



# **HOUSING ASSET MANAGEMENT**

## **AIDS & ADAPTATIONS POLICY**

**August 2024**

**Author: Jacqueline Skeggs**

**Senior Building Surveyor (Aids & Adaptations)**

## **Contents**

<b>1. Introduction</b>	<b>2</b>
<b>2. Policy Aim(s)</b>	<b>2</b>
<b>3. Legal and Regulatory Framework</b>	<b>2-3</b>
<b>4. Policy Details</b>	<b>3</b>
<b>5. Eligibility for Adaptations</b>	<b>3-4</b>
<b>6. Applying for Adaptation works</b>	<b>4-6</b>
<b>7. Tenants installing their own adaptations</b>	<b>6-7</b>
<b>8. Minor Adaptations</b>	<b>7</b>
<b>9. Major Adaptation</b>	<b>8</b>
<b>10. Equality and Diversity</b>	<b>8</b>
<b>11. Monitoring and Feedback</b>	<b>8</b>
<b>12. Policy Consultation, Promotion &amp; Evaluation</b>	<b>8-9</b>
<b>13. Key Legal and Regulatory References</b>	<b>9</b>
<b>14. Maintenance of Adaptations</b>	<b>9</b>
<b>15. Appeals Process</b>	<b>10</b>

## **Appendix A – Decision for Referred Cases – Matrix**

## **1. Introduction**

- 1.1 This policy sets out how St Albans City and District Council (the Council) recognises that a suitable well adapted home can be the defining factor in enabling a person less able to live independently.
- 1.2 Each year the Council provides funding for the provision of Aids and Adaptations to our tenants, who have disabilities and are registered disabled or suffer from a long-term ill health to remain in their home for as long as it is safe and reasonable to do so. This funding is from The Council housing capital and revenue budgets.
- 1.3 It maybe the current home is not suitable for the adaptations required, in such cases the tenant will be offered the option of transferring to more suitable accommodation. Transfers will be dealt with in accordance with the Council Housing Allocations Scheme.

## **2. Policy Aims**

- 2.1 At the Council we work with our tenants, together with other agencies, to identify and implement an individualised solution to enable a person living within a disabling home environment to then utilise their home more effectively though physical adaptations.
- 2.2 The Council is committed to facilitating the provision of aids and adaptations to its properties and aims to deal with requests for assistance as quickly, effectively and sensitively as possible. Applications are dealt with using a priority system combined with date order. However. if the applicant is waiting to be discharged from hospital and requires their home to be altered, their application will be prioritised ahead of less urgent cases.
- 2.3 The policy refers to 'disabled' persons. A person is defined as 'disabled' under the Equalities Act 2010 if they have a physical or mental impairment that has a 'substantial' and 'long-term' negative effect on their ability to do normal daily activities.
- 2.4 The council is committed to promoting equality of opportunity in housing services and has procedures in place to ensure that tenants are treated fairly and without unlawful discrimination.

## **3. Legal & Regulatory Framework**

- 3.1 The legislation relevant to the Disabled Adaptations Policy is the Chronically Sick and Disabled Persons Act 1970 – this requires Social Services to assist people with disabilities to obtain aids and adaptations to make their home suitable for their needs.
- 3.2 Carrying out works that are necessary and appropriate to meet the needs of a person less able, provided that it is reasonable and practical to carry out the

works having regard to the age, construction type, layout and condition of the property.

Disabled Discrimination Act 1995

Disabled Discrimination Act 2005 (Disability Equality Duty)

Equality Act 2010

#### **4. Policy Details**

##### *4.1 Definitions*

A disability is defined as physical or mental impairment which has a substantial and long-term effect on the ability to carry out normal day to day activities.

##### *4.2 Occupational Therapist (OT)*

A health care professional who engages with customers (independently of The Council) to assess their requirements to live a full and active life.

##### *4.3 Minor & Major Adaptations*

Adaptations are split into two categories Minor Adaptations and Major Adaptations. These distinctions are based on the nature and cost of the works required to implement the adaptation and do not relate to the impact the adaptation will have on the individual requiring such work.

###### *4.3.1 Minor Adaptations*

These include, for example; the provision of small ramps, handrails, grab-rails and lever taps etc, with an anticipated total work cost of under £1,000.

###### *4.3.2 Major Adaptations*

These require more extensive and complex works, often designed for the specific requirements of an individual and include, for example; - property extensions, access alterations, hard-standings, through floor lifts, stairlifts and low step showers or graded floor shower areas; over bath showers and kitchen conversions.

#### **5. Eligibility for Adaptations**

5.1 Applicants must be either a secure tenant of the Council, a secure tenant's partner or member of their immediate family. Applicants must also be a permanent resident within the household and be disabled as defined by the Equalities Act 2010.

5.2 An applicant who is not a named tenant on the tenancy agreement, must be registered as living at the property for Council Tax purposes, and if aged over 18 years, should be registered at that address on the electoral roll.

5.3 Adaptations will only be considered if the property is the main residence of the disabled person and they do not hold another tenancy or own another property.

- 5.4 The resident/applicant must intend to remain resident at the property for 5 years. If the disabled person moves from the property within five years of the works being carried out to another the Council property which does not meet their needs, the Council will not provide adaptations to the new property until the 5 year period has passed. This does not apply if the Council agrees that there are acceptable reasons for the move.
- 5.5 In cases where a child is disabled and the parents are separated, adaptation works will usually only be completed at the property of principal residence (normally the residence of the parent who is in receipt of child benefit for that child).
- 5.6 Circumstances where requests to adapt a property may be refused include (but are not limited to):
- a. Major adaptations are required but the applicant is waiting for medical procedures which may change their needs. The decision that the individual is not eligible will be reviewed once their recovery time is complete. Temporary or minor adaptations may be considered during this interim period.
  - b. Where a Right to Buy application has been received by the Council. Following completion of the Right to Buy sale, an application could be made for a Disabled Facilities Grant direct with Hertfordshire Home Improvement Agency.
- 5.7 If the current home is not suitable for the adaptations required, the option of transferring to more suitable accommodation will be considered. Transfers will be dealt with in accordance with The Council Housing Allocations Scheme.
- 5.8 Applicants will be provided with reasons for refusal in writing and each case will be considered on individual merits. The Council recognises that there may be occasions where applications for adaptations fall outside of this policy, and these will be assessed on an individual basis by the Adaptations Appeal Panel.
- 5.9 The Council will seek to recover the cost of any works if any false or fraudulent information is included in or provided with the applicant's application.

## **6. Applying for Adaptation works**

- 6.1 Before an application for adaptations can be considered, an Occupational Therapist assessment will be required. Assessments can be requested via Hertfordshire County Council's website - "Ask for Social Care Help" page ([HERE](#)) and a self-referral form completed. Alternatively, by telephone on 0300 123 4042.
- 6.2 The Occupational Therapist will submit a recommendation of what is required and advise whether the proposed work is '**necessary and appropriate**'.

Although there is a duty to consider this, the formal decision on whether the proposal is 'necessary and appropriate' will be the decision of The Council.

- 6.3 To qualify as an adaptation, the work must be designed to:
- a. Enable a disabled person to gain access to and from their home and garden
  - b. Make the dwelling safe for the disabled person and other occupants
  - c. Enable access to a room, which is used as the 'principal family room'
  - d. Facilitate access to and from a room used for sleeping
  - e. Enable access to a toilet, bathroom or shower room for use of the facilities
  - f. Facilitate the preparation and cooking of food
  - g. Improve or provide a heating system to meet the needs of the disabled person
  - h. Facilitate the use of a source of power, light or heat by altering the existing means of control or providing additional ones
  - i. Enable the disabled person to have access and movement around the home in order to be able to care for someone else living there.
- 6.4 The Occupational Therapist's recommendation will form part of the basis of any scheme of works required to meet the needs of the applicant. In some cases, this may include moving to more suitable accommodation.
- 6.5 Once the Occupational Therapist's assessment is received and the proposed work has been deemed necessary and appropriate, an officer from the Council's Adaptations Team will visit to determine whether the works are '**reasonable and practical**'. They will consider the construction, age and condition of the property and decide whether the adaptations can be carried out safely without having an adverse effect on the fabric of the building.
- 6.6 Where the assessed needs are complex and there may be more than one way of meeting the identified needs; the Occupational Therapist and The Council Adaptations Team will identify possible options for consideration to determine the most appropriate solution, offers best value for money and meet the needs of the applicant. This may include undertaking some works that meet the most necessary needs pending a move to more suitable accommodation that is better able to meet/or be adapted to meet more or all the whole range of the identified needs.
- 6.7 Approval is unlikely to be given for: (**refer to Matrix**)
- a. Level access bathing provision or shower trays in flats above ground floor.
  - b. Installation of stair lifts to communal staircase in a block of flats or the shared common areas of a property
  - c. Works to properties where the property is not suitable for the household size. (Where a household is under-occupying by more than one bedroom or where the household is living in a property that is over-crowded). Individual cases of under-occupation will be considered sympathetically where the applicant is receiving palliative care and/ or

where there is a need for a carer to sleep in. In these situations, the Council will consider timely provision of some or all, of the recommended works where they are practicable. Where permission is refused, the applicant will be offered a move to more suitable accommodation which better meets the formally assessed needs of the relevant household

- d. Where there is more suitable accommodation, within the social housing stock, that is likely to become available, including properties that could be adapted more easily to meet the assessed needs
  - e. Where the adaptation will have a negative impact on the property and its future letting suitability e.g. relocating a bathroom upstairs resulting in the loss of a bedroom
  - f. Where the resident is in breach of their tenancy agreement e.g. rent arrears, substantiated reports of Anti-Social Behaviour where the Council has commenced action seeking possession of the property or formal legal action, work could be put on hold pending the outcome of associated legal action.
- 6.8 Any works that would adversely affect communal areas such as a ramped access to communal entrances will be considered on a 'case-by-case' basis, taking into account, whether the provision of the works could cause health and safety issues for other tenants.
- 6.9 If an adaptation is deemed not **reasonable and practicable** or is refused by the Council as landlord, the resident will be offered the option of transferring to more suitable accommodation within the Council's housing portfolio. Transfers are dealt with in accordance with The Council Housing Allocations Scheme.
- 6.10 Under normal circumstances The Council will not fund Adaptations for 'Mutual' exchange, newly nominated or prospective residents.

In exceptional circumstances, should a prospective tenant, or a member of their household, need facilities which would require major adaptations at the prospective home, the following conditions and criteria must first be satisfied, in order that consideration to be given to carrying out any Adaptations before an offer of the tenancy is made.

- a. Any adaptations must be agreed by the Council in advance of the tenancy sign up.
- b. Where works cannot be undertaken with the household in situ, the full rent must be covered, by the tenant, whilst the property is empty, and works are carried out.
- c. The possibility of offering a tenancy of a property more suitable for the needs of the disabled person, must have been thoroughly exhausted.
- d. The Adaptation works must be more economically viable and practicable than the applicant moving to, SADC identified, alternative accommodation.

## **7. Tenants installing their own adaptations**

- 7.1 Secure tenants may wish to carry out adaptations at their own expense. In all cases, written agreement from the Council is required before any alterations or

adaptations to the property can proceed. The Council will only refuse permission with good reason, for example where the adaptation:

- a. Would interfere with any maintenance to the property
  - b. May cause a potential health & safety risk
  - c. Would breach regulatory requirements.
- 7.2 The written request should state what is proposed and who will be undertaking the works. The Council will inspect completed works to ensure they have been carried out satisfactorily.
- 7.3 Tenants may be required to remove any adaptations and make good any damage to the property and/or reinstate the original features of the property at the end of their tenancy.
- 7.4 The tenant will be responsible for any repairs and maintenance of Adaptations, that they have arranged themselves for the duration of the tenancy. In addition, The Council will not be liable for any damage or injury caused by these adaptations.
- 7.5 At the end of the secure tenancy, tenants who have carried out adaptations at their own expense and with the Council's approval may be eligible for some compensation in accordance with legislation (Housing Act 1985 Part 4 Section 99A 'Right to compensation for improvements')
- 7.6 If adaptations have been carried out without the Council permission:
- a. The tenant may be required to remove the adaptation, reinstate the property and make good any damage if the quality of the adaptation is not satisfactory, or it would not be suitable to re-let the property with the adaptation in place.
  - b. If the Council needs to repair any damage after a tenancy has ended, and which is deemed to have been caused by the adaptation of the property by the former tenant or it has to remove an adaptation that the former tenant installed, then the former tenant may be liable for the cost of this.

## **8.0 Minor Adaptations**

8.1 Minor Adaptations are requested through a referral process following assessment by an Occupational Therapist (OT), where work is required to assist with the needs of the applicant.

8.2 *What we can provide:*

Minor Adaptations are requested through a referral process following assessment by an OT, where work is required to meet the provisions as laid down in the Chronically Sick and Disabled persons Act 1970. The works are to be under £1,000 and will be actioned firstly in order of priority rating, then in order of receipt, and subject to availability of budget



## **9.0 Major Adaptations**

- 9.1 Major Adaptations are requested through a referral process following assessment by an OT, where the works are required to meet the provisions as laid down in the Chronically Sick and Disabled persons Act 1970.
- 9.2 The Council will advise the applicant on how to contact Herts County Council's Health and Social Service Team, in order to request a full assessment of their needs, which will be carried out by a qualified Occupational Therapist.
- 9.3 An Occupational Therapist assessment will be needed for all requests for Major Adaptations.
- 9.4 The Council will consider applications for adaptations recommended by an OT to ensure that the requested adaptations are both **reasonable and practicable** to undertake and can be carried out safely without having an adverse effect on the fabric/structure of the property.
- 9.5 Because of the commitment of expenditure, the Council will expect the applicant, receiving the benefit of Major Adaptation, to commit to living in their home for at least the 5 years following the completion of the Major Adaptation unless their circumstances change significantly.

## **10.0 Equality and Diversity**

- 10.1 The Council will ensure that this policy is applied fairly and consistently to all our customers. We will not directly or indirectly discriminate against any person or group of people because of their race, religion, age, gender, marital status, sexual orientation disability or any other grounds set out in the Council's Equality and Diversity policy.
- 10.2 When applying this policy, we will act sensitively towards the diverse needs of individuals and communities.
- 10.3 When applying this policy, we will take the necessary positive action to reduce discrimination and harassment in local communities.
- 10.4 This policy and any other related publications are available on request in other formats (e.g. in an alternative language, in Braille, on audio, in large type).

## **11.0 Monitoring and Feedback**

- 11.1 The content of this Policy will be actively monitored to ensure it remains effective. The monitoring will be carried out by a number of methods, including; customer satisfaction surveys, performance reporting (KPIs) and customer scrutiny.

## **12.0 Policy Consultation, Promotion & Evaluation**

- 12.1 This policy will be formally reviewed by the Council when; there is a change to relevant legislation, regulation or good practice, or at least every three years.
- 12.1 This policy is available to be viewed on The Council's website.

12.2 Any complaints about this policy or its implementation can be made through the Council's formal complaints procedure.

### **13.0 Key Legal and Regulatory References**

- Defective Premises Act 1972
- Landlord and Tenant Act 1985
- Children Act 1989
- NHS & Community Care Act 1990
- Carers Act 1995
- Disability Discrimination Act 1995 & 2005
- Housing Grants, Construction and Regeneration Act 1996
- Regulatory Reform (Housing Assistance) (England and Wales) Order 2002
- Housing Health and Safety Rating System - Housing Act 2004
- Equality Act 2010
- Construction (Design and Management) Regulations 2015
- The Chronically Sick and Disabled Persons Act 1970
- The Care Act (2014)
- The Housing Act 1985
- The Housing Act 2004
- Home Adaptations for Disabled People (2013)

### **14.0 Maintenance**

#### **14.1 After-care Service**

Looking after your shower - It is good practice to keep the shower head clean and free from scale build up, as failure to do so overtime could lead to a build-up of potentially harmful bacteria, for example Legionella.

To avoid blockages to your shower drain, which may lead to water escaping from your shower tray, you should regularly clean out the shower trap waste. This is usually easy to do although in some circumstances you may need assistance.

Maintaining and cleaning the shower trap waste should be carried out every two months.

If you have any queries, questions or require further explanation of the procedures, please do not hesitate to contact The Council's Adaptations Team.

#### **14.2 Equipment**

The Council will maintain Adaptations which it has installed, for example; Stairlifts will be regularly inspected and maintained by a specialist contractor. The Council will replace such Adaptations at the end of their 'usable' and 'economic' life providing they are still required by the person less able. This does not extend to the replacement of portable and unsecured aids, equipment or appliances.

## **15.0 Appeals Process**

- 15.1 An applicant may seek a review of an adverse decision by responding to the signatory on the letter of notification (by email or letter) within 6 weeks of that notification, clearly stating the reason/s why they are requesting that the decision be reviewed.
- 15.2 The review will be conducted by senior managers from SADC, who have not been previously involved within the case in question.
- 15.3 The review will be undertaken within 30 working days of receipt of the Appeal and will take the form of a desktop review by panel members and a meeting of the panel to decide upon the case/appeal.
- 15.4 The applicant will be notified of the outcome within 15 working days of the review being concluded.

**Policy Review Date: August 2025**

## Appendix A – Decisions for Referred Case - Matrix



### Aids & Adaptations - Decision for Referred Cases

Name  
Address

Ref	Item Heading	Measure Indicator	Score
1	External Access	<p>1 - There are no problems with current external access in light of health condition/mobility etc.</p> <p>3 - There are problems with access, but emergency services could still attend/works can be undertaken to limit risk within a reasonable budget and/or appropriate construction methodology</p> <p>5 - A) One compliant means of access to the property is currently in place 5 - B) The access problems would lead to no access for emergency services. 5 - C) Works needed to remedy would be so extensive that they are unfeasible. 5 - D) Hardstands - Applicant is not a blue badge holder or does not own a vehicle.</p>	0.0
2	Under occupancy	<p>1 - There are no under occupancy issues</p> <p>3 - The property is under occupied and there are medical concerns why it may be unsafe to relocate tenant, or, extensive adaptations have already been completed. Medical conditions such as Dementia, Autism etc.</p> <p>5 - B) Financially unfeasible 5 - C) Future proofing of the property for full adaptation is unfeasible 5 - D) Property is under-occupied and there are no medical reasons why it may be unsafe to relocate tenant.</p>	0.0
3	Health Concerns	<p>1 - There are no health concerns</p> <p>3 - There are health concerns which may affect the programming and delivery of the work. Applicant is able to make alternative arrangements to enable works to be completed.</p> <p>5 - There are health concerns which make this work unsuitable and the proposed work may adversely affect the tenants general health and wellbeing. Applicant cannot remain in the property while works are carried out and cannot make alternative arrangements.</p>	0.0
4	Health & Safety	<p>1 - There are no reasons which make the proposed adaptations non compliant with health &amp; safety legislation/requirements/best practice</p> <p>5 - There are reasons which make the proposed adaptations non compliant with health &amp; safety legislation/requirements/best practice</p>	0.0
5	Technical Rationale	<p>1 - There are no technical reasons which render the solution ineffective or inappropriate</p> <p>3 - There are technical reasons beyond SADC's control which may require approval by external bodies. Planning Permission, Building Control, Highways.</p> <p>5 - There are technical reasons which render the solution ineffective or inappropriate - Excessive groundworks, structural alterations, loss of useable space/rooms.</p>	0.0
6	Qualifying Conditions (see below)	<p>1 - There are no <b>additional</b> qualifying conditions</p> <p>3 - There is an <b>additional qualifying condition</b> which requires review by the project team to allocate a final score (discretionary measure)</p> <p>5 - There is an <b>additional qualifying condition</b></p>	0.0
		<b>Sub-Total</b>	<b>0.0</b>
	multiplied by	Disruption Factor	<b>0.0</b>
		subtotal	<b>0.0</b>
	multiplied by	Assessment of funding required	<b>0.0</b>
		subtotal	<b>0.0</b>
		<b>TOTAL</b>	<b>0.0</b>

Disruption Factor
0.5 = Low level of disruption
1.0 = Medium level of disruption
1.5 = High level of disruption

Assessment of funding required
0.5 = Funding is <£5000
1.0 = Funding is between £5000 and £9000
1.5 - Funding is >£9000

Additional Qualifying Conditions should be scored as follows:-	Score
The work is inappropriate to the type of dwelling for technical or practical reasons	5
The work would extend beyond the curtilage of the property rented by the Tenant	5
The Tenant has applied under the Right to Buy	5
The Tenant is unwilling to move to a suitable dwelling already identified	5
The work is un-economical and moving the Tenant to more appropriate accommodation should be considered	5
The work would adversely affect the future rentability of the property	5
The work would adversely affect communal areas	5
The Tenant is subject to an order of the court relating to their tenancy (i.e.Rent Arrears or Anti-Social Behaviour)	5
The Tenant is subject to ongoing court proceedings relating to their tenancy (i.e.Rent Arrears or Anti-Social Behaviour)	5
The property is overcrowded	5

User Notes
In the event that any one of these aspects is scored a "5", the cell will turn red to advise that the case should be referred to Senior Management.
The following applies to the Total where no aspects have scored 5: 0-20: Proceed with application 20-40: Refer to Team Leader 40+: Refer to Team Leader for escalation to Senior Management
The presence of existing adaptations to a property will be taken into consideration, however if due to deterioration of the applicants condition, and the new request is not considered appropriate for the reasons stated above, the case can be refused.

Comments

Decision	<input style="width: 400px; height: 20px;" type="text"/>
Action Required	<input style="width: 400px; height: 20px;" type="text"/>
Signed	<input style="width: 400px; height: 20px;" type="text"/>
Dated	<input style="width: 400px; height: 20px;" type="text"/>