



CHESTERFIELD

BOROUGH COUNCIL

Adaptations Policy and Procedure 2017 – 2020

Commencement on approval by Cabinet

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Purpose

The Adaptations Policy and Procedure (“the policy”) provides Chesterfield Borough Council (CBC) with a framework to consider adaptation requests made via the Derbyshire Adaptation Partnership (DAP).

The main purpose of this document is to consider major adaptations. However, CBC appreciates the essential need in providing minor adaptations, as such provision can often provide a suitable solution to a person’s needs with little disruption caused and offers value for money. Prompt provision of minor adaptations can often mitigate the risk of hospitalisation and deterioration of a person’s health resulting in the potential need for major adaptations. Requests for minor adaptations will generally be processed without the need for approval by panel. Non-standard requests will require consideration by panel, page 4 defines the panel. Examples of standard minor requests are requests for grab rails, lever taps, rails etc. See page 4 for the definition of minor and page 17 in respect of the processes in processing minor and major adaptations.

Aims

CBC seeks to provide assistance in enabling tenants to live independently with privacy, confidence and dignity.

We will

Work in partnership with Derbyshire County Council (DCC) Adult Care Service.

Recognise the vital importance of adaptations in supporting disabled people to live independently with confidence and dignity.

Provide advice and assistance and seek to make best use of our housing stock.

Be fair, transparent and reasonable in our decision making, agreeing only to adaptations that are necessary, reasonable and practical.

Attend monthly meetings with our contractor to monitor how our adaptations budget is being spent having consideration of value for money and to ensure adaptations are completed within the prescribed targets.

Monitor the standard of work completed by attaining feedback following completed adaptations. Feedback will be attained in the form of satisfaction surveys.

Seek to ensure all complaints are dealt with in a timely and efficient manner. CBC on behalf of our tenants will seek to resolve complaints with our contractor.

Legal and regulatory framework

CBC endeavour's to comply with the relevant legislation whilst developing the policy, including:

Chronically Sick and Disabled Persons Act 1970

Housing Act 1980

Housing Act 1985

National Health Service and Community Care Act 1990

Housing Grants, Construction and Regeneration Act 1996

Housing Act 1996

Disabled Facilities Grants (Maximum Amounts and Additional Purposes) (England) Order 2008/1189

Equality Act 2010

Care Act 2014

Childrens & Families Act 2014

Definitions

Adaptation is an alteration or addition to any aspect of a dwelling to make it easier or safer for use by a disabled person.

Disabled person (as defined by the Equality Act 2010) is a person:

“that has a physical or mental impairment that has a “substantial” and “long term” negative effect on your ability to do normal daily activities”

“substantial” is more than minor or trivial, e.g. it takes much longer than it usually would to complete a daily task like getting dressed.

“long term” means 12 months or more, e.g. a breathing condition that develops as a result of a lung infection.

Major adaptation is an adaptation which is likely to cost above £1,000, or which will require the drawing of plans.

Minor adaptation is an adaptation costing £1,000 or less and does not involve the drawing of plans

Panel are the people who will consider requests for major adaptations. Minor adaptations are generally not put before panel unless a request requires panel consideration (this might be to discuss a non-standard request as determined by the Adaptations Assistant). The Adaptations Assistant is employed by CBC and works within the Housing Options Team. The Adaptations Assistant processes requests for minor adaptations and initiates major adaptation requests, see page 17 (the application process). The panel will meet routinely and the panel consists of either the Assistant Housing Options Manager CBC or his/her assigned deputy, the Service Manager of DCC Adult Care or his/her assigned deputy and a representative of CBC's Architectural Service (“the panel”). Other professionals may attend as invited by the panel. The panel will consist of at least three panel members to remain quorate, represented by Housing & Architects CBC and DCC.

Routine adaptations are adaptations that do not meet the criteria for urgent adaptations.

Urgent adaptations are adaptations which meet one or more of the following criteria:

- The disabled person requires the adaptation to enable attendance at hospital to facilitate lifesaving/extending treatments (dialysis/chemotherapy)
- The disabled person has an unstable and deteriorating condition that precludes an equipment based solution
- The disabled person has a terminal condition with prognosis of 6 to 12 months
- The disabled person cannot bathe without the adaptation

Where the following apply, consideration will be given, in consultation with health and social care providers, to other options, including alternative living arrangements:

- There is an immediate risk of accident or hospital admission
- There is a threat to life or a major health and safety issue
- Person is in the final stages of life (palliative care)

The Adaptations budget is held and distributed via Business Planning and Strategy as part of the Housing Capital Programme.

The Housing Options Manager has overall responsibility for administration and process of the Adaptations Policy and Procedure.

Eligibility

Adaptations will be considered for CBC tenants having a secure tenancy. This extends to their partner or a member of the immediate family who permanently resides in the household.

Adaptations will only be considered for children of tenants where the property is their principle home. (Normally the residence of the parent who is in receipt of child benefit for that child)

The person to which the adaptation benefits must have resided at the property for at least 12 months. Consideration will be given to applicants that have moved within 12 months where it is evident that the move has mitigated the need for adaptations and/or cases where it is not practical or feasible to adapt the former home.

CBC will only approve adaptations of a permanent nature that will assist the disabled person in the long term. Adaptations will not be approved to assist temporary disablements e.g. a stairlift would not be approved in respect of a tenant that has broken their leg, as it would be expected that the tenant would make a recovery over a relatively short period of time.

Where a claim for a possession order, demotion order or suspension order is pending before any court, adaptations will not be considered until such time (if any) as the claim is determined without a possession order, demotion order or suspension order having been made.

If a tenant has rent arrears, but a claim for possession is not pending before any court, a Housing Options Officer would visit to discuss the arrears and consider applications for other benefits (including Discretionary Housing Payments (DHP)) and to discuss/agree/set up a repayment plan. Panel would then make a decision as to whether to consider adaptations based on the individual circumstances of each case.

Where there are allegations of anti-social behaviour or other breaches of tenancy, not including rent arrears, against the tenant or a member of the tenant's household or visitor and there is no claim pending before any court, panel will consider the individual circumstances of the case before a decision is made to consider adaptations. The panel will consider, amongst other things, the seriousness of the allegation(s), the number of allegations, the strength of the evidence, the period of time since the last allegation and the reasons for the request for the adaptation.

A request for an adaptation will generally not be considered for applicants that have submitted a Right to Buy Application. However, discretion will be applied and cases considered by the panel in exceptional circumstances based on emergency medical need.

Where a property has been adapted so that it is substantially different from ordinary dwellings, it may be classed as an exempt property from a Right to Buy application.

Where a tenant's housing need could be met through a move to a different property and where CBC has high levels of stock available of a particular property type, it is expected that the tenant will move to a different property.

Prospective tenants should consider the suitability of a property, in relation to their health needs, before accepting that property. Prospective tenants should not expect CBC to adapt a property in order to make the property suitable, once they have moved in. Where CBC has raised with a prospective tenant the unsuitability of a particular property, before that property has been accepted by the prospective tenant, a request for an adaptation will not be considered until 12 months after the start of the tenancy, unless due to limited stock availability the tenant had no other option but to accept the property.

Panel will consider cases within the 12 month period where it can be demonstrated that a tenant's health or disability has worsened since tenancy commencement. Supporting letters will be required from health professionals such as a tenant's GP or Hospital Consultant.

Requests within the 12 month period will also be considered where it is evident that the applicant has mitigated and lessened their need for adaptations.

Panel will decide whether there is justification in approving recommendations in cases where applicants have resided for less than the required 12 months.

Considerations

Panel will take into account a number of considerations when deciding whether to approve an adaptation request including, but not limited to, the following:

- The age, structure and internal layout of the property.

Due to their construction some properties are not suitable for certain adaptations, such as door widening. The internal layout of a property is of importance in considering "circulation" in respect of wheelchair users.

- Under-occupancy.

Major adaptations will not be carried out in respect of a **single person** occupying a family home. The applicant will be offered a move to a more suitable property that reflects the applicants housing need. CBC will identify a suitable property and submit a proxy bid on behalf of the tenant (“direct match”) in accordance with CBC’s Choice Based Lettings Allocations and Transfer Policy (“the Allocations Policy”). The property identified will be suitable in terms of size and have all, if not most, adaptations already in place. Consideration will be given to whether the identified property is able to be adapted to meet the applicants longer term needs.

If an applicant refuses a property that is considered to be suitable by CBC the applicant will be removed from the “direct match list” and will lose the Priority Band status in accordance with the Allocations Policy. Prior to removal the applicant will be contacted to warn of the implications of refusing a property that is considered suitable.

Once removed, the applicant will be placed in the appropriate band based on their circumstances and will need to “bid” on suitable properties in accordance with the Allocations Policy. The Housing Options Officer will ensure that the applicant is able to bid and understands the bidding process.

As part of the direct matching process there will be occasions where a property is offered as a direct match; acknowledging that the property doesn’t meet all of the applicant’s essential needs. Refusal of a property not meeting all of the essential needs will not result in removal from the direct match list. As an example a property might be offered in an alternate area to the area requested to see whether the applicant might be interested in a different area. Suitable offers will give reasonable preference to area and meet the applicant’s needs in terms of their disability.

Applicants that are added to the direct match list will be notified in writing, they will be advised what criteria are considered to be essential.

In respect of major adaptations in relation to **under occupancy relating to more than one occupant**, the following will apply:

If the property is under occupied by two or more bedroom's the tenant will be treated as a single person as outlined previously.

Otherwise if under occupancy relates to one bedroom only, further consideration will be given in considering the recommendation.

With regards to applicants in receipt of Housing Benefit; a Housing Options Officer will carry out an assessment to determine how the applicant has been managing the under occupancy charge and the applicant's future ability to manage the under occupancy charge. Where applicable the Housing Options Officer will signpost to the relevant agency if assistance in managing the charge is required. It should be noted that the award of Discretionary Housing Payments (DHP's) are usually for a short period of time. Where the under occupancy charge is not manageable in the long term, the tenant will be expected to move to a more suitable property and the procedure under single person under-occupancy above will be applied.

Discretion can be applied in exceptional circumstances if deemed appropriate by the panel. As an example, adaptations may be considered for a property that is under occupied where a member of the household has a learning disability and moving to alternative accommodation may cause significant disruption (including the need to change various service providers) along with considerable distress to the person having learning disabilities. Such consideration could also be extended to family members that have high level behavioural difficulties, high level mental health issues or sensory difficulties where a move to an alternate property would have significant impact.

CBC seeks to make best use of its housing stock by ensuring properties are occupied in accordance with need. To enable movement within our stock CBC has a Tenants Incentive's Scheme (TIS) to incentivise a tenants move to suitable accommodation. A Housing Officer will discuss the TIS with a tenant; advising of the amount available and the potential deductions from the payment e.g if an applicant has rent arrears which are preventing the tenant from moving the TIS could potentially clear the arrears to facilitate the move. ²

² NOTE – at the drafting of policy (February 2017) the TIS payment is £1,250.00, this amount could be changed further to policy amendment.

- Overcrowding.

Where overcrowding has been identified a Housing Options Officer will visit to discuss the current housing situation and to discuss potential remedies for example considering moving family members to alternate accommodation to relieve the overcrowding, this could include rehousing the family member that requires adaptations to a suitable property.

Panel will decide whether to agree to adaptations on a case by case basis where the property is overcrowded.

Major Adaptations will not be as prohibitive in overcrowding situations in comparison to under occupancy.

- Cost.

Consideration will be given whether the estimated cost of the adaptation is excessive in comparison to similar adaptations carried out elsewhere. Panel will decide on a case by case basis whether to agree to an adaptation where the cost is considered excessive.

- Long term outlook

Consideration will be given to the long term outlook and what, if anything, may be required in the future.

- The impact on the amenity of area.

Consideration will be given to the effect that any adaptation would have on the visual outlook of the immediate area.

- The impact on the local community

Consideration will be given to the impact of an adaptation on the local community. For example the installation of a disabled parking space where a bay has already been designated for disabled parking within the confines of a small parking area.

The aforesaid considerations are not exhaustive; the applicant will be advised in writing why the recommendation has been refused

Exclusions

- Adaptations will not be considered in respect of requests for access and storage relating to **mobility scooters**. Nor will electrical charging facilities be installed in respect of mobility scooters. (This is due to there being no requirement for a medical assessment in relation to mobility scooters i.e anyone with or without disability has the option to purchase or use a mobility scooter)
- Adaptations (both minor and major) will only be approved to allow access to the applicant's garden and to allow use of a 2metre by 2metre **garden area**, if applicable and where feasible. This ruling currently aligns with guidelines in respect of the Disabled Facilities Grant guidance, Statutory Instrument 2008 No 1189 and subsequent guidance adopted by Council's throughout Derbyshire. Such approvals will be classified as "routine". This is to allow funding to be concentrated on matters of greater priority such as the safe access/egress of a property, provision of safe washing/bathing facilities along with access to toilet facilities.

The examples above are not exhaustive. The merits of each case are considered by panel.

General principles in respect of common major adaptations

- **Ramping.** To facilitate safe access and egress to the property a ramp (further to DCC recommendation) will be installed (where practical) at the “point furthest from potential fire” (i.e furthest from the kitchen). DCC will consider specific needs in relation to rails and upstands.

In cases where panel consider the applicant’s mobility needs to be such, consideration will be given to installing ramping to both front and rear access points.

- **Shower over baths.** Panel will give consideration to the age of the applicant and the applicant’s health issues. Long term suitability will be considered. Other options that may be considered include a level access shower or low rise tray.
- **Level Access Shower (LASH).** Will be installed in all ground floor accommodation i.e bungalows, ground floor flats, sheltered or where scope to adapt internal (pantry) or external stores (coal store) to a LASH has been identified. We will consider the practicalities and feasibility in converting external stores to a level access shower where identified that ground floor living is essential.
- **High/Low Rise Tray (HRT / LRT).** Will be installed where it is impractical to install a level access shower (above ground floor). Consideration will be given to the applicant’s current and future ability in accessing a low or high rise shower tray.

It is preferable to install LASH’s as opposed to a LRT due to there being no potential trip hazard. Unfortunately, it is not always possible to install a LASH due to drainage issues.

- **Stairlifts.** We will only consider stairlifts in respect of straight stairs and where a stairlift is deemed to be feasible. Stairlifts for curved stairs will not be approved due to the cost and inability to reuse the stairlift. Stairlifts will not be installed in communal areas of blocks of flats.
- **Designated parking/Hardstandings/dropped kerbs.** Initial consideration will require proof/notification that the applicant has a “blue badge” as issued by DCC. Subsequent considerations will consider practicalities and feasibility with potential consent and authority from the Highways Authority (DCC)

Financing

All approved adaptations will be funded via the budget allocated for adaptations. The budget currently stands at £750,000 (February 2017).

Where applicable (e.g. kitchen and bathroom improvement programmes) shared costs will be discussed and negotiated between the appropriate parties.

Currently there is no requirement for applicants to contribute towards adaptations nor are applicant's means tested.

As a general rule; minor adaptations will account for 10% of the budget.

Tenants may wish to finance adaptations themselves (Note "Removal" page 15), a tenant will still need permission from CBC to install and will need to reinstate on termination of the tenancy. A tenant might wish to self-fund an adaptation that has been declined or in instances where the tenant wishes to appoint their own contractor.

Approval limits

Panel are able to approve major adaptations up to the estimated sum of £10,000.

Adaptations likely to exceed the sum of £10,000 will require consultation and subsequent authority by the Housing Options Manager.

Adaptations likely to exceed £25,000 will require approval by Cabinet following approval in the first instance by panel and subsequently by the Housing Options Manager. A report for Cabinet will be drafted by either of the CBC Housing representatives and approved by the Housing Options Manager and submitted to Cabinet for consideration.

Separate adaptation requests made in a 6 month period will count as "one scheme" in respect of the above. Referring agents (Occupational Therapists and Community Care Workers) should give this point consideration when referring.

Continued Occupation

In cases where CBC has committed to improve a tenant's home by use of the adaptations budget the Council would expect the tenant to remain in their adapted property as follows

Adaptations up to £10,000 – continued occupation for at least 2 years

Adaptations up to £25,000 – continued occupation for at least 3 years

Adaptations over £25,000 – continued occupation for at least 5 years

If an applicant makes a Housing Application for alternate accommodation within the above time frames; the move within our stock will only be granted if the property the applicant is moving to meets the household need i.e a move will not be approved where, there would be a further request for adaptations at any new property. Panel will consider any rehousing requests within 3 years of adaptations being made and the Housing Options Manager will consider any request for rehousing within 5 years.

Applicants will be advised of the "continued occupation ruling" prior to proceeding with a major adaptation.

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Target times

Where adaptations have been approved CBC along with its contractor will endeavour to progress and promote the adaptation in a timely manner. Key performance indicators (KPI's) have been set as follows; such KPI's will be monitored by CBC.

Commencement of work	Urgent	Routine
Major	10 working days	15 working days
Minor	5 working days	15 working days

The above targets apply once the contractor has been issued with the order i.e. all plans and specifications have been drawn and agreed. Target times commence once the contractor has acknowledged receipt of the order.

The contractor will receive prior notification of the "order" at least two weeks prior to issue. This will allow the contractor time to order materials and factor the order into their work schedule. The Architects are responsible for issuing notification to the contractor.

The order should be completed within 5 working days for both classifications of major works and 5 working days for minor routine orders. Urgent minor orders should be complete within 2 working days.

Occasionally some adaptation requests due to their complexity or number will be considered to be "projects" and classified as projects. Such projects will fall outside the target times; it is expected that job completion will be completed in a timely manner.

Projects will be closely monitored and discussed at the monthly contractor meetings.

An order is considered complete once the order has been installed to the specifications of the order. All remedial work to decorate and "make good" will have been carried out. There will be no further requirement for the contractor to attend site.

KPI's will be marked showing cases whereby applicants have delayed the contractor in completing within the target times. Such cases will be discussed at the monthly contract meeting. KPI's will be marked "AD" (applicant delay)

Further to consideration by panel there will be some cases that having considered the full circumstances will require work to be carried out asap. In such cases the chair or vice chair will contact the contract manager to request work to be carried out asap, it is accepted that such requests may have an impact upon our contractor meeting the targets as above in respect of work already scheduled. Orders that are affected by such requests will be marked ESC (escalation) on all target monitoring data in respect of all cases affected.

Continued use of adapted properties and reusing adaptations

Adaptations to properties will be recorded within the council's Asset Management Register - Keystone - and within the Housing Management System - Northgate - in respect of each individual property, stating the type of adaptation and date installed.

On letting the property at a later date the property will ideally be let to an applicant that has a need for the adaptation. In the event that a property has a number of adaptations the property might be held back from general advertising in an attempt to specifically let to an applicant that has a need for the adaptations already in situ, this will be done via direct match. If advertised, a property that has significant major adaptations will be given preference to applicants with a medical need i.e the applicant has been awarded medical points.

Whilst every effort is made in allocating adapted properties to applicants with a medical need it is accepted that there will be instances where adapted properties are let to applicants without medical need.

Removal

Generally CBC won't remove an adaptation from a property once installed (unless in exceptional circumstances). Equipment such as stairlifts and KeeKlamp rails will be removed where a new tenant does not require the equipment.

Purpose built properties (PBP) generally will not be altered. Exception can be considered if a request is made to alter the property for the purpose of assisting in a disability. Changes will not be made that move a PBP towards a more mainstream property.

Servicing

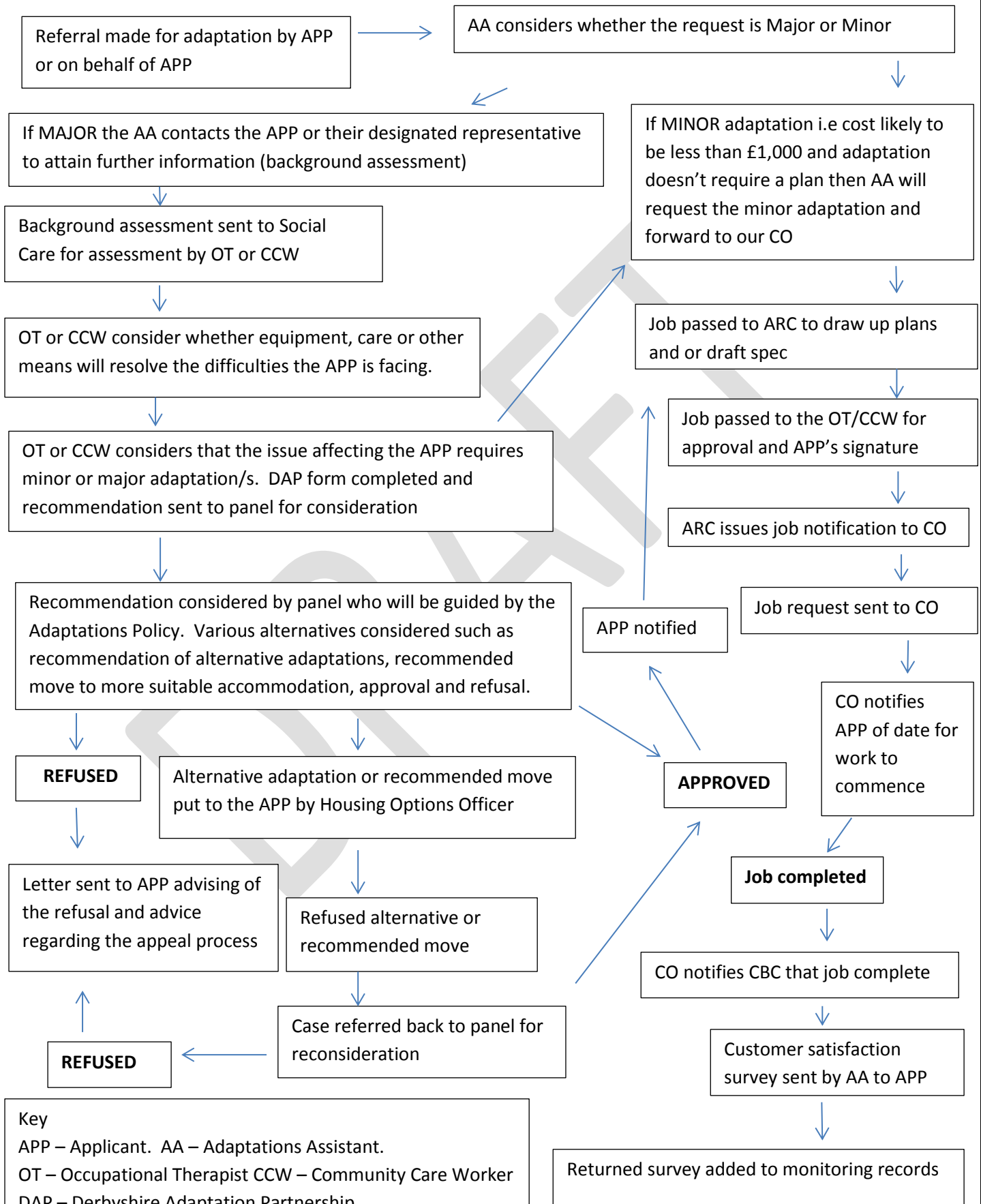
CBC is responsible for servicing certain adaptations such as stairlifts and hoists. CBC continues to be liable for all ongoing servicing and maintenance costs. Tenants in accordance with their Tenancy Agreement must allow CBC and its appointed contractor's access in carrying out servicing and maintenance.

Discretionary decisions

The Housing Options Manager may use their discretion to alter, amend or waive any aspect of this policy in exceptional cases.

Adaptations flow chart – the application process

See key below for abbreviations



Key
 APP – Applicant. AA – Adaptations Assistant.
 OT – Occupational Therapist CCW – Community Care Worker
 DAP – Derbyshire Adaptation Partnership
 ARC – Architect. CO - Contractor

Appeal

If you are dissatisfied with how your application has been dealt with you should initially put your complaint in writing to the Housing Options Manager. Letters should be sent to:

Housing Options Manager
On The Move, 73 Low Pavement
Chesterfield
S40 1PB

The Housing Options Manager will consider whether panel have acted fairly in their decision making and have given due consideration to the Adaptations Policy. The Housing Options Manager can either uphold panel's original decision or request that panel reconsiders the application with recommendations made.

If you are not happy with the response by the Housing Options Manager or feel your complaint has not been dealt with properly or fairly you can send a complaint online via www.chesterfield.gov.uk or you can ask for a complaints form to be sent to you or you can send your complaint in writing to

Chesterfield Borough Council
Town Hall
Rose Hill
Chesterfield
S40 1LP

Your complaint will be dealt with in accordance with the Council's internal complaints procedure.

If you feel that the Council hasn't dealt with your complaint fairly or properly you can escalate to the **Housing Ombudsman Service**. This is the final stage in the complaint process. Before contacting the **Housing Ombudsman Service** you must contact Chesterfield Borough Council initially and allow the Council opportunity to consider your complaint. If you fail to contact the Council in the first instance the **Housing Ombudsman Service** will advise you do to so. You should follow the procedure as outlined above. The **Housing Ombudsman Service** can be contacted at:

Housing Ombudsman Service
Exchange Tower
Harbour Exchange Square
London
E14 9GE

Or by telephone: **0300 111 3000** (lines are open Monday to Friday from 09:15 to 17:15)
or Fax: **020 7831 1942** or Email: info@housing.ombudsman.org.uk

Title	Adaptations Policy and Procedure
Dates Applicable	Awaiting approval – 31 March 2020
Author	Chris McDermott Team Leader – Housing Options
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Equality Impact Assessment	Preliminary completed 26 January 2017 Full – 28 March 2017
Consultation	Councillor Helen Bagley, Cabinet member for Customers & Communities Alison Craig, Housing Manager Carl Griffiths, Housing Options Manager Mark Turner, Assistant Housing Options Manager Chris Jones, Service Manager Stephen Haythorne, Solicitor Cathy Parsons, Housing Options Officer Adrian Presland, Housing Options Assistant Martin Wainwright, Senior Architectural Assistant Craig Alletson, Architectural Assistant Cathy Jones, Senior Quantity Surveyor Robbie Yearl, Quantity Surveyor Communication group – Tenant Participation
Consultation Group	
Weekly Business Review	
Cabinet Approval	
Date signed off as complete	
Review	Reviewed annually (each January) or further to a significant legislative change or further to a case presented that triggers a review requirement. Review 1 December 2019 to update for a further three year period.