



HRA Adaptations Policy

1 Introduction

1.1 This policy outlines how the Council will respond to requests for adaptations to Medway Council owned properties.

2 Purpose

2.1 This policy sets out the Council's provision of property adaptations to its tenants. It also states the eligibility criteria for tenants wanting adaptations.

2.2 This policy has been developed to ensure that Housing Services makes the best use of its resources whilst meeting the needs of tenants and the Council's key priorities of "Supporting Medway's people to realise their potential" and "Maximise regeneration and economic growth".

3 Scope

3.1 This policy applies to Medway Council tenants who meet the eligibility criteria for property adaptations, or are existing Medway Council tenants with an adaptation in situ.

4 Legislation and Guidance

4.1 Legislation

- 4.1.1 Chronically Sick and Disabled Persons Act 1970
- 4.1.2 Disabled Persons Act 1986
- 4.1.3 Housing Act 1985 S.8
- 4.1.4 Equality Act 2010
- 4.1.5 Carers and Disabled Children Act 2000
- 4.1.6 Children Act 1989
- 4.1.7 Housing Grants, Construction and Regeneration Act 1996
- 4.1.8 Regulatory Reform (Housing Assistance) (England and Wales) Order 2002
- 4.1.9 The Community Care (Delayed Discharges etc.) Act 2003
- 4.1.10 Delivering Housing Adaptations for Disabled People: A Good Practice Guide (2006) DCLG
- 4.1.11 Lifetime Homes, Lifetime Neighbourhoods; A National Strategy for Housing in an Ageing Society
- 4.1.12 Care Act 2014

4.2 Guidance

- 4.2.1 Reference to major adaptations includes but is not restricted to:
- 4.2.2 Access to front or rear of property
- 4.2.3 Flush floor shower
- 4.2.4 Kitchen and bathroom alterations
- 4.2.5 Through floor lift and stair lifts
- 4.2.6 Multiple adaptations exceeding the cost of £30,000

5 The Policy

5.1 Occupational Therapy Team

- 5.1.1 Following a referral at the initial point of contact, Occupational Therapists will attempt to make an appointment to assess applicants within 4 to 12 weeks.
- 5.1.2 The Occupational Therapist or Social Care Officer allocated will work with the disabled person to establish their needs and may request permission to obtain medical advice to support this. Equipment and minor adaptations are advised before major adaptations are recommended. These decisions will be based on medical need and the impact on independence within the home such as access to facilities and their associated risks.
- 5.1.3 If major adaptations are needed the Occupational Therapists will contact the Disabled Adaptations Team (DAT). The DAT will work with Housing Services to establish whether the applying household is eligible for a Council property adaptation
- 5.1.4 Minor adaptations will still require an assessment by an occupational therapist to assess the tenant's need. If a need is identified, subject to funding, we will schedule these works as a routine 'non-urgent repair' which will be completed within 28 working days.

5.2 Eligibility

- 5.2.1 Eligibility for Council property adaptations includes but is not restricted to the below:
- 5.2.2 The disability of the applicant must have lasted or is likely to last for at least 12 months.
- 5.2.3 The applicant, their partner or member of their immediate family is a Medway Council tenant, who is permanently resident in the household. This will therefore not include lodgers as they are not part of the household and will therefore not have security of tenure.
- 5.2.4 The applicant, their partner or member of their immediate family has a disability which has a significant or serious long-term effect on their ability to carry out day-to-day activities in and around their home or access essential facilities within their home.
- 5.2.5 In cases where a child is disabled and the parents are separated, adaptation works will only be completed at the principal residence of the child.
- 5.2.6 Generally adaptations will be carried out where a secure or flexible tenancy is held by a tenant. Applications by tenants with an introductory tenancy will be considered by the Head of Housing Management.

5.3 Suitability

- 5.3.1 If a household is eligible for assistance, the Council will also consider a number of factors when assessing an application in order to establish

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the suitability of the property for the adaptation works. This includes but is not restricted to the below:

- 5.3.2 The age, design and structural condition of the property to establish whether the adaptation can be carried out safely without an adverse effect on the fabric of the property.
 - 5.3.3 The suitability of the property size for the household and the household's ability sustain their tenancy. The Council may consider offering a more suitable, alternative property in accordance with the Allocations Policy and contribute to any associated removal expenses.
 - 5.3.4 Whether there are competing needs of the household that need to be met in that particular property.
 - 5.3.5 The availability of the tenant's existing support network and carers.
 - 5.3.6 The tenant's intentions regarding the long term use of property.
 - 5.3.7 That the adaptations will meet the long-term needs of the tenant
 - 5.3.8 Whether external adaptations would adversely affect the area for other residents.
- 5.4 Refusing works
- 5.4.1 If a tenant's home is not suitable for adaptations or they are not eligible for assistance, Medway Council will give advice on alternative solutions.
 - 5.4.2 Applicants have the right to appeal decisions made using the Medway Council complaints procedure.
 - 5.4.3 In certain circumstances, despite a property being deemed as suitable and the applicant eligible, the council may refuse to undertake major adaptations. Every case will be considered on its individual merit; however these circumstances may include situations whereby:
 - 5.4.4 Individuals are waiting for medical procedures to improve their mobility. In such cases major adaptations may be delayed until their expected recovery is complete. Temporary or minor adaptations may be considered during this interim period. Where the applicant is waiting to be discharged from hospital and requires home alterations to enable them to live in their property, adaptations will be considered according to the individual merits of the case.
 - 5.4.5 The applying household has a live Right to Buy application for the property with the Council.
 - 5.4.6 The household is registered on the HomeChoice waiting list to transfer or exchange to an alternative property and it is likely that they will be rehoused.
 - 5.4.7 The household has expressed an intention to move within five years from the property for which they have requested adaptations.
 - 5.4.8 It is determined that the applicant is underoccupying the property (by reference to the Council's Allocations Policy) and where the applicant may be subject to the underoccupation size criteria housing benefit

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deduction. In cases where the Council refuse to carry out works as a result of underoccupation, it will make a reasonable offer of suitable alternative accommodation. Applicants may also be eligible for a financial incentive for downsizing through the Tenant Incentive Scheme.

5.5 Funding

- 5.5.1 If the application for an adaptation is eligible, the applicant can request assistance with costs from the Council.
- 5.5.2 The Disabled Adaptations Team will conduct a 'means test' with the applicant for funding and establish if the applicant is required to make a financial contribution towards the adaptation.
- 5.5.3 If the applicant is required to make a financial contribution to the adaptation works but cannot afford it they can apply for discretionary social care funding. This is a loan (which is subject to its' own terms and conditions of eligibility) for the works that are agreed to be 'necessary and appropriate' and 'reasonable and practical' under the legislation. All works agreed and supported for funding must receive written approval from Housing Services before starting.

5.6 Self funding

- 5.6.1 Medway Council tenants may be able to organise their own adaptations at their own expense. In all cases, the tenant must obtain written agreement from the Council before carrying out any alterations or adaptations to their property. The council will only refuse permission with good reason; any refusal will be set out in writing with full reasons.
- 5.6.2 The Council will advise tenants prior to approval of an adaptation that at the end of their tenancy they may be required to remove any adaptations and make good any damage to the property. Failure to do so will result in rechargeable costs to the tenants when the property becomes void.
- 5.6.3 Upon completion of a self funded adaptation a visit will be made to the property by a Building Inspector who will assess the standard of the adaptation. If the adaptation is deemed to be of Medway Council standard the Council may take on responsibility for the maintenance and repair of the adaptation for the duration of the current tenant's tenancy. The Council will inform the tenant in writing as to whether it will be the tenant's or the Council's responsibility to maintain and repair the self funded adaptation.
- 5.6.4 The Council will not generally be liable for any damage or injury caused by adaptations not installed by the Council.
- 5.6.5 At the end of a secure or flexible tenancy, tenants who have carried out self funded adaptations with the council's approval may be eligible for compensation in accordance with legislation (Housing Act 1985 Part 4 section 99A 'Right to compensation for improvements').

5.7 Housing management

- 5.7.1 If a property is already adapted and re let to a household that requires the adaptation, the new tenants will be offered a flexible tenancy (on the

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provision that the introductory term has been successfully completed) in accordance with the Tenancy Management Policy.

- 5.7.2 Prior to moving in, the council will establish whether an existing adaptation meets the incoming tenant's needs. Many adaptations are very specific to the individual and so may in fact, need to be decommissioned and/or removed during the void stage.
- 5.7.3 Where adaptations have been carried out to properties that do not negatively impact on incoming tenants they will not normally be removed at void stage. For example, where a bath has been removed and replaced with a level access shower, we will not replace it with another bath whilst the property is void.
- 5.7.4 The Council will not move or alter adaptations for cosmetic reasons once they are in situ. For example the Council will not remove grab rails whilst a tenant decorates a wall and reinstall them on completion of the tenant's decorative works.
- 5.7.5 Where a claim for succession is made for an adapted property and there is no statutory right for the applicant to succeed, consideration will be given to whether the applicant is in need of the adaptations in situ.
- 5.7.6 We will refuse applications for mutual exchanges if it is considered that the incoming tenant would be negatively impacted by the adaptations (the incoming potential tenant would not require them) and it would not be economical to remove existing adaptations.

6 Role, Responsibilities and Authority

- 6.1 The Assistant Director of Physical and Cultural Regeneration retains the overall responsibility for the implementation of this policy.
- 6.2 The Head of Housing Management is responsible for the operational delivery of this policy and the associated procedures. This includes responsibility for monitoring and review, staff awareness and training, policy development and communication to customers.

7 Monitoring, Review and Evaluation

- 7.1 This policy will be reviewed on a biennially basis or in line with legislative or regulatory changes.
- 7.2 We will carry out a post installation inspection of all works undertaken.
- 7.3 The Council will keep a register of adapted properties and service the equipment installed as per any legal requirements.

Cross References: Repairs Policy, Allocations Policy, Tenancy Management Policy, Mutual Exchange Policy

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Next review: May 2018

Lead Officer: Head of Housing Management