

# **DISABLED FACILITIES ADAPTATIONS POLICY**

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<b>Contents</b>	<b>Page</b>	
<b>1</b>	<b>Introduction</b>	<b>4</b>
1.1	Purpose	4
1.2	Scope	4
1.3	Related Documents	4
1.4	Exceptional Circumstances	4
<b>2</b>	<b>Mandatory Disabled Facilities Grant</b>	<b>4</b>
<b>3</b>	<b>Discretionary Financial Assistance</b>	<b>5</b>
3.2	Registered Providers and Charities	6
<b>4</b>	<b>Criteria for Adaptations</b>	<b>6</b>
4.1	Grant Aided Schemes	6
4.2	General	6
4.3	Role of the Home Adaptations Service	7
4.4	Home Adaptations Service Application process and Prioritisation	8
4.5	Direct Applications	8
<b>5</b>	<b>Assessment of Need</b>	<b>10</b>
5.1	Legal Duty	10
5.2	Occupational Therapist Referrals	10
5.3	Joint Visits	10
5.4	Judgement of Necessary and Appropriate	11
<b>6</b>	<b>Assessment of Reasonableness/Practicability</b>	<b>12</b>
6.1	Legal Duty	12
6.2	Consideration	12
6.3	Meeting the HHSRS standard	12
6.4	Location of Property	13
6.5	Age of Property	13
6.6	Planning/Building Regulation Requirements	13
6.7	Impact on Existing Facilities	13
6.8	Physical Constraints	14
6.9	Overcrowding	14
6.10	General	14
6.11	Consultations	14
6.12	Refusals	15
6.13	Dual residency of disabled Child	15
<b>7</b>	<b>Assistance with Costs</b>	<b>16</b>
7.1	Grants (Disabled Facilities Grants)	16
7.2	Means Tested Contributions	16
7.3	Payment of Disabled Facilities Grants	16
7.4	Social Services	17
7.5	Other Agencies	17
7.6	Advice by Officers	18
7.7	Insurance Claims	18
7.8	Fees and Charges	18
7.9	Repayment of Grant	19
<b>8</b>	<b>Reclamation of Equipment</b>	<b>19</b>
<b>9</b>	<b>Extensions</b>	<b>20</b>
9.1	General	20
9.2	Alternatives	20
9.3	Room Sizes	20
<b>10</b>	<b>Alternative Adaptation Works (Off-set costs)</b>	<b>21</b>
10.1	General	21
10.2	Occupational Therapist Agreement	21

<b>11</b>	<b>Conclusion of Adaptation Scheme</b>	<b>22</b>
11.1	General	22
11.2	Occupational Therapist Comments	22
	Appendix A – Mandatory Disabled Facilities Grants – Priority Pointing System	23
	Appendix B - Works Eligible for Assistance under Mandatory DFG	25

# **1 Introduction**

## **1.1 Purpose**

1.1.1 The purpose of the Policy is to:

- i) Assist Officers in the interpretation and implementation of the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (The Order) and Housing Grants, Construction and Regeneration Act 1996 (The Act) so far as it relates to the adaptation of the homes of disabled persons.
- ii) Ensure fair, equitable and consistent treatment for all disabled persons who require the council's assistance in adapting their home.
- iii) Provide guidance to disabled people, their carers, advocates and families in the administration of disabled facilities grants
- iv) Ensure that all applications for grant are considered and dealt with on their own merits.

## **1.2 Scope**

1.2.1 This Policy shall be applied in respect of any request for assistance by means of a mandatory Disabled Facilities Grant (DFG) and Discretionary Financial Assistance (DFA).

1.2.2 Where an adaptation is required to a house owned by a Registered Provider (RP) the council shall normally request that the RP makes a financial contribution to the overall scheme of works. Previous Government guidance on this subject states that it is expected that RP's build into their business plans the funding of adaptations as part of their core activities.

## **1.3 Related Documents**

1.3.1 This Policy should be read in conjunction with the following documents:-

- i) Housing Grants, Construction and Regeneration Act 1996 (The Act).
- ii) Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (The Order)
- iii) Harrogate Borough Council, Housing Assistance Policy 2018

## **1.4 Exceptional Circumstances**

1.4.1 The council accepts that there may be circumstances that warrant exceptions to this Adaptations Policy. The Head of Housing & Property is therefore authorised to assess individual cases and, where appropriate, and reasonable to do so, decide that an exception be made to the normal Adaptations Policy.

# **2. Mandatory Disabled Facilities Grant**

2.1 The Disabled Facilities Grants (Maximum Amounts and Additional Purposes) Order 2008 places a limit of £30,000 on the amount of mandatory DFG which may be given.

2.2 Where eligible works cost more than the maximum amount the applicant must fund the amount over £30,000 themselves or seek other sources of funding. Where works cost

over £30,000 the applicant should not commit to the works unless the funding arrangements for the additional amount are organised as grant funds cannot be released until the project is finished.

- 2.3 Appendix B to the rear of this document provides a detailed breakdown of the works eligible for assistance under Mandatory DFG.

### **3. Discretionary Financial Assistance**

- 3.1.1 The council has the authority, under The Order, to offer discretionary assistance in any form, for adaptations or to help occupants to move to more suitable living accommodation and no limit is placed on the amount of assistance that may be given.

- 3.1.2 The council will use discretionary assistance to assist households;

i) With a grant to move to a more suitable alternative accommodation, (the grant covers some of the cost of moving house, including solicitor's fees, estate agents fees, removal costs, and other essential costs considered on an individual basis), in situations where;

- a) The cost of assistance may be less than the cost of adapting the applicants current home, or
- b) The disabled person is a tenant whose landlord has refused to give consent to the adaptation work, or
- c) The adaptations that are needed are not practicable in their current home, or
- d) The adaptations involve major work and it would be more beneficial to the disabled person and more cost effective to move to a home more suitable for their needs

With a 'top-up' of up to £15,000 for applicants who qualify for a mandatory DFG where the cost of works exceeds £30,000 and the applicant cannot source additional funds. Any 'top-up' financial assistance will be administered as a Land Charge on the property for a period of ten years to be repaid on sale or transfer of the home. The first £5,000 will be discounted so the maximum land charge will be £10,000. In the case of extensions the council will increase the level of discretionary assistance up to a maximum value of £30,000 when the costs of works exceed £30,000. In these cases the land charge will increase up to a maximum value of £25,000.

i) The council will consider applications for discretionary assistance to pay for works under a DFG that may otherwise not be eligible for assistance. Typically these works could include the cost of undertaking repairs to a property to enable a DFG to proceed or provide a safe and healthy environment. These could include:

- a) Works to improve the energy efficiency of the property for owner occupiers.
- b) Undertaking works to resolve category one and category 2 D&E hazards within a property, such as remedial works to tackle damp or excess cold.
- c) Undertaking electrical repairs to a home where a new level floor shower or stair lift is being provided.
- d) Undertaking measures to improve the safety and security of eligible households such as windows and door locks, fixing loose flooring, undertaking repairs to pathways and the removal of trip hazards.

ii) With the purchase and installation of Assistive Technology (Telecare) to enable people to remain in their homes. Where levels of funding permits any on-going subscription fees associated with the installation (monthly/weekly) may be paid by HBC for one year.

iii) In addition, where levels of funding permit, the Council shall fund the replacement of existing adaptations where they reach the end of their lifespan. This could include the replacement of stair lifts, through floor lifts and step lifts.

- 3.1.3 The first £5,000 of any means tested client contribution will be funded by Harrogate Borough Council. For any discretionary works where costs exceed £5,000 then the additional amount over the first £5,000 will incur a Land Charge placed on the property for a period of ten years to be repaid on sale or transfer of the home. The maximum land charge will be £10,000.
- 3.1.4 The maximum reasonable assistance the council will offer is £15,000 for homes. Park Homes cannot have a Land Charge placed against them and therefore the maximum discretionary grant available is £5,000. The council retain sole discretion in award of Discretionary Financial Assistance (DFA).
- 3.1.5 The new home may require work that qualifies for a DFG. If so any applicant's contribution to the relocation element of the grant will be taken into account when calculating the amount of the DFG.
- 3.1.6 Harrogate Borough Council retains the right, subject to available resources, to finance DFA over the mandatory £30,000 DFG limit in cases when it is the most reasonable and appropriate course of action.
- 3.1.7 If there are insufficient resources to deal with referrals for mandatory DFGs received from both North Yorkshire County Council (NYCC) and private Occupational Therapists, the council reserves the right not to approve any discretionary financial assistance.
- 3.1.8 Discretionary funding from the council will only be made available as a last resort and must be approved by the Private Sector Housing Manager in consultation with the Head of Housing & Property Services. Applicants will need to show that other options have been explored, including but not limited to self-funding and charitable funding.

## **3.2 Registered Providers and Charities**

- 3.2.1 In exceptional circumstances the council will also consider use of discretionary funds, subject to available budgets, to assist charitable organisations and Registered Providers with works deemed reasonable and practicable, and where in the council's opinion such works would benefit residents in domestic dwellings. In each case a detailed business case, detailing exact adaptations to be considered and any supporting rationale, must be submitted by the charitable organisation. Each of these schemes will be considered on its own merits but the overriding criteria will be that Disabled Facilities Grants fund will pay for capital works of improvement or provision of facilities to assist disabled people remain as independent as possible at home
- 3.2.2 Funds will not be provided to support revenue costs such as care and support.
- 3.2.3 No funds will be provided to other Councils, parish, first or second tier or unitary.
- 3.2.4 No funds will be provided for the repair of equipment.

## **4. Criteria for Adaptations**

## **4.1 Grant Aided Schemes**

4.1.1 Any adaptation scheme for which a Disabled Facilities Grant is sought must meet the relevant requirements set down for such grants in the Act and The Order.

## **4.2 General**

4.2.1 Before any scheme of adaptations is processed, either mandatory or discretionary, the council shall normally be satisfied that:

- i) The dwelling is the main or only residence of the disabled person, or the disabled person intends to occupy the dwelling as their main or only residence once it has been adapted.
- ii) The person for whom the adaptations are intended is a "disabled person" within the meaning of Section 100 of the Act.
- iii) The adaptation works, in the opinion of the council, are necessary and appropriate to meet the needs of the disabled person.
- iv) The adaptation works, in the opinion of the council, are reasonable and practicable, having regard to the age and condition of the dwelling.
- v) The adaptations fulfil one or more of those purposes set out in Section 23 (1) of the Act, i.e. those works which would be eligible for a mandatory DFG.
- vi) The disability or condition affecting the disabled person is not temporary.
- vii) The dwelling or building to be adapted meets the Housing Health and Safety Rating System Standard (free from Category 1 hazards) and is not overcrowded unless, in the opinion of the Head of Housing & Property, it would be unreasonable to require this because of the urgency of the work or that undertaking the necessary works to Rating Standard would have a significant adverse effect on the health of the disabled person.
- viii) The disabled person has been assessed by either a NYCC or Private Occupational Therapist or other suitably qualified or experienced person, who have provided a referral to the local authority recommending works of adaptation.
- ix) References in the document to Occupational Therapists and the Occupational Therapy Service include other suitably qualified and/or experienced, competent person. Whether a person is competent is determined by the Head of Housing & Property.

## **4.3 Role of the Home Adaptations Service**

4.3.1 The council operates an In House Agency, the Home Adaptations Service, to help deliver its disabled facilities grants.

4.3.2 All applicants should be encouraged to utilise the comprehensive service provided, which include:

- i) Assistance with the completion of all forms including:-Test of Resource form, owner/tenant/landlord declaration, proof of ownership, final payment.
- ii) Assistance accessing charitable funds.
- iii) Benefits advice and checks.
- iv) Referral to other services as appropriate (NYFRS, Better Homes Yorkshire etc.)
- v) Specification of works (if applicable)
- vi) Provision of plans and other drawings.
- vii) Submission for Planning Permission and Building Regulations approval.
- viii) Commissioning works.
- ix) Supervising works.
- x) Signing off works on completion
- xi) Payment of grant.

- 4.3.3 Applicants not wishing to use the Home Adaptations Service as an agent, can if they wish, make a direct application. See 4.4 below.
- 4.3.4 Applicants who have a means tested contribution greater than the cost of the works can use the council's Home Adaptations Service. The council will charge a fee for using the service and the applicant can either:
- i) Use the council's contractors to complete the works
  - ii) Use their own contractors to complete the works.
- Where the applicant uses their own contractor to complete the works they must also have the works signed off as described in item 4.4.10 below.

#### **4.4 Home Adaptations Service Application process and Prioritisation**

- 4.4.1 The council has adopted a prioritisation scheme to ensure priority is given to those in the greatest need.
- 4.4.2 The Occupational Therapist will prioritise a case as either 'urgent' or 'standard'.
- 4.4.3 Urgent cases will be immediately allocated to the Home Adaptations Service for a visit. These cases will then be 'fast tracked' through to completion.
- 4.4.4 All standard enquiries will be prioritised using the information contained in the Occupational Therapy referral (see appendix A) and will be allocated points. These cases will then be forwarded to the Home Adaptations Service in points order.
- 4.4.5 Advice will be provided to the disabled person and/or their carer on how their request for assistance with adaptations will be processed. Notifying them that a priority scheme is in operation for dealing with adaptations.
- 4.4.6 Additional points will also be awarded on a monthly basis to ensure progression through the waiting list.
- 4.4.7 If an applicant is dissatisfied with the level of prioritisation they have received, the issue will be dealt with through the adopted complaints procedure of the Council

#### **4.5 Direct Application**

- 4.5.1 Applicants not wishing to use the Home Adaptations Service may request from the Home Adaptations Service an application pack, including certificate of occupation and owner's certificate to complete, in order to submit an application for a Disabled Facilities Grant.

Applicants will be provided with a detailed recommendation and specification from an Occupational Therapist. Applications without these, submitted to HBC by the Occupational Therapist, via DASH Portal, will not be considered.

Prior to completion of the application pack, a meeting will be held with the Applicant, Home Adaptations Service and Occupational Therapist to discuss the application process. The Applicant and Home Adaptations Service Officer will complete and sign a checklist to confirm the process has been fully explained and understood.



When the Applicant has completed the application pack, a further meeting will be held with the Home Adaptations Service where the applicant will provide the completed application. The completed application will be checked and feedback given prior to approval.

- 4.5.2 Any such application should be satisfactorily completed and signed with accompanying;
- i) Certificates of future occupation.
  - ii) Owner's certificate.
  - iii) Up to date evidence of financial income and savings and any stocks, shares of other capital as noted in the application form, (where appropriate).
  - iv) At least 2 suitable and comparable quotes fully itemised and based on agreed schedule of work which will reflect the Occupational Therapist's recommendation and specification.
  - v) Copy of contractor(s) Public Liability Insurance Certificate(s).
- 4.5.3 Any works which the applicant wishes to carry out in addition to those detailed in the schedule of work and the Occupational Therapist recommendation and specification must be separately itemised.
- 4.5.4 An application will not be registered with the council for consideration until all required information is submitted.
- 4.5.5 Upon submission of a valid application to the council, applicants will receive written confirmation from the council that the application has been received. The council will then have 6 months to determine the application.
- 4.5.6 Once an application has been determined, the council will confirm the outcome in writing and in the case where an application is refused, will detail the reasons for such refusal.
- 4.5.7 Where an applicant wishes to use a contractor to complete the works who is a member of their family or is a friend, the grant will only cover the cost of materials. It will not cover the cost of labour.
- 4.5.8 Direct applications will be solely responsible for ensuring that all works are carried out in accordance with the Occupational Therapist's recommendation and specification and to the satisfaction of the council.
- 4.5.9 To ensure that public money is protected it will be a condition of the grant that any works are signed off as complete by an Occupational Therapist. Certification, as appropriate, is also required, including (but not limited to): Building Regulations Completion Certificate, Electrical Installation Certificate, Gas Safety Certificate.
- 4.5.10 It will be a condition of the grant that any works are signed off by a competent member of a recognised professional body such as:
- i) Chartered Institute of Building.
  - ii) Chartered Institute of Environmental Health.
  - iii) Chartered Institute of Housing.
  - iv) Royal Institute of British Architects.
  - v) Royal Institution of Chartered Surveyors.

This person must hold appropriate professional indemnity insurance. The fee charged will be allowable as part of the grant.

4.5.11 An administration fee will be charged for this service.

4.5.12 No interim payments will be made.

## **5. Assessment of Need**

### **5.1 Legal Duty**

5.1.1 The council has a duty to consult with NYCC HAS and or Private Occupational Therapist on whether any works are necessary and appropriate to meet the needs of a disabled occupant.

### **5.2 Occupational Therapist Referrals**

5.2.1 Following an assessment of a disabled person, the Occupational Therapist shall, if adaptations are considered necessary, send to Harrogate Borough Council using DASH portal, a recommendation of their assessment in the agreed format and detailing the purpose for the grant in accordance with section 23(1) of the Act.

5.2.2 Where recommendations do not contain sufficient information for the council to consider an application, the recommendation will be referred back to the Occupational Therapist for further clarification.

5.2.3 The Occupational Therapist assessment will normally be undertaken with reference to Occupational Therapy guidelines.

5.2.4 Recommendations will not be considered for grant where existing adaptations or equipment are meeting the clients needs (for example the replacement of a stair lift that, although old, is currently in working order)

5.2.5 Occupational Therapists are expected to explore the use of equipment prior to a request for adaptations being submitted and detail the outcome of this on the recommendation.

5.2.6 Occupational Therapist recommendations are expected to clearly specify the least expensive adaptation(s) which are appropriate to meet a disabled person's needs where there is more than one type of adaptation which would meet the client's needs.

5.2.7 If the recommended adaptations are not the least expensive option, the Occupational Therapist should be requested to identify any special circumstances which have been taken into consideration.

5.2.8 Where an applicant wishes to self fund a more expensive adaptation this should also be detailed on the recommendation so that the council can identify the eligible costs and ineligible costs. (see also Section 10 – Alternative adaptation works)

5.2.9 NYCC HAS will categorise each case into 'Urgent' or 'Standard'.

5.2.10 Where the disabled person is a tenant of a Registered Provider (RP) the Occupational Therapist shall, prior to sending the agreed recommendations to Harrogate Borough Council, formally request that the RP fund the adaptation(s).

### 5.3 Joint Visits

- 5.3.1 A joint visit involving the Occupational Therapist and a council Surveyor will be required where it is unclear how best to adapt the property to meet the disabled person's needs.
- 5.3.2 The council Surveyor should at the time of the joint visit undertake a detailed survey of the property, discuss with the disabled person, and/or their carers, their circumstances and note their views and wishes. The officer must not make suggestions for alternative or additional work to the client. If the officer feels other work is appropriate / required this must be discussed with the Occupational Therapist separately.
- 5.3.3 In cases of doubt as to whether a scheme will be assisted in whole or part, it is recommended that officers should not make any commitments at the time of the joint visit but refer the matter for consideration, in the first instance to the Private Sector Housing Manger.

### 5.4 Judgment of Necessary and Appropriate

- 5.4.1 In deciding whether any works are necessary and appropriate the council shall take into account:
- i) The recommendations of the Occupational Therapist.
  - ii) Whether the adaptation has been recommended in accordance with section 23(1) of the Act. (See Appendix A)
  - iii) Whether the proposed works are the least expensive option or, if there are reasonable special circumstances to warrant a more expensive option.
  - iv) Whether alternative schemes involving mobile aids/equipment have been considered/tried and are not appropriate.
  - v) Whether the scheme is unduly influenced by the desires/aspirations of the disabled occupant/carers rather than actual need e.g. proposals for ground floor extensions where a person could use a stairlift but is unwilling to do so or requests shower facilities because they do not wish to use appropriate bathing aids. Schemes exceeding the Occupational Therapist/s recommendations **may** be acceptable where the service user may wish to have an enhanced adaptation provision, over-and-above that which is reasonable and practicable, and they are willing to meet the additional costs of the enhanced scheme, (see also Section 10).
  - vi) Schemes that are necessary to accommodate the needs of carers may be eligible under the Act for grant assistance.
  - vii) Whether a move to a more suitable property would provide a better solution.
- 5.4.2 In any cases of doubt as to whether the works are necessary and appropriate the matter should be referred initially to the Private Sector Housing Manger, who will discuss the recommendations with the Occupational Therapist and come to a view whether a scheme may proceed. If it is considered that the scheme should not proceed, or that it should be amended, a case conference should be arranged with all parties to try to resolve the issue and agree an acceptable scheme.
- 5.4.3 Every effort must be made to assist a disabled person, with the circumstances of each case being considered individually.

5.4.4 Where no satisfactory outcome can be found and an application is deemed not to be either necessary and appropriate or reasonable and practical then the Private Sector Housing Manager will have no option but to refuse such application. (See Refusals 6.12).

## **6. Assessment of Reasonableness/Practicability**

### **6.1 Legal Duty**

6.1.1 The council has a duty to satisfy itself that any proposed adaptations are reasonable and that it is practicable to undertake those works.

### **6.2 Consideration**

6.2.1 Although it may be agreed that works are necessary and appropriate to meet the needs of a disabled person, it may not be reasonable or practicable to undertake those works.

6.2.2 Factors to be considered in deciding if the works are reasonable and practicable include: inter alia,

- i) Whether the property meets the Housing Health and Safety Rating System Standard (free from Category 1 hazards) or can be made to be hazard free at reasonable expense.
- ii) The location of the property
- iii) The age of the property
- iv) Planning/building regulation constraints
- v) The impact of the works on the existing facilities/amenities within the dwelling
- vi) Physical constraints due to the size or layout of the property
- vii) Whether the dwelling is overcrowded.
- viii) The availability of other suitable accommodation which the disabled person could occupy

6.2.3 Where levels of funding permit consideration will be given to replace damaged or broken facilities or equipment under a further DFG providing it:

- i) It cannot be repaired.
- ii) Has not been wilfully damaged.
- iii) Still meets the needs of the disabled person.
- iv) Has been annually serviced/maintained in accordance with the manufacturer's instructions, where applicable (including the warranty period); and the warranty period has expired.
- v) Any decision to replace damaged or broken facilities or equipment will be made by the Housing Renewal Manager.

6.2.4 A DFG will not be considered where a facility or equipment that was present in a property has been removed by or under the instruction of a disabled person/occupant unless there was a proven good reason for doing so.

### **6.3 Meeting the Housing Health and Safety Rating System Standard**

6.3.1 A property should ideally meet the Housing Health and Safety Rating System Standard (free from Category 1 hazards) before adaptation works are undertaken. In cases where category 1 hazards exist, discretionary assistance may be sought to alleviate hazards, please see section 3 – Discretionary Financial Assistance.

- 6.3.2 In any case, where the best course of action would be to serve a Demolition Order or Prohibition Order, it would not normally be reasonable to undertake adaptation works.
- 6.3.3 Where the health of a disabled person would be adversely affected by undertaking works to bring a property up to the Housing Health and Safety Rating System Standard, or such works are of a relatively minor nature, or adaptation works are urgently required e.g. for a terminally ill person, it may be reasonable not to require the property to meet the Housing Health and Safety Rating System Standard.
- 6.3.4 Where there are serious hazards present at a property it may not be either reasonable or practical to undertake adaptations without first addressing the hazards. An example of this is if the wiring in a property were to be dangerous or so old that a recommended adaptation, such as a stair lift or electric shower, could not be connected safely to the existing supply.

## **6.4 Location of Property**

- 6.4.1 The location of a property is normally a relevant consideration in terms of access to or egress from the dwelling. It may not be reasonable or practicable to adapt a dwelling where:
- i) It is situated on a hillside with long flights of steps to the entrance.
  - ii) It has a very steep access drive/path which cannot be re-graded.
  - iii) The approach to the dwelling is an unmade track or road.
  - iv) The dwelling is accessed directly from a highway/pavement which cannot be obstructed by ramps/lifts etc.
  - v) The dwelling is an upper floor flat and permission cannot be obtained for adaptations to common entrance passageways or staircases etc.
- 6.4.2 The dwelling is a houseboat or mobile home with poor means of access.

## **6.5 Age of Property**

- 6.5.1 The property may be listed as an historic building, which prevents certain alterations. Some older buildings may have design features which prevent or severely hamper adaptation, e.g. narrow, winding staircase, narrow passageways, numerous changes in floor levels.
- 6.5.2 Assistance will not, however, be limited simply due to the particular age of a dwelling.

## **6.6 Planning/Building Regulation Requirements**

- 6.6.1 It will be important with certain adaptations which require extensions or substantial structural alterations to ensure that they comply with planning requirements and Building Regulations as required. This will include ensuring appropriate design of the scheme.
- 6.6.2 An extension or alteration may not be acceptable in local planning terms due to its design or location.  
Note: Pre-application advice is available through the council's Development Management team which are based in the Planning & Development Directorate. Information on planning advice can be found on the Council's website ([www.harrogate.gov.uk](http://www.harrogate.gov.uk)).

## **6.7 Impact on Existing Facilities**

6.7.1 Adaptations should not result in major unacceptable changes to the amenities or facilities enjoyed by other occupants of the dwelling e.g. the widening of a passageway should not have the effect of reducing living or sleeping space below the minimum standard, and an alteration to layout should not result in the dwelling becoming overcrowded.

## **6.8 Physical Constraints**

6.8.1 It may not be reasonable or practicable to alter a very small dwelling or a flat to facilitate full wheelchair use.

6.8.2 Limited space may result in proposals which would cause a property to fail the Housing Health and Safety Rating System Standard. Adaptations will not normally be acceptable if they result in the creation of a category 1 hazard under the Housing Health and Safety Rating System Standard; particularly if it does not fail it without the adaptations.

## **6.9 Overcrowding**

6.9.1 It would not normally be reasonable to adapt a dwelling which is currently overcrowded. Adaptations are not to be undertaken to relieve an overcrowding problem e.g. constructing a bedroom / bathroom extension for a disabled person who already has access to such facilities simply to reduce overcrowding for the remainder of the occupants.

6.9.2 It would normally be acceptable to require other occupants of a dwelling to share bedroom facilities to allow a disabled person access to a bedroom provided that by doing so the other occupants would not exceed the occupancy limit for the bedroom. Extensions to create additional bedroom space should not normally be undertaken where a dwelling has adequate rooms for sleeping to accommodate all the occupants and the disabled person can access a suitable bedroom.

6.9.3 Consideration must always be given to the use of rooms other than bedrooms for sleeping purposes. Where appropriate a living room may be used for sleeping purposes either by the disabled person or another occupant, provided that the remaining living space is reasonable to accommodate all the occupants.

## **6.10 General**

6.10.1 A scheme of adaptations must, in general terms, be reasonable, taking into account costs and the practicability of carrying out the works. Where a scheme involves substantial structural alterations or extensions, and in any event where the cost of the adaptation work exceeds £30,000, the council may consider discharging its duty via re-housing and officers should therefore consider looking at re-housing options with the applicant.

6.10.2 Public funds will not normally be provided to adapt a dwelling above a reasonable minimum standard.

6.10.3 Disabled persons and their carers should be advised that if their desires/aspirations exceed what is considered to be reasonable, then they will be required to fund any additional costs themselves.

## **6.11 Consultations**

- 6.11.1 Where it is considered that the works are not reasonable or practicable, the officer should advise the Occupational Therapist with a view to considering alternative courses of action. Such alternatives would include:
- i) Bringing the property up to the Housing Health and Safety Rating System Standard prior to adapting the dwelling.
  - ii) The disabled person moving to more suitable accommodation or to another property which may more easily be adapted to their needs.
  - iii) At the point of assessment (prior to any formal recommendation for adaptation) if the Occupational Therapist considers that re-housing may better meet the needs of the disabled person than adapting their existing home, then the Occupational Therapist will advise the disabled person and supply them with appropriate housing options advice and/or refer them to the council's Housing Options Team. For re-housing to be considered, the Occupational Therapist would consider the effect that major adaptations would have on layout and/or structure of the dwelling, the associated costs and the ability to meet those costs.
  - iv) When completing their recommendation for adaptations the Occupational Therapist will advise the council that discussions regarding re-housing have taken place and of any relevant factors which may need to be taken into consideration.
- 6.11.2 Where no suitable alternative solution can be agreed or the preferred solution is to recommend that the disabled person seeks alternative accommodation the case should be referred to the Private Sector Housing Manager who will arrange with NYCC HAS Occupational Therapy Services, the disabled person and/or their carers, for a case conference to further consider the issues.

## **6.12 Refusals**

- 6.12.1 Where the council is likely to refuse an application in accordance with the Act, prior to refusal, the council will contact the applicant to give them the opportunity to provide additional information which may affect such a decision, prior to a formal refusal being made.
- 6.12.2 Where the council has no option but to refuse an application for grant, the council will advise the applicant of the reasons for such refusal.
- 6.12.3 An applicant will have the right to a review of such a decision and if so desires should request a review in writing to the Head of Housing, within 28 days of the date of the refusal letter.

## **6.13 Dual residency of a disabled child**

- 6.13.1 In cases where families separate and a court order provides that residency of the subject disabled child is split between the mother and father (or other designated guardian). Mandatory DFG can only be provided to the 'sole or main residence' of the disabled applicant and in circumstances covered by this section it would be assumed that one party would apply for mandatory grant on the basis that the child occupies the subject property as their sole or main residence (within the Harrogate District). The main residence will be determined by which party receives any child benefit.

- 6.13.2 The Authority will consider the details of any court order and specifically the allocation of time spent with each parent in determining eligibility for assistance. No specific percentage split is proposed by this policy as each case will be reviewed on its own merits. Factors to be considered include the specific details of any order, likely time to be spent at each property, whether the child will stay overnight at the subject property and for what period etc.
- 6.13.3 In determining the works that might be considered as eligible for assistance the Authority will consider the suitability of the subject property for adaptation, the complexity and scope of the adaptations required and any observations or referral made by the Occupational Therapy service.
- 6.13.4 Any assistance provided under this heading will be up to a maximum award of £30,000, but will not be subject to any form of means testing.

## **7 Assistance with Costs**

### **7.1 Grants (Disabled Facilities Grants)**

- 7.1.1 Where an application for grant assistance is received, the amount of grant approved shall be calculated in accordance with the provisions of the Act.

### **7.2 Means tested contributions**

- 7.2.1 Applicants for DFG's and DFA will be required to complete a test of resources form (means test) to determine whether any contribution is to be paid towards the cost of works. The council will undertake such means tests in line with the prevailing statutory provisions in force at the point of application. At present parents of disabled children and young persons are not subject to a test of resources.

### **7.3 Payment of Disabled Facilities Grants**

- 7.3.1 The council will have the overriding decision as to whether the works have been carried out to a satisfactory standard and will make direct payments to contractors. If works have been completed to a satisfactory standard and the applicant unreasonably withholds their authorisation to pay a contractor the council may decide to pay the contractor and notify the applicant that they have done so.
- 7.3.2 Where the council is obliged to approve an application for a grant under section 24(1) (a) of the Act, they may decide to defer the payment of the grant, or part of it, to a date specified in the notification of approval. That date shall not be more than twelve months after the date of the application.
- 7.3.3 It is a condition of payment of every grant that the eligible works are carried out within twelve months from:
- i) The date of approval of the application concerned, or
  - ii) Where section 36 applies (delayed payment of mandatory grant), the date specified in the notification of the authority's decision, or,
  - iii) In either case, such further period as the council may allow.
- 7.3.4 The council may allow further time where they are satisfied that the eligible works cannot be, or could not have been, carried out without carrying out other works which could not have been reasonably foreseen at the time the application was made.



- 7.3.5 The council must be provided with an acceptable invoice and relevant certificates, demand or receipt for payment for the works and any preliminary or ancillary services or charges in respect of which the grant or part of the grant is to be paid.
- 7.3.6 Eligible works must be carried out by the contractor appointed at the time of grant approval. During the course of grant work the council must be notified of any change of contractor if the applicant is not using the services of HBC.
- 7.3.7 Should applicants wish to use a suitably qualified, alternative contractor to that which the grant has been based on, they will be given the option to self-fund the extra over cost and will be solely responsible for ensuring all works are completed to the satisfaction of the council. Applicants will have to hold all funds for the extra over costs in advance of work commencing and pay contractors directly. HBC will not hold any funds on behalf of applicants.
- 7.3.8 When equipment is installed using a DFG the applicant who was awarded the grant becomes the owner of the equipment and is responsible for its maintenance, repairs and for removing the equipment once it is no longer needed. Once the grant works have been completed, the Council will not finance or organise servicing, repairs or maintenance after the expiry of any applicable warranty period which is usually 12 months. Applicants are advised to consider purchasing longer warranty at the time of installation as repairs can be costly.
- 7.3.9 Where levels of funding permit, if an applicant was passported through the test of resources process, the Council will consider funding a warranty as part of the grant for certain specialist equipment e.g. stairlifts. Information relating to warranties will be provided to the applicant as part of the grant approval process.

#### **7.4 Social Services**

- 7.4.1 Where eligible works for a mandatory DFG exceed the prescribed upper cost limit, a top-up may be sought from NYCC HAS. Applicants, requesting assistance shall be advised that NYCC HAS may assist some cases with grants or loans to cover wholly or partly the applicants' share of the cost of the works.
- 7.4.2 The council may, if it deems appropriate, instruct an independent Occupational Therapist to carry out this assessment. This would typically be done where the Social Services department are unable to undertake an assessment within a reasonable period. In these instances the cost of such an assessment would be met and included within the DFG award.
- 7.4.3 The Social Services Authority has a responsibility to provide community care equipment and minor adaptations, which a person has been assessed to need and for which he or she is eligible, free of charge provided the cost (including fittings) is less than £1000.

#### **7.5 Other Agencies**

- 7.5.1 NYCC HAS requires that a grant applicant should seek funding from appropriate financial sources before applying for top-up funding.
- 7.5.2 In appropriate cases the disabled person may be able to obtain assistance with their share of the costs from charitable organisations.

7.5.3 If other agencies are involved in a scheme this must not result in any changes to the Occupational Therapist's specification without their agreement.

## **7.6 Advice by Officers**

7.6.1 Officers must not give grant applicants or any other person specific advice on financial matters as this is, strictly controlled. Advice must be restricted to the grant itself or to general matters such as directing them to contact organisations which may be able to help a person either with financial advice or with actual finance. The Home Adaptations Service may be able to assist in this process.

## **7.7 Insurance Claims**

7.7.1 Where adaptation works are required for a person who has been disabled due to an incident such as an accident at work or on the road etc, and the disabled person may be able to make a claim for damages, they shall normally be required to pursue such a claim.

7.7.2 It will be a condition of a DFG that insurance claims are made in appropriate cases to cover the cost of the adaptation works. Applicants should be advised of this at the earliest stage in the process.

7.7.3 Officers shall obtain details of the cause of any disability and write to the disabled person's legal representatives or insurers to advise that the council will require any claim for damages to include the cost of the adaptation works.

7.7.4 Submission of insurance claims must not, however, delay the processing of the adaptation scheme. Claims may take several years and shall be monitored every 6 months by the officer writing to the disabled person's legal representatives/insurers to request information on the progress of the claim.

## **7.8 Fees and Charges**

7.8.1 Where an applicant incurs fees or charges in the making of their application or appoints an approved agency service to assist them in making an application, the Council will reimburse the reasonable fees or charges incurred subject to the maximum amounts of assistance applicable.

7.8.2 The fees which may be included are fees for:

- i) Home Adaptations Service Administration in relation to a Direct Application.
- ii) Completion of an Owner's Certificate,
- iii) Provision of specialist reports e.g. gas, planning and building control fees, costs incurred in providing mains utilities services e.g. gas including the infrastructure charge.
- iv) Structural engineers report.
- v) Bat Survey
- vi) Asbestos Survey calculations and supervision /certification.

7.8.3 This is not an exhaustive list and other fees will be considered. It is the applicant(s) responsibility to pay all fees and charges and to be aware that if for any reason a grant application is not approved the responsibility rests with them. The Council will also only include fees which it considers to be reasonable and necessary

## **7.9 Repayment of Grant**

- 7.9.1 Where property ownership is transferred within 10 years of the grant award the council will reclaim funding for extensions where the cost of the extension exceeds £30,000. The funding reclaimed will be between £5,000 and £25,000. This money is recouped via a land charge.
- 7.9.2 In addition any recipient of a DFG that has a home owners interest in the property that has had any adaptation carried out and subsequently moves property within the Borough and is seeking further grant aid to install similar adaptations to those previously funded then any cost over £5,000 will also be subject to a land charge.
- 7.9.3 Where discretionary assistance has been provided any amount over £5,000 will be administered as a land charge on the property for a period of ten years, if the property is sold or transferred within the period of ten years then the land charge must be repaid.
- 7.9.4 Where discretionary assistance has been granted to park homes the maximum grant available is £5,000 as no land charge can be placed on a park home. If works are required that are in excess of this amount then the recipient will have the option to pay the difference to allow works to proceed .
- 7.9.5 In determining whether to reclaim such grant the council must consider:
- i) The extent to which the recipient of the grant would suffer financial hardship if they were to be required to repay all or any of the grant.
  - ii) Whether the disposal of the premises is to enable the recipient of the grant to take up employment, or to change the location of their employment.
  - iii) Whether the disposal is made for reasons connected with the physical or mental health or wellbeing of the recipient of the grant or of a disabled occupant of the premises. and
  - iv) Whether the disposal is made to enable the recipient of the grant to live with, or near, any person who is disabled or infirm and in need of care, which the recipient of the grant is intending to provide, or who is intending to provide care of which the recipient of the grant is in need by reason of disability or infirmity. and
  - v) That it is satisfied that it is reasonable in all the circumstances to require the repayment.

## **8 Reclamation of Equipment**

- 8.1.1 Officers shall consider when preparing a schedule of works for an adaptation scheme whether any of those works could be undertaken using equipment which may be able to be reused at a later date. Such cases may include the provision of a steel ramp for wheelchair use rather than a concrete ramp etc.
- 8.1.2 It is not envisaged that it will be cost effective to reclaim most types of equipment other than lifts/ramps as the equipment may need to be further adapted and stored for reuse and may result in significant costs in its removal.

- 8.1.3 If an officer believes that arrangements should be made to reclaim equipment other than lifts it shall be referred to the Private Sector Housing Manager
- 8.1.4 Pre used and fully refurbished equipment, such as stair lifts, can be used provided that they are covered by a warranty of at least 1 year.

## **9 Extensions**

### **9.1 General**

- 9.1.1 The construction of extensions to provide accommodation for a disabled person is normally the most expensive form of adaptation work and, therefore, the Council must be completely satisfied that such works are wholly necessary and reasonable.
- 9.1.2 Extensions will not normally be provided simply to enlarge a dwelling. The extension works must be required to allow a disabled person access to a sleeping room and/or bathroom or to allow a disabled person or registered carer (as recommended by the Occupational Therapist) to safely use kitchen facilities.
- 9.1.3 Extensions may not be provided to accommodate occupants other than a disabled person or a registered carer, unless the extension releases existing space in the dwelling for the use of the disabled person and is a more cost-effective solution.
- 9.1.4 The council's officers and Occupational Therapists should ensure the disabled person and/or any other relevant person(s) is made aware of such condition, prior to the approval of any Disabled Facilities Grant.

### **9.2 Alternatives**

- 9.2.1 Where a recommendation is received from an Occupational Therapist for the construction of an extension, officers must fully investigate the potential for an alternative scheme of adaptation to be undertaken.
- 9.2.2 In the majority of cases extensions are proposed because the disabled person cannot access a sleeping room and bathroom on the first floor. In such cases it must normally be proven that the disabled person is unable to use a stairlift or through-floor lift because of their condition, or that it is not practical to install a lift and, where necessary, alter the first floor layout.
- 9.2.3 If the only reason for not installing a lift is the presence of children in the household this is not considered to be a reasonable justification to construct an extension.
- 9.2.4 Dependent upon the level of occupancy of the dwelling it may be appropriate to convert existing rooms on the ground floor for sleeping or bathing purposes and this must be considered especially where there are unused rooms, more than 2 living rooms (or more than 1 living room if there is a single occupancy or a couple only) or garage/utility etc which may be more easily converted.
- 9.2.5 If an extension is proposed for a bedroom because there is no room available which is suitable for the use of the disabled person for sleeping purposes, consideration must be given to other occupants in the house moving to another sleeping room or sharing a sleeping room with other occupants, where appropriate, to release an adequate room for use by the disabled person.

### **9.3 Room Sizes**

- 9.3.1 Where it is agreed that an extension be constructed to accommodate a disabled person, decisions on the appropriate size of the room(s) should be made with reference to the minimum habitable rooms sizes Housing Act 1985. The actual size of rooms may, however, exceed the minimum sizes to reflect the individual needs of the disabled occupant.
- 9.3.2 If the disabled person has a partner with whom they normally share a bedroom then a bedroom extension should be large enough to accommodate both persons. In certain cases it may also be appropriate to accommodate others who normally share a bedroom e.g. twins. However, such cases should be referred to the Private Sector Housing Manager for consideration.
- 9.3.3 As the needs of disabled persons differ significantly it is not possible to define a limit to the size of a bedroom or bathroom extension which may be assisted. The essential principal, however, is that the rooms should not exceed an area of size sufficient to meet the basic sleeping/bathing needs of the disabled person.
- 9.3.4 Within a bedroom, space may be allowed for:
- i) A bed (or beds if a couple share a room)
  - ii) Wardrobe
  - iii) Drawer Unit
  - iv) The safe manoeuvring of a wheelchair or walking frame, if appropriate
  - v) Equipment necessary to assist in getting into or out of bed
  - vi) Access for carers to assist a disabled person in getting into and out of bed

## **10 Alternative Adaptation Works (Off-set costs)**

### **10.1 General**

- 10.1.1 Although the council may limit the extent of assistance in accordance with this guidance, a disabled person may prefer to undertake an adaptation scheme which differs to that for which assistance is being provided: e.g. assistance may be limited to relocating bathing facilities but the disabled person decides to construct an extension instead.
- 10.1.2 A notional allowance may be made towards the alternative works equivalent to the cost of those works for which assistance would have been given. The council will only release such funding on satisfactory completion of the works. These works must be completed within 12 months. The applicant will be solely responsible for the satisfactory completion of such works. Any work involving off-set costs must be agreed first by the Private Sector Housing Manager in consultation with the Head of Housing and Property. The applicant will be solely responsible for all funding for offset / extra costs and must pay the contractor directly, under no circumstances will funds be transferred to HBC to pay contractors for work.

### **10.2 Occupational Therapist Agreement**

- 10.2.1 Where it is proposed that works be undertaken which differ from those specified by the Occupational Therapist in their referral, agreement must be obtained from the

Occupational Therapist that the alternative works are appropriate to meet the needs of the disabled person before the works commence.

## **11 Conclusion of Adaptation Scheme**

### **11.1 General**

- 11.1.1 The council must satisfy themselves that the works have been undertaken in a proper and workmanlike manner; any deviations from the original recommendation must be discussed and agreed with the Occupational Therapist before they proceed.
- 11.1.2 The disabled person and/or their carers shall be consulted on whether they consider the works to be satisfactory and relevant certificates must be obtained before final payment is made to the contractors.
- 11.1.3 The council will have the overriding decision as to whether works have been completed to a satisfactory standard and therefore whether to release payment to the contractor.
- 11.1.4 Where specialist equipment is installed, e.g. stairlift/through-floor lift etc, and where the Home Adaptation Service has been appointed, a council Surveyor shall ensure that the disabled person and/or their carers have been fully instructed in its safe use by the installers or Occupational Therapist as appropriate. If it appears that a disabled person has not been adequately instructed, then the Occupational Therapist shall be notified immediately.
- 11.1.5 If it appears that any adaptation works are not wholly satisfactory in meeting the needs of a disabled person or that a disabled person appears unable to use adapted facilities etc, the Occupational Therapist should be notified immediately.
- 11.1.6 Officers must not give any advice or instructions on the safe use of equipment, but refer any such requests to the Occupational Therapist.

### **11.2 Occupational Therapist Comments**

- 11.2.1 On completion of all schemes the Occupational Therapist should confirm in writing if the adaptation does not meet the disabled person needs due to the work not being carried out in accordance with their specification. Where the Home Adaptations Service has been appointed, a Council Surveyor shall pursue these matters with the contractor or others as appropriate. Direct applicants will be expected to resolve these issues themselves.

## Appendix A

### Mandatory Disabled Facilities Grants – Priority Pointing System

<b>TOTAL SCORE</b>	
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NAME OF APPLICANT:

ADDRESS OF PROPERTY:

<p><b>Fast track request</b></p> <p><b>The Occupational Therapist has flagged the case as extremely urgent due to health and safety issues or life threatening illness (to be applied in exceptional circumstances).</b></p>	<p><b>Points</b></p> <p><b>Fast track requests are outside pointing scheme</b></p>
<p><b>1.0 Time waiting for adaptation</b></p> <p>OT recommendations made in last 6 months.</p> <p>For every month elapsed over 6 months since recommendations.</p>	<p><b>Points</b></p> <p>0</p> <p>+2</p>
<p><b>2.0 Reason for recommending adaptation</b> (Note: score up to <b>three</b> categories only.)</p> <p>To facilitate access into/out of the property</p> <p>To facilitate access to the toilet.</p> <p>To facilitate the use of the kitchen/enable food preparation.</p> <p>To facilitate getting up and down steps and stairs.</p> <p>To facilitate the use or access to bathing/showering.</p> <p>To facilitate access to a room used or usable as the principal family room</p> <p>To facilitate access to or the provision of a room used or usable for sleeping</p> <p>To improving or provide a heating system</p>	<p><b>Points</b></p> <p>+10</p> <p>+20</p> <p>+7</p> <p>+10</p> <p>+10</p> <p>+5</p> <p>+5</p> <p>+10</p>

Other (specify and score 1 – 7) Give reasons: e.g. To facilitate access to garden, ergonomics within the dwelling	
<b>3.0 Adaptations</b>	<b>Points</b>
Existing adaptations exist, which partially meet needs or would do so in the short term.	-10
<b>4.0 Mobility</b> (Note: only apply <b>one</b> score for the client.)	<b>Points</b>
Client is room bound or house bound without proposed adaptation.	+ 30
Client is a total wheelchair user.	+15
Client is mainly a wheelchair user but can stand for short periods.	+10
Client is ambulant indoors but needs wheelchair outdoors.	+8
Client is ambulant but uses frame/sticks or support system.	+6
Client is ambulant but unsteady or blind/deaf.	+4
<b>5.0 Safety factors</b> (Note: score <b>one</b> category only.)	<b>Points</b>
Client is a single parent with disabled child.	+20
Client lives alone.	+15
Client has carer who is not managing	+10
Client is a disabled parent with able bodied child aged under 16.	+5
Client lives with/well supported by family/others or has occupying related carer.	+2
<b>6.0 Child or Young Person's application</b>	<b>Points</b>
As defined in the DFG Regulations	+10

Date ..... Signed .....

Comments  
.....  
.....  
.....  
.....



## **Appendix B**

### **Works Eligible for Assistance under Mandatory DFG**

#### **1.1 General**

1.1.1 The adaptation works eligible for assistance will be those listed under section 23 (1) of the Housing Grants, Construction and Regeneration Act 1996, as follows.

#### **1.2 Access to the Dwelling**

1.2.1 Works eligible for assistance may include:

- i) Ramped access to main entrance door for wheelchair use; Widened or shallower steps to main entrance door or a step lift;
- ii) Widened entrance door for wheelchair use;
- iii) Resurfaced or re-graded path to entrance door;
- iv) Alterations to secondary entrance door/patio window to provide access to rear garden/yard where access cannot easily be gained via the adapted main entrance and drive/side path;
- v) Structural alterations required to allow installation of stair lift through floor lift or step lift equipment.

1.2.2 Works which will not normally be eligible for assistance include:

- i) Construction of drive, garage or storage facility for car, electric scooter or wheelchair etc;
- ii) Works outside the curtilage of the dwelling where permission cannot be obtained from others e.g. ramp on public footway;
- iii) Works of access to garage/shed/outbuildings etc;
- iv) Resurfacing/re-grading of public footpaths or common passageways to the entrance of the dwelling e.g. cobbled rear passage to yard of terraced house.

#### **1.3 Making the Dwelling Safe**

1.3.1 Works eligible for assistance may include:

- i) Provision of guards or cladding etc; to prevent persons with behavioural problems harming themselves;
- ii) Specialised glazing or shades to windows to protect occupants with a medical condition which make them sensitive to sunlight;
- iii) Repairing defective stairs or floors etc which are hazardous

1.3.2 Works which are not normally eligible for assistance include:

- i) Works to bring a property up to the Housing Health and Safety Rating System Standard other than those above (other forms of assistance may be available to eligible applicants for such works).

## **1.4 Access to Principal Family Room**

1.4.1 Works eligible for assistance may include:

- i) Widened doorway for wheelchair access;
- ii) Provision and installation of stair lift/through-floor lift equipment and structural alterations required to allow installation, if the principal living room is on an upper floor;
- iii) Widened doorway in entrance hall to access principal family room for wheelchair use;

1.4.2 Works which are not normally eligible for assistance include:

- i) Widening or improving access to other living rooms/study etc which are not the principal family room;
- ii) Alterations or extensions to create a family room;

## **1.5 Access to Sleeping Room**

1.5.1 Works eligible for assistance may include:

- i) Provision and installation of stair lift/through-floor lift equipment and structural alterations required to allow the installation, where access is required to a bedroom or room suitable for sleeping which is above ground floor level.;
- ii) Conversion of a ground floor room into a bedroom; Widened doorway for wheelchair access to sleeping room;
- iii) Construction of bedroom extension (see notes on extensions);
- iv) Strengthened ceiling and/or preparation works for ceiling track hoist, where hoist is to be provided by North Yorkshire County Council Health & Adult Services.

1.5.2 Work which will not normally be eligible for assistance include:

- i) Provision of space within a bedroom for social, recreational, study or working purposes, unless essential for the applicants daily living. Such a request will be justified as part of the Occupational Therapist's recommendation and shall be agreed by both the Occupational Therapist and The Housing Renewals Manager.

## **1.6 Access to WC**

1.6.1 Works eligible for assistance may include:

- i) Provision of a WC where one does not exist.
- ii) Provision and installation of stair lift/through-floor lift equipment and structural alterations required to allow the installation, where access is required to a WC above ground floor level;
- iii) Strengthened ceiling and/or preparation works for ceiling track hoist, where hoist is to be provided by North Yorkshire County Council Health & Adult Services
- iv) Repositioning WC to facilitate access by wheelchair user;
- v) Raised/lowered WC pan;
- vi) Provision of grab rails;

- vii) Provision of ground floor WC where upper floor cannot be accessed;
- viii) Widened doorway for wheelchair access;
- ix) Extension for a WC (see notes on extensions).

1.6.2 Works which are not normally eligible for assistance include:

- i) Provision of an external WC

**Note:** A wash-hand basin should normally be provided within the same room as a WC. Where this is not possible, the wash-hand basin should be in an adjoining room e.g. ante space or bedroom.

## 1.7 Access to Bathing Facilities

1.7.1 Works which may be eligible for assistance include:

- i) Provision and installation of stair lift/through-floor lift equipment and structural alterations required to allow the installation, where access is required to an existing bathroom above ground floor level;
- ii) Provision of bath or shower for the first time;
- iii) Provision of shower (thermostatically controlled) over a bath, including necessary curtain, tiles and grab rail;
- iv) Replacement of bath with shower facility;
- v) Replacement of shower with a bath;
- vi) Provision of bath and shower where there are 2 or more disabled occupants with differing needs;
- vii) Provision of bathroom extension (see notes on extensions);
- viii) Relocation of bath/shower to facilitate use by wheelchair user;
- x) Strengthened ceiling and/or preparation works for ceiling track hoist, where hoist is to be provided by North Yorkshire County Council Health & Adult Services;
- xi) Widened doorway for wheelchair access;
- xii) Provision of fixed seat/grab rails;
- xiii) Non-slip/sloping floor to create shower facility.

**Note:** Shower facility may be low-level or level access depending on need and large enough to accommodate seat if required. A shower may also be provided with ½ screen/curtain and would include necessary tiling.

1.7.2 Works which are not normally eligible for assistance include:

- i) Tiling outside of immediate shower area;
- ii) Retention of bath/shower for non-disabled occupants when providing a facility for a disabled occupant if this increases costs;
- iii) Provision of non-fixed bathing or shower seat;
- iv) Provision of an additional bathing facility on ground floor if existing facility is accessible or would be if a lift was provided.

## 1.8 Access to Wash Basin

1.8.1 A wash-hand basin will normally be provided in the same room as the WC. Works to provide access may include:

- i) Relocation of wash-hand basin to facilitate use by wheelchair user;
- ii) Replacement of wash-hand basin with more suitable type e.g. replace vanity unit with wall fixed wash-hand basin;
- iii) Replacement of taps with lever taps in association with above.

1.8.2 Works not normally eligible for assistance include:

- i) An extension solely for a wash-hand basin;
- ii) The replacement of taps on their own if no other works involved and tap turners would be adequate.

## **1.9 Access to Kitchen Facilities**

1.9.1 The extent of adaptation work in a kitchen should be related to the extent of cooking and food preparation normally undertaken by the disabled person.

1.9.2 Works which may be eligible for assistance include:

- i) Rearrangement of kitchen fittings/appliances to facilitate their use;
- ii) Enlargement of the kitchen if it is too small to allow its safe use by Wheelchair user;
- iii) Adapted work-top/storage unit for wheelchair user;
- iv) Adapted doorway for wheelchair user;
- v) Widened doorway for wheelchair user

1.9.3 Works not normally eligible for assistance include:

- i) Provision of additional kitchen units/fittings/appliances

## **1.10 Access to Power, Light and Heat**

1.10.1 Works which may be eligible for assistance include:

- i) Relocating power points to make them accessible;
- ii) Adaptation of heating/lighting controls to make them accessible;
- iii) Replacement of solid fuel fire with other heating appliance in living/sleeping rooms normally used by a disabled occupant;
- iv) Improvement of inadequate heating in living/sleeping rooms normally used by disabled occupant;

1.10.2 Works not normally eligible for assistance include:

- i) Works to rooms not normally used by disabled occupant;
- ii) Provision of central heating. (exceptions may occur)

## **1.11 Access to Permit Care of Other Persons**

1.11.1 Where the disabled occupant cares for other persons e.g. spouse, young children or elderly relatives who are normally resident in the dwelling, works may be provided to other rooms in the dwelling to allow the disabled person access to care for those persons, including:

- i) Provision and installation of stair lift/through-floor lift equipment and structural alterations required to allow the installation, where the disabled person lives on the ground floor but needs access to bedrooms;
- ii) Widened doorways to bedrooms of those being cared for by disabled, wheelchair user;

1.11.2 Works not normally eligible for assistance include:

- i) Any works necessary to relocate persons being cared for by the disabled occupant into other rooms e.g. moving a child from the first floor bedroom to a ground floor room or extension;

## 1.12 Access to the Garden

1.12.1 The legislation changed making access to gardens a specific criterion for entitlement for the grant, where this is **reasonable and practicable**. The Council can exercise discretion when considering the works that will be necessary for the purpose of allowing access to the garden. In determining whether the works are reasonable and practicable the Local Authority must satisfy themselves having regard to:

- The age and condition of the dwelling or building.
- The practicalities of carrying out adaptations to the property with narrow doorways, difficult or limited access.
- Conservation considerations and planning constraints
- Impact on other occupants of the proposed works, if those works could reduce or limit the existing facilities or amenities in the dwelling.

The local housing authority will only provide a grant that is sufficient to enable the disabled person reasonable access to the garden or yard. The grant is not intended to pay for works to enable access to the whole garden or to every outhouse or structure within a property's curtilage where it is clear that the disabled person does not specifically need such access.

The provision is, therefore, solely for access as follows:-

- i) The garden should be immediately adjacent to the building, within the same curtilage as the applicant's home.
- ii) The grant is to cover one access doorway to the garden. (It is appreciated that in some properties the existing level entry may be to the front of the property therefore access to the back garden may be included provided this is used as the main leisure/garden area.)
- iii) Access does not include the following:
  - access to an area of decking(or similar area) separated from the main house
  - provision of, or access to, raised garden beds

- access to outhouses/garages and garden buildings including greenhouses, sheds etc.
  - where access is not deemed reasonable and practicable, for example where step lifts or platform lifts are required
- iv) Normally access to gardens criteria would be fulfilled by either improving existing access, or by providing a suitable outdoor space that can be accessed safely from the dwelling to allow appreciation of the outdoor area by the disabled person. A suitable outdoor space should where possible be 4m wide x 2m deep, level, free from tripping hazards and be provided with curbing / safety rails as appropriate.

#### **1.12.2 Exceptional circumstances**

Each case will be considered on individual merit. If exceptional circumstances arise that would entail a wider scheme of works then the matter will be referred to the Private Sector Housing Manager in consultation with the Head of Housing & Property for a decision.