

SANDWELL METROPOLITAN BOROUGH COUNCIL
POLICY ON ADAPTATIONS FOR DISABLED TENANTS IN COUNCIL
HOUSING
(Effective from June 2023)

1. Executive Summary

A comprehensive review of the Disabled Adaptations Service has been completed and this policy will replace the previous version dated 2012. The Borough Council aims to bring greater parity between the way housing adaptations are managed through the housing revenue account (HRA) and the Disabled Facilities Grant (DFG) regime applied to other social housing and the private sector. The key features of this policy include:

- A focus on supporting people and families to consider how their housing needs can be met in the long term
- Financial assistance to support people and families with the costs of relocating where needed
- Support to meet people and families overall well-being including safety in the home, access to welfare benefits, social inclusion and referrals to sensory services and other healthcare services
- Ensure we maximise the impact of resources and make best use of our housing stock.

2. Background

- 2.1 The aim of the Adaptations Service is to enable tenants and members of their household with disabilities to be provided with housing which best meets their assessed needs. The council will consider alternatives to adaptations, such as the provision of equipment or if appropriate assistance with relocation, when deciding on the most suitable option(s) to meet a person's needs. Decisions regarding an individual's needs will be made in accordance with the views of the tenant and the council's Guidance for the Provision of Equipment & Adaptations. All other assistance types are discretionary and subject to funding being available.
- 2.2 The policy will also guide Occupational Therapists (OT) and other professionals to understand what the council may or may not, be able to assist with in terms of adaptations to their home.
- 2.3 A separate Protocol for Supporting Families and Children with Disabilities to Access Suitable Housing highlights the support that is available to children & families from

this policy and the Adaptations Policy, and should be considered alongside this document,

3. Legal context

- 3.1 In determining this policy, regard has been given to the Council's Housing Allocations Policy 2021 alongside the relevant statutory provisions and requirements mentioned in the Housing Act 1996, Localism Act 2011, Care Act 2014, the Equality Act 2010, the Chronically Sick and Disabled Persons Act 1970, the Housing Grants, Construction and Regeneration Act 1996, as amended by the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002.
- 3.2 Section 149 of the Equality Act 2010 imposes a duty on a public authority, where it must in the exercise of its functions, have due regard for the need to eliminate discrimination and promote equality.

4. Necessary and appropriate, reasonable and practicable works

- 4.1 Adult Social Care and Housing Management will work in partnership to take the appropriate measures to satisfy themselves that the works are reasonable and practicable having regard to the age and condition of the property:
- Assessments are completed by Occupational Therapists (OT's) in line with their good practice guide. An Occupational Therapist or other authorised person will make a referral to the council's service providers on behalf of the person detailing the nature of the works required. Each case will be individually assessed on its own merits and the Council decides what is reasonable in the light of its need to make housing available to a wide range of people in need, over the long term.
 - Reasonableness also relates to cost, and where the construction type of a property makes it excessively costly to adapt, the Council may refuse the adaptation in favour of offering alternative housing that meets the applicant's needs or which can be readily adapted at a lower cost.

5. Application process

- 5.1 Sandwell Metropolitan Borough Council is committed to working in collaboration with Adult Social Care and the Children's Trust to enable people to remain independent in suitable housing for as long as possible.

6. Applying for an adaptation

- 6.1 An applicant may request an Occupational Therapy assessment by contacting Adult Social Care Enquiry Service. The Contact Centre will take their details, including their requirements, and bring to request to the attention of the Therapy Service, who will categorise the needs. A request will normally be classified as urgent if the person does not have access to a kitchen or toilet or they are terminally ill.
- 6.2 The Occupational Therapist will arrange a visit to assess the person's needs as required. Following this visit, if the adaptation request is potentially reasonable and practicable, a recommendation will be passed to the Housing Team who will be required to carry out a Homecheck on the property. The property condition will be checked, and a more detailed discussion will take place to assess their individual needs and manage the person's expectations through their chosen pathway.
- 6.3 An Occupational Therapist or other approved person may recommend and order minor adaptations. These will be sent to the council's Asset Maintenance and Management team. Once an order is received the council will contact the tenant.

Adaptations will be categorised into two groups

- i. **Minor adaptations** as referred to in **section 8** of this policy and
- ii. **Major adaptations** as referred to in **section 10** of this policy.

7. Eligibility

- 7.1 An individual will be considered for adaptations to their home if they are:
- a Sandwell Council tenant and/or
 - a partner or a member of the tenant's immediate family who has been a permanent resident of the household (proof of residency will be requested) and they have an impairment which has a significant and serious long-term effect on their ability to:
 - a) Carry out normal day to day activities in or around their home
 - b) Access essential facilities within the home
- 7.2 Under the terms of this Policy, a person is regarded as being disabled if they have a physical, sensory or mental impairment, which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities within their home. A long-term effect refers to disabilities that have lasted for at least 12 months, the effects of which last for at least 12 months, or which are likely to last for the remainder of a person's life.

8. Minor Adaptations (under £1,500)

- 8.1 The Council will provide low level adaptations to increase independence, improve quality of life and reduce the risk of falls and hospital admission up to the value of £1,500.
- 8.2 These will include but are not limited to:
- Grab rails
 - Assistive Technology
 - Handrails
 - Ramps
 - Door widening (replace with stair rail)
 - Over bath showers (replace with half step)
- 8.3 In the event that a customer has accessed an Occupational Therapist (OT) directly (4.1 above) and an assessment has been completed, the council will determine whether additional consideration of a tenant's long-term housing options is required.
- 8.4 It is the Council's intention to ensure that the needs of the client are balanced with the suitability of adapting the property depending on the tenant's circumstances and the alterations required to the property.

9. Long Term Housing Needs

- 9.1 Where an adaptation is likely to exceed £1,500 a Homecheck may be carried out to discuss the tenant's broader needs including the best long-term housing solution which may include a move to alternative accommodation.
- 9.2 For some, moving home can be a stressful process. Every effort will be made to support the person to find housing in a location that is most suitable for their needs.
- 9.3 If it is decided that a tenant's needs may be better met by relocating, then financial help may be offered only if the estimated cost of the initial adaptation request would have exceeded £2,500. This financial assistance will be equivalent to (but not in addition to) that made to tenants in accordance with the Council's under-occupation incentive scheme. However, if a tenant is moving home and not downsizing, the amount paid in lieu of completing the adaptation will be at the council's discretion. In this scenario, it is expected that a discretionary payment will only be made in lieu of extensive major adaptations such as extensions or work over the value of £20,000.
- 9.4 Where a tenant decides to move, help to complete the application will be offered. An assessment of their needs will take place and where appropriate priority will be applied. The tenant/s will be able to bid through choice-based lettings for a suitable

property.

- 9.5 Where an applicant requires a specific size, type or adapted property, they will be placed in the appropriate housing needs band, but may be offered a direct offer, if the Council has a shortage of suitable properties.
- 9.6 Those waiting for a move will be provided with temporary adaptations where possible, for example a removable ramp or other equipment as recommended by an Occupational Therapist or other approved person in order to manage their needs in the short term.
- 9.7 Non urgent cases will be banded in accordance with the Housing Allocations Policy.

10. Major Adaptations

- 10.1 The council will liaise with the tenant and their family to ensure that the applicant's needs have been fully considered in accordance with section 6.0 above and will only complete major adaptations where the works are identified as necessary and appropriate, reasonable and practical as recommended by an Occupational Therapist.
- 10.2 The following will be taken into account:
- The total value of the proposed adaptation (including design costs) which should not exceed the max value of an equivalent Disabled Facilities Grant (as stated in Sandwell Council's Private Sector Housing Assistance Policy 2023).
 - The availability of housing that would be more suitable to adapt.
 - Any exceptional circumstances which require the person to remain in their current property.
 - Whether the property is suitable for building alterations as determined by the council.
 - The size of the household and their housing need.
 - Any unacceptable health and safety risks associated with the desired adaptations.
 - The occupant's status, the type of tenancy held and any pending possession action.
 - The person's wider physical and mental health needs and the length of time

that they will remain in the property.

- 10.3 Some cases are complex and require a multi-disciplinary approach with other professionals. However, all cases will be determined on their own merit and where an applicant's needs can only be met in their existing accommodation; this work will be arranged to be completed at the earliest opportunity.
- 10.4 The budget for adaptations will be set as a part of our Housing Revenue Account Business Planning Cycle which is reviewed periodically and/or where demand exceeds the allocated budget.

11. Circumstances where we will not undertake an adaptation

- 11.1 This section of the policy only relates to adaptations exceeding £1,500. We will deal with each adaptation request on a case by case basis, however where one or more of the following criteria applies the council may exercise their right to refuse their request and offer additional advice or assistance:
- Where a person is under-occupying **more than** one bedroom or where they are overcrowding (except in exceptional circumstances) or are waiting for a transfer to another property.
 - Where the adaptation is unreasonable, for instance installing a level access shower to a house or a flat above ground floor which cannot be accessed by the tenant using an *existing* lift or; where the tenant's needs can be met with alterations to the original proposal i.e. using a ground floor second reception room as a bedroom.
 - Where there is other suitable alternative adapted, part adapted accommodation or where temporary aids and adaptations can be provided it is considered likely that a suitable property will become available within 3 years of the request being made.
 - Where an adaptation would adversely affect the council's ability to make the best use of the stock and re-let the property in the future without incurring significant additional costs.
 - Where the cost of the adaptation is prohibitive and exceeds the equivalent maximum value applied to a DFG.
 - Where the applicant's condition is such that further adaptations will be required over time, temporary mitigation to meet current needs and/ or review their priority to move will be considered until alternative suitable accommodation becomes available.

- Where an adaptation would place others at risk i.e. a communal stair lift with no alternative access for other first floor residents.
- Other than in exceptional circumstances, where a person has left another property with suitable adaptations already present, within 5 years of those adaptations being completed.
- Where the building is unsuitable for adaptation due to its construction.

12. Tenants alterations

- 12.1 If a tenant wishes to install their own alterations to make their home more suitable for their needs, they should apply under the Tenants Alteration Procedure. The Council will not unreasonably withhold consent, but will refuse permission for adaptations that make the house less suitable for occupation in future.

13. Where adaptations are no longer required

- 13.1 Although the council will have made every effort to ensure adapted accommodation is let to those in need, there are occasions when, due to low demand, a property may be let to someone who does not have an assessed need for the adaptations previously installed. If an adaptation cannot be used by the incoming tenant and can easily be removed, it will be removed by the council free of charge. The council will recycle equipment as far as possible.
- 13.2 In the event that a tenant without a disability accepts a property with an adaptation, they do so on the understanding that the adaptation may not be removed. Items which can be recycled, like stairlifts, will be removed prior to occupation.
- 13.3 Adaptations such as level access showers or fixed ramps will only be replaced at the end of the items economic life as determined by the council. At this point, staff will consider the needs of the household at that time. Prospective tenants will be advised of this in advance of accepting the tenancy.
- 13.4 Where the person for whom an adaptation has been completed no longer resides in the property and the tenancy continues i.e.: for succession, any equipment that cannot be removed easily will remain in the property and the weekly servicing and maintenance charge in respect of that piece of equipment will continue, we will assist the occupant to move to suitable accommodation. If the remaining tenant is on housing benefit, they will be supported to apply for a discretionary housing benefit payment to cover this cost.
- 13.5 Major adaptations made to a property could deem the property to be considered as a “specialist dwelling”. The property would then be recorded by the council on their housing register as a “specialist dwelling” and as such this could potentially affect

any right to buy applications against this dwelling in the future.

14. Timescales

- 14.1 It is envisaged that the Majority of the smaller adaptations jobs will be completed with 90 days from the date the Form A is received from the OT's, these works are the Level Access Showers and Bath Out Shower In work. Properties where more complex building extensions or where suppliers lead in times for E.G. Lift design and installation will be outside the 90 Day timescales.
- 14.2 Approved adaptations for those pending hospital discharge, those with limited access to essential facilities or the potential for harm to a carer will be prioritised.
- 14.3 The council will work closely with health and social care professionals to ensure that the requirements of tenants with deteriorating or life limiting conditions are addressed in a timely manner, with dignity and in consideration of their current and future needs.

15. Future rehousing

- 15.1 Properties will be allocated in accordance with the criteria set out in the council's Lettings Policy and adverts will clearly detail the adaptations within each property. Tenants moving from adapted housing may not be allocated any further priority if their current housing remains suitable for their existing needs.
- 15.2 In order for the council to make best use of its resources, it is expected that the occupant for whom the adaptation has been completed will remain in the property for at least five years after the adaptation has been completed if their circumstances, in accordance with the lettings policy are otherwise the same.

16. Mutual exchange

- 16.1 If a tenant applies for a mutual exchange, the council will engage an Occupational Therapist to assess the suitability of the proposed exchange where either a property is adapted or one or more of the parties to the exchange has needs for adaptations. The council may refuse a mutual exchange if the property is adapted for a person with a disability and nobody in the new household requesting to move requires the adaptation.

17. New housing developments

- 17.1 As part of its new housing development program, the Council aims to increase availability of high quality, newly built accessible housing for people to move to.
- 17.2 The Council may adopt a Local Lettings Policy or make direct offers for any new

build developments which gives priority for existing tenants who require a specific adaptation however; this will be considered on a site-specific basis and will take account of housing needs at the time.

18. Appeals, suggestions, complaints and compliments

- 18.1 The Council is committed to providing good quality housing for its tenants. The council welcomes feedback that enables it to improve services and will respond to complaints in line with its policy.
- 18.2 In the event that a tenant disputes the decision made they have a right to appeal. The appeal will be referred to independent senior officer/s. Where available this will also include an Occupational Therapist.

19. Equal Opportunities

- 19.1 Sandwell Metropolitan Borough Council has an equal opportunities policy and works positively to continually improve and make services accessible to all.
- 19.2 An equality impact assessment has been completed and is available separately.
- 19.3 This document can be made available in other languages and in large print or audio transcript if required.

20. Implementation and review

- 20.1 This policy came into effect on 15 June 2023. The policy will be available on Sandwell Council's website and specifically shared with relevant professionals involved with the service. The policy will be periodically reviewed, and any significant changes will be referred back to the appropriate scrutiny committee.