our current and our future customers. To ensure our tenants receive a fair service we have clearly identified our aims:-

1. To ensure that all our homes are safe, accessible, and easily adapted at reasonable cost for disabled customers.
2. To set out the criteria by which the association will assess all requests for adaptation work and identify limitations to the service.
3. To manage the expectations of residents who require adaptations with the association's duty to manage its housing stock effectively through the Growth and Asset Management Strategy.
4. To ensure there are clear channels of communication and established joint working practices with our partners from the local authorities in the areas where we operate.
5. To comply with legal and statutory requirements in relation to the provision of disabled adaptations.
6. To comply with good practice guidance, including 'Delivering Housing Adaptations for Disabled People: A Detailed Guide to Related Legislation, Guidance and Good Practice' Issued by The Home Adaptations Consortium 2013.

Good adaptations can have a major impact on wellbeing and quality of life, making daily tasks easier to carry out and helping our older and disabled customers to stay in their homes for longer.

To achieve this:

- Where Nehemiah has the opportunity, we build new homes to lifetime home standards.
- We will work with Local Authorities to provide a mix of housing, including housing specifically designed for disabled people.
- We will have an annual budget to carry out adaptations where no alternative solutions are available.

### **3. Legislative Compliance**

The statutory responsibility for the funding of adaptations is the duty of the Local Authority. The information about social care in this Policy is based on the Care Act 2014 ('the Act') introduced in April 2015. The Care and Support (Charging and Assessment of Resources) Regulations 2014 ('the charging regulations'), the Care and Support (Eligibility Criteria) Regulations 2015 ('the eligibility regulations') and the

Care and Support Statutory Guidance ('the guidance') are the main evidence sources. Information about Disabled Facilities Grants is based on the Housing Grants, Construction and Regeneration Act 1996.

Nehemiah tenants are entitled to apply for Disabled Facilities Grant (DFG) through the Local Authority under the terms of the Housing Grants Construction and Regeneration Act 1996.

Operation of the Policy ensures Nehemiah complies with the relevant legislation in regard to the provision of aids and adaptations services. The main provisions of the legislation are set out below:

The Equality Act 2010 defines who should be considered as disabled and requires Nehemiah to take account of a persons' disabilities even if this means treating disabled people more favourably.

The Equality Act 2010 'Duty to make Reasonable Adjustments' applies to landlords and managers of rented premises or premises available to rent.

This duty is not anticipatory – it only arises if Nehemiah are requested to make an adjustment by a person to whom the premises are let.

#### **4. Minor and Major Adaptations Minor Adaptations**

Minor aids and adaptations are defined as non-structural alterations or additions to homes. Examples of minor adaptations include:

- Grab or handrails.
- Lever taps.
- Small ramps or small steps to entrances.
- Moving power sockets.
- Changing door and window catches.
- Lowering of locks.
- Adjustments to or additional lighting.

These will be carried out and paid for by Nehemiah via its Adaptations and Assistance budget. Applications are normally in the form of writing from the Occupational Therapists.' Department where work is required to meet the criteria laid down in the Chronically Sick and Disabled Persons Act 1970. This is cost limited, but demand led and only applies to a total expenditure of under £2,500 unless the request is for a lesser amount stair-lift or ceiling track hoist where all applications of this type are deemed to be a DFG and referred to the relevant Local Authority if the property is in another area.

Some requests come direct from other sources or the applicant/tenant themselves. Where this happens, they are referred to the Social Services Department, so that the correct assessment and appropriate paperwork can be submitted. If the work is of a relatively minor nature, retrospective notification may be more appropriate following the guidance of "Minor adaptations without delay."

The Occupational Therapists' Department priorities applications with an eligibility criteria of four levels – Critical, Substantial, Urgent, Standard. These are then actioned in order of receipts and considering the priority, subject to budget levels in existence and based on a specification to the Occupational Therapist's recommendations.

## **Major Adaptations**

These will be paid for via Disabled Facilities Grant (DFG) budget and not via Nehemiah's Adaptations and Assistance budget. Major adaptations involve work exceeding £3,000 but not exceeding £30,000. Applications are submitted from CBC in the form of an Owner's Certificate with documentation that confirms the grant is in the process of being approved and details the work to be done. Discussions on some applications take place to ascertain the work content and the eventual cost. In other instances, the Occupational Therapist will be aware of costs from a particular type of adaptation and a letter is sent to the Local Authority (with a copy to Nehemiah) requesting a DFG. This process is subject to means testing by the Local Authority. Any shortfall in grant available and cost of the works will not be met by the Association. Consideration will be given to include planned improvement works if it is within the 5 year published programme and complements the DFG works.

## **5. Forms of Assistance**

Nehemiah will therefore assist our tenants with disabilities in making alterations and adaptations to their homes.

Nehemiah assist adaptation by four methods identified below:

- 1.1. Relocation to more suitable accommodation. This is considered where it may be the best available option to deal with tenant's difficulties and only with the tenant's approval. Appropriate advice will be offered to tenants about moving to more suitable accommodation and the moving allowance scheme available, particularly to tenants of working age who under occupy their property and their housing related benefit has been reduced.
- 1.2. Landlord's approval allowing Local Authority Disabled Facilities Grant (DFG) works to be carried out.
- 1.3. Special needs provision from the Association's development budget through allocations from the HCA/Local Authority (LA).
- 1.4. Financial assistance from the Association's budget with submitted applications.

In the event of the adaptation progressing through the Local Authority DFG route, Nehemiah will generally provide landlord's approval to the adaptation works being carried out. In certain cases, for reasons of either technical or managerial constraints consent may be withheld. Such cases will be considered by the Managing Director, and the decision will be communicated either in writing or verbally to the applicant.

In the event of more complicated applications a move to more appropriate accommodation may be a better option than adapting a property. This decision is only made after consultation and with the full agreement of the tenant concerned.

## 6. Funding

Funding to adapt properties is a scarce resource. The main sources of funding accessible to Nehemiah and its customers are its own funding from its planned maintenance programme, funding from local authorities disabled facilities grants and charitable grants. Nehemiah will work with our customers to identify the level of funding to be allocated to the Aids and Adaptation budget from the planned maintenance programme.

### **Nehemiah Funding**

Nehemiah will identify annual budgets to:

- Carry out programmed works to sheltered housing schemes
- Carry out adaptations outside the programmed works for tenants who have an identified need, where alternative housing options are not available or unsuitable,
- Where no alternative funding is available and Nehemiah contribution does not exceed £2,500

The funding from Nehemiah will only be used to carry out work in our rented homes. This funding will not be available for leaseholders or shared owners.

### ***External Funding***

To ensure that the budget for non-programmed works is used as effectively as possible alternative funding options will be looked at with all customers. The options that will be looked at will be:

- Disabled Facilities Grants (DFG) Charitable
- Charitable Funding

Nehemiah will consider using its own funding sources to attract external funding where possible to deliver solutions. At all times Value for Money will be considered in the allocation of resources.

## 7. Funding Priorities

Funding for adaptations is a limited resource. Nehemiah will use its available funding to provide adaptations in properties that can be readily reused when the property is available to re-let. For example, in the case of stair lift this will mean that the stair lift can either remain in situ to be used or recycled and used elsewhere.

The priority for adaptations will be given in the following order to these property types:

1. Sheltered Schemes.
2. Bungalows.
3. Ground floor category one flats.
4. Lifetime homes.
5. Ground floor general needs flats.
6. First floor category one flats if it is easy to install at stair lift at minimal cost.
7. General needs family houses.

Nehemiah will only consider the adaptation of general needs family accommodation where the family size of the existing tenants means that the property is fully occupied and there is a long term need for the adaptation.

## **8.0 Best Use of our Resources**

The available resources will be used to deliver solutions that deliver Value for Money for the organisation. Nehemiah will ensure that the resources of its existing adapted stock and the funding it has and can access will be used to the best possible long-term effect for existing and future tenants. Nehemiah will keep records of all properties that have had adaptations. Nehemiah will keep accurate up to date records of all requests for housing solutions from our disabled customers. This information will help us allocate and identify resources into the future.

## **9.0 Identifying a Solution to Meet the Customers' Needs**

Where a customer has requested an adaptation, a person-centred options appraisal will be carried out. The appraisal will identify solutions to meet the customer's needs.

The options appraisal will look at:

- Alternative housing options, with Nehemiah and other landlords
- Access to care and support from family and friends
- The level, type and cost of work required,
- The type of property that the tenant currently occupies,
- Availability of funding for the work from other sources.

### **Person Centred Options Appraisal**

The options appraisal will be considered by the Property Service Manager who will make a decision on the options available to the customer and, how in line with the Association's policy and available funding, it is best to meet their needs. Where the solution is for a property to be adapted an occupational therapists, assessment must be obtained before the work is carried out.

### **Access to alternative accommodation**

- Nehemiah will keep a waiting list of all our customers with disabilities who need to move to alternative accommodation to improve their quality of life.
- When a property that has been adapted previously becomes available for letting  
Nehemiah will look its waiting list initially to see if we have an applicant that is suitable before the property is advertised on Choice Based Lettings.
- Customers with disabilities will be given help and advice to move to accommodation with another landlord if appropriate. This will include registering on Choice Based Lettings schemes and Swap and Move to help find a mutual exchange.

## 10. Grant Permission

Where external funding is available to provide an adaptation Nehemiah will grant permission where the work will:

- Not affect the long-term use of the property
- Impact on space standards
- Detrimently effect the appearance of the property
- Will not result in a long-term expensive maintenance commitment, including the cost of removing the adaptation at the point the tenancy is terminated.

## Appeal Process

If at any point during the adaptations process a tenant wishes to appeal a decision made by Nehemiah Housing not to carry out adaptations in their home; they should contact Nehemiah Housing staff (Property Service). The Property Service Officer will ensure all relevant information is taken to enable a full review of the appeal and submit this to the Property Service Manager, ( in their absence Housing Service Manager).

The Property Service Manager ( in their absence Housing Service Manager) will review the appeal in consultation with all involved based on reasonableness, taking into account any associated risks. The Manager will then decide considering all information available to them.

## 11. Appointment of Contractors

Nehemiah will appoint contractors to carry out the programmed works using its usual tendering procedures.

For one off ad hoc adaptations outside of the programmed works, Nehemiah will look to establish partnerships with care and repair agencies working in the areas where we have stock to deliver adaptations using their expertise in this area.

Nehemiah will not carry out repairs, maintenance or servicing of aids and adaptations that have been installed by external contractors: these will be the responsibility of the tenant. When an item of equipment becomes economically unviable to maintain (due to e.g., age or condition) and requires replacement or renewal, tenants will be referred to the Local Authority to apply for DFG funding.

## 12. Customer Satisfaction

Nehemiah will ensure the Housing Solutions Aids and Adaptation Policy is communicated clearly to our customers.

Nehemiah will send a satisfaction survey to all customers who receive a Housing Solution from us because of a disability. The results will be collated and reported on an annual basis to the Operations Committee.

### **13. Data Protection**

\*This section of the policy has been updated in line with the General Data Protection Regulation (GDPR) that came into force in the UK (and across EU) on the 25 May 2018. The GDPR replaces the Data Protection Directive (95/46/EC). The amendment aims to strengthen the security and protection of personal data.

### **14. Training and Support for Staff**

Nehemiah will ensure that employees are aware and understand the process to implement this policy

### **15. Monitoring and Review date**

Nehemiah will monitor the effectiveness of this policy and recommend policy changes to improve service delivery. We will record the level of aids and adaption provided as part of the ongoing Asset Management reporting framework.

The policy is next due for **review in February 2026** and every three years thereafter.

### **16. Link to other Policies**

The delivery of the Housing Solution Aids and Adaptations service has operational links to the following policies and legislation below:

- Compliment Comments and Complaint Policy 2023
- Human Right Act 1998
- Housing Act 2004 (Housing Health and Safety Rating System)
- Construction (Design and Management) Regulation 2015
- LOLER (Lift Operation Lifting Equipment Regulations)
- Regulatory Consumer Standards
- <https://www.housing-ombudsman.org.uk/about-us/corporate-information/policies/dispute-resolution/reasonable-adjustment/>
- Health and Safety Policy 2019
- General Data Protection Regulation (GDPR)2018
- Lettings Policy
- Equality and Diversity  
(<https://www.gov.uk/government/organisations/home-office/about/equality-and-diversity> )
- Equality Act 2010
- <https://www.housing-ombudsman.org.uk/about-us/corporate-information/policies/dispute-resolution/reasonable-adjustment/>



### Resources

Disabled Facilities Grant (DFG) delivery: Guidance for local authorities in England - GOV.UK ([www.gov.uk](http://www.gov.uk))

Applying for equipment for home: [www.gov.uk/apply-home-equipment-for-disabled](http://www.gov.uk/apply-home-equipment-for-disabled)

### Useful links

Home adaptations for older people and people with disabilities - NHS ([www.nhs.uk](http://www.nhs.uk))

Making adaptations to your property | NRLA