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Harrogate Borough Council – Adaptations Policy for Council Tenants with Disabilities

This policy aims to help Council tenants who are disabled or suffer from long-term ill health to live independently and to carry out essential day-to-day activities.

Specifically it sets out the principles that will be applied in relation to the provision of aids and adaptations. The policy extends to immediate family members of the tenant and consideration will also be given to other permanent members of the household.

Background

Under section 8 of the Housing Act 1985 local housing authorities have a duty to consider housing conditions in their area and have regard to the particular needs of chronically sick and disabled persons. This includes the provision or adaptation of existing accommodation for their own disabled tenants.

The definition of a disabled person under the Housing Grants, Construction and Regeneration Act 1996 is that a person is disabled if:

- Their sight, hearing or speech is substantially impaired
- They have a mental disorder or impairment of any kind
- They are physically substantially disabled by illness, injury, impairments that have been present since birth or otherwise.

Generally the impairment of the applicant must have lasted or is likely to last for at least 12 months.

The Council is committed to facilitating the provision of aids and adaptations to properties and will endeavour to deal with requests for assistance as quickly, effectively and sensitively as possible.

The Council accepts that there may be circumstances that warrant exceptions to this Policy. The Head of Housing is therefore authorised to assess individual cases and, where appropriate, and reasonable to do so, agree exceptions to the policy.

Eligibility

An individual will be considered for disabled adaptations to their home if they are a Harrogate Borough Council tenant* and have an impairment which has a serious long-term effect on their ability to carry out normal day-to-day activities. No adaptation works will be carried out for lodgers or temporary visitors. In cases where a child is disabled and the parents are separated, adaptation work will usually only

be completed at the property of principal residence (this is normally the residence of the parent who is in receipt of child benefit for that child).

*Tenant means an introductory or secure tenancy or following the introduction of the Localism Act 2012 this may be a ‘flexible’ secure tenancy for a minimum 5 years.

Scope of the Policy

This policy focuses mainly on **Major** adaptations, this is where a referral from an Occupational Therapist is required and where the adaptation costs £600 or more. The Council acknowledges that the timely provision of modest (**Minor adaptations**) can often sustain the independence of individuals and postpone the need for more substantial adaptations. The provision of minor adaptations is therefore seen as an important preventative service to tenants. In recognition of this the Council operates a self referral system for the majority of minor adaptations. Typically these are items such as handrails for stairs, door entry phones etc. The aim of this is to reduce delays by eliminating the need for a referral from an Occupational Therapist. Minor adaptations are those types of work that have a low level of potential risk to users.

Harrogate Borough Council - Minor Adaptations Approved List TABLE 1:

RAILS	Galvanised Rails Grab Rails Newel rails Hand rails Stair handrails
KITCHENS AND BATHROOMS	Window opening equipment (non-electric) Lever taps Fixed Toilet Frame Carer Screen (on approval only)*
ACCESS	Level door threshold Short concrete ramp/flag alterations/step alterations Key safes (certain criteria will apply) Door Widening (1 only) Door entry intercom (simple speaker phone)
VISUAL IMPAIRMENT	Staircase applications External lighting to external door
HEARING IMPAIRMENT	Flashing/amplified doorbells Vibrating Flashing Smoke alarm alerts
GENERAL AND SAFETY MATTERS	Door and wall protectors Electric sockets/switches (1 only)

To qualify for major adaptations tenants should complete and submit an application form to the tenant’s Area Housing Office. Alternatively the form can be completed via the Council’s website or the form can be left at any Council office. If assistance is needed an officer will visit the tenant to help complete the form. A visit by an

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Occupational Therapist from North Yorkshire County Council's Health and Adult Services team will then be requested. The Occupational Therapist will provide the Council with a written recommendation assessing the needs of the individual and will make recommendations for any adaptations deemed necessary. These recommendations will normally form the basis of any scheme of works.

Typical Major Adaptations TABLE 2

Bathroom Alterations	Fittings and	Showers over Baths. Level Access Showers Wet room shower conversion Wash/dry W.C Reposition W.C pan. Wheelchair accessible wash hand basins
Kitchen Alterations	Fittings and	Kitchen unit adaptations Low Height Surfaces Creation of Turning Space
Providing access to homes and facilities	front and rear access to homes, rooms and facilities	Ramps and Pathways Stair lifts Through floor lifts Widening Doors Low Level Light Switches and raised power sockets Internal room conversions Bathroom, bedroom (or both) extensions.
Street to property access		Drop Kerbs within HBC land boundaries Handrail provision with HBC land boundaries Driveways/path alterations

The list in Table 2 above is not exhaustive and the works will be subject to variation dependant upon an individuals' needs and the configuration of the property.

Any adaptation work recommended must be both **necessary and appropriate** and also **reasonable and practicable**. Part of this process will involve distinguishing between what are the desirable and possibly legitimate aspirations of the disabled person and what is actually needed for which assistance can be fully supported and justified.

The Council must be satisfied that it is reasonable and practical to carry out the relevant works having regard to the age and condition of the dwelling or building. There may be times when it is simply not reasonable or practical to adapt a property, based on technical issues related to property design or layout. For example if there is a steep slope to access the property or where there is restricted space or multiple changes in levels within the property.

The Council will also consider, in consultation with the disabled person, rehousing to other more suitably adapted accommodation in the locality, especially if the disabled

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person expresses such a preference. This is preferable if major expenditure on adaptations could be avoided and either a suitably adapted property or a property that could more easily be suitably adapted is available to meet the tenant's needs. See following section 'Alternatives'.

When making a decision on adaptations the Council will take into account :

- ✚ Existing adaptations
- ✚ Whether the adaptations necessary to make the property suitable are reasonable
- ✚ The adaptability of the current property
- ✚ Property type and demand i.e. family housing
- ✚ The likely availability of more appropriate alternative accommodation
- ✚ The availability of the tenant's existing support network and carers

Harrogate Borough Council will:

- Notify the tenant and the occupational therapist whether the council will or will not undertake funding and provision of the adaptation
- Advise the tenant as to the extent of the work to be undertaken. If significant design work is required the Council will ask the occupational therapist to sign the schedule to verify that the works would meet the applicant's needs
- Advise the tenant of the timescale of the work and update them if this changes
- Notify the tenant which contractors have been instructed to do the work and arrange a start date for contractors to commence work

Timescales

The Council will look to facilitate a person's discharge from hospital and will look to 'fast track' adaptations in order to minimise any delay. This will help ensure that the person is able to return home as quickly as possible and also helps prevent 'bed blocking'.

Under normal circumstances the Council will aim to complete adaptations within 12 months of referral. If an adaptation has been flagged up as urgent Harrogate Borough Council will aim to complete it within 6 months. Cases can also be 'Fast Tracked' for example to facilitate discharge from hospital, in these circumstances the target is 1-2 months depending on the nature of the work required.

Major adaptations, for example, installing showers, wet rooms, adapted kitchens and ramped access to homes are normally dealt with in order of the date of receipt of the Occupational Therapist's recommendation, however, they are also subject to a

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priority system in which adaptations are ranked as High, Medium or Low based on the urgency of the recommendation by the Occupational Therapist. The priority system will not be applied unless it appears that financial resources are unlikely to be sufficient to meet demand within the financial year. When triggered, the priority system will determine the order in which referrals are progressed. The trigger point will be when 80% of the budget has been committed.

Waiting times are therefore subject to change due to demand, urgency of cases and funding availability.

Alternatives

If the home occupied by the disabled person is a property for people without special needs and/or under-occupied whereby there are bedrooms in the property not being occupied as sleeping facilities on a regular basis then the person seeking the adaptations will be asked to consider a move to a property more suitable for their needs or where adaptations are already in place. If it is not possible to secure suitable alternative accommodation within 12 months then major adaptations will be considered, this decision will be taken by the Head of Housing. In the meantime minor adaptations will be considered to mitigate any risk/hazard.

Re-housing must be considered by both the Council and the tenant where it is not **reasonable or practicable** to carry out the adaptations requested.

In the following circumstances it may not be reasonable or practicable for aids and adaptations to be carried out:

- Where there are concerns about the age and condition of the property
- Where the property will not meet the long-term needs of the disabled applicant
- Where the architectural or structural characteristics of the dwelling may render certain types of adaptation inappropriate
- Where design or space constraints render a property inappropriate (i.e. wheelchair user in a small property with narrow corridors and doors/ problematic external access/excessive changes in level)
- Under occupation, for example where there is a single person or a couple occupying a family house with more bedrooms than needed for sleeping purposes
- Where competing needs of family members cannot be met in that particular property
- Where ramping to a property would adversely affect the amenity of the area for other residents
- Where the Council is taking possession proceedings against the tenant e.g. for rent arrears

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- Where the Council has offered alternative accommodation in the tenant's preferred or requested area of choice which either meets needs or could meet needs and the tenant rejects or refuses the offer
- Even with adaptations other issues would mean that the property remains unsuitable (for example, overcrowding)

A specific issue that may arise is where a request has been made for the removal of a bath and the installation of a level access shower/wet room to a first floor or above (non passenger lift served) flat. Consideration must be given to any additional works that are likely to be necessary particularly an assessment of the access and internal circulation space / staircases and whether the tenant will be able to manage these areas safely in the in the short to medium term. If an applicant's prognosis is not favourable then the request will normally be declined as it is the Council's policy not to install stair lifts in the common parts of a property, instead suitable alternative accommodation will try to be secured. If a suitable property does not become available within 12 months of the referral then the decision not to adapt the property will be reviewed and a decision made by the Head of Housing.

Where a sheltered scheme or similar establishment has an adapted communal bathroom and the bathroom meets the needs of the tenant and it is reasonable that the tenant can use these facilities, the Council will not further adapt the bathroom within the tenant's accommodation.

Funding

Where an adaptation has been agreed the Council will fund the cost of the adaptation and installation costs provided that the tenant is on one of the means tested benefits associated with assessing the financial contribution towards a Disabled Facilities Grant, these are subject to amendments but are currently the following:

- ✚ Income Support
- ✚ Income based Employment and Support Allowance
- ✚ Income based Jobseekers Allowance
- ✚ Guarantee Pension Credit
- ✚ Housing Benefit
- ✚ Council Tax Benefit
- ✚ Working Tax Credit and/or Child Tax Credit **provided that** the annual income for the purposes of assessing entitlement to the tax credit is **less than** £15,050

Note: These are the benefits that are the 'passporting benefits' for the test of resources associated with applications for mandatory Disabled Facilities Grants.

If a tenant is not on one of the 'passported benefits' they will need to complete a Test of Resources (ToR) form which will require information on a tenant's (relevant

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person's) financial circumstances (savings, salary etc.). This form is returned to the Council together with any supporting evidence and the information provided used to calculate any contribution towards the agreed scheme of works.

Only the financial situation of certain people will be taken into account for the means test, this is referred to as the relevant person. The relevant person is as follows:

- The disabled person for whose benefit the works are to be carried out; and
- The spouse or partner of the disabled person;

If the adaptations are in respect of a child then no means test will be carried out. (For the purposes of this policy a child is a person under 16, however the term also includes a person over 16 but under 20 who is receiving full-time education. Full time education in this context means education up to and including A level.)

The means test will replicate the method employed for applicants seeking a Disabled Facilities Grant. The test takes into account the average weekly income of the relevant person/s and also any savings (currently only savings over £6000 are considered). This amount is then set against an assessment of basic needs, which are recognised by a range of allowances. These allowances are set by Central Government, and are subject to change. If the resources of the relevant person/s are less than their allowances then they will not normally need to contribute to the cost of the adaptation. If the resources of the relevant person/s are more than their allowances they may still get help with part of the cost paid for by the Council.

Reasons for refusal of applications:

- Requests for adaptations will not normally be approved where a Right to Buy application has been received or if the tenant is on the transfer list. Following completion of a RTB sale adaptations could, however, be considered through Disabled Facilities Grant procedures.
- The Council will also not progress with an adaptation where proceedings have commenced against a tenant for breach of tenancy. If the applicant is under investigation for anti-social behaviour, the Council will consider all the circumstances and may refuse the application.
- If the recommendation is, in the Council's opinion, not reasonable or practicable

Reasons for refusal will be provided to the tenant in writing and each case will be considered on its individual merit.

Tenants wishing to install their own adaptations

If a tenant wishes to install their own adaptations written approval must first be gained from Harrogate Borough Council's Neighbourhood Services Section. The tenant will need to state what works and adaptations they wish to carry out and who will be undertaking the work.

Any adaptations not installed by the Council will not be maintained by Harrogate Borough Council, responsibility for repairs will lie solely with the tenant themselves. In addition Harrogate Borough Council will not be liable for any damage or injury caused by adaptations not installed by the Council.

The Council will also advise the tenant prior to approval of an adaptation that they may be required to remove any adaptations and make good any damage to the property at the end of their tenancy.

Properties adapted by Harrogate Borough Council

When a property has been adapted for a disabled person the adaptations will remain in place and the property will be entered onto a register for future use for people with disabilities. The adaptations will not be reversed, at the Council's expense, once they have taken place, so for example, where a bath had been replaced with a shower and new tenants enter a property, the shower will remain. Where possible the property will be used again by someone with the need for the adaptation. If this is not possible the property will be re-allocated and any prospective tenant will be informed of the nature of the adaptation and that the adaptation will not be removed unless there are legitimate practical or economic reasons to do so. Any decision to remove adaptations must be authorised by the Head of Housing. The exception to this condition is where a stair lift or temporary ramp has been installed and it is no longer required. Tenants may remove certain adaptations at their own expense with the approval of the Head of Housing. However, if the original adaptation is later required by the tenant they will be responsible for funding the works.

Change of Needs

If a tenant's needs change after adaptations have been installed, i.e. they can no longer do something that they could manage before, then, upon request, the Council will arrange for the tenant's needs to be re-assessed.

Specific issues:

- **Mobility scooters** – As a general rule stores and charging points for mobility scooters will not be eligible for assistance.
- **Mobility scooters in Sheltered Schemes.** Stores and charging points will not be provided for individual residents in sheltered housing schemes where a 'communal' store and charging facility has been provided.

- **Hardstanding/dropped kerbs** – These may be funded through the adaptation route but will still be subject to an OT recommendation and the necessary highway consents being obtained.
- **Ceiling Track Hoists** – whilst the actual hoist is funded through NYCC's Health and Adult Services, Harrogate Borough Council will undertake any strengthening and ancillary work required (for example the provision of a suitable power outlet).
- **Servicing costs** - Harrogate Borough Council will pay the annual service costs in respect of certain equipment, for example: stair lifts, through floor lifts, wash dry wc's etc.)

Complaints

Complaints will be dealt through the Council's four stage complaints procedure. Procedure is available [here](#)

Review

There will be a review of this policy whenever there is a fundamental change of legislative or regulatory provisions. Irrespective of this there will be a annual review of the policy. Minor amendments to the policy will be subject to the approval of the Head of Housing.