

Social and Affordable Housing Adaptation Policy

Contents

Introduction	2
Scope.....	2
Legal Matters	2
Context.....	2
Detail	2
Eligibility	3
The Application Process	3
Minor Adaptations (under £2,500 value)	3
Major Adaptations.....	4
Long Term Housing Needs.....	4
Mutual Exchange	5
New Lettings	5
Where we will not undertake an adaptation.....	5
Appeals.....	5
Review	5

1. Introduction

- 1.1 Fareham Borough Council are committed to providing accessible homes for our tenants with disabilities. The aim of this policy is to ensure that tenants with disabilities be provided with housing that best meets their assessed needs. This may be through adaptation of their existing accommodation or by providing options for more suitable, alternative housing.
- 1.2 This policy will also assist Occupational Therapists (OT) and other professionals to understand what adaptations can be made by the Council in its housing stock.

2. Scope

This policy relates to residential properties owned by the Council and let out pursuant to the powers under the Housing Act 1985.

3. Legal Matters

Context

- 3.1 This policy pays regard to the Council's Housing Allocations Policy 2019 and the relevant statutory requirements which include the following legislation:
- The 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)
 - Housing Act 1985
 - Human Rights Act 1998

Detail

- 3.2 Local authorities who are not a social services authority must consult with the relevant authority to satisfy themselves that any adaptation works are reasonable and practical, paying due regard to the age and condition to the property. Therefore, Fareham Borough Council will work with Hampshire County Council's Occupational Therapy Team, to assess the need and appropriateness of any adaptations.
- 3.3 In order to assess the suitability of any adaptations, the Council will consider the wider issue of providing homes to those in need. Therefore, the Council will not normally undertake any adaptations that may limit the future use of family homes. Where this occurs, the Council will support households to more suitable accommodation in line with their specific needs.
- 3.4 In order to assess whether the adaptations are reasonable, the Council may take into consideration the cost of the works. Should the construction type of the property result in excessive costs, or are not conducive to implementing adaptations, the Council will offer alternative housing that will meet the needs of the applicant.
- 3.5 Each case will be considered on its merits, paying due regard to the individual circumstances of the applicant and the property. The Council will also have due regard to its Public Sector Equality Duty pursuant to Section 149 of Equality Act 2010 when making any decisions under this policy.

4. Eligibility

- 4.1 To be considered eligible for an adaptation an individual must be:

- A Fareham Borough Council tenant, and/or
- A partner or member of their family who has been a permanent resident within the household for at least 12 months prior to the application.

4.2 The applicant or their family member must also have a physical or mental impairment which has a substantial and long-term effect on their ability to:

- Carry out normal day-to-day activities in or around their home
- Access essential areas such as cooking or toilet facilities

4.3 Under the Equality Act 2010 you have a physical or mental impairment if it has a 'substantial' and 'long-term' negative effect on your ability to do normal daily activities. A substantial effect means that daily tasks may take much longer than normal, long-term is categorised as being 12 months or more.

5. The Application Process

5.1 In the first instance, applicants need to contact Hampshire County Council's Occupational Health Team who will undertake an OT assessment on eligible individuals prior to any further decision being made. Applicants can contact the OT on 0300 555 1386 or adult.services@hants.gov.uk.

5.2 The OT will assess the applicants' needs and provide specialist advice on:

- Getting in and out of your home
- Managing the stairs
- Getting in and out of chairs and beds
- Using the bath or shower
- Managing kitchen activities

5.3 The OT will provide a copy of the assessment and recommendations to the Council. Any actions will be categorised according to type, minor adaptations or major adaptations. The procedures for these are set out in sections 6 and 7.

5.4 An applicant may also contact the Council's Responsive Repairs team for some minor adaptations who will follow the advice from an OT, as required.

5.5 Before implementing adaptations, the Council will discuss with the applicant the long-term suitability of the property in relation to their broader needs, especially where a series of adaptations have been fitted. Should it be determined that the adaptations cannot be undertaken due to physical constraints of the building or unreasonable costs then a move to alternative accommodation may be required, the Council will fully support the household in finding a home in a location suitable to their individual requirements. Further information is set out in section 8.

6. Minor Adaptations (under £2,500 value)

6.1 Minor adaptations include, but are not limited to:

- Access ramps
- Grab rails
- Shower seats
- Lever taps
- Straight stairlifts

6.2 We aim to complete installation within 3 months of receiving the report from the OT.

7. Major Adaptations

7.1 Major adaptations include, but are not limited to:

- Level access showers
- Wet rooms
- Widening doors
- Curved stairlifts

7.2 The Council will generally only complete major works where they have been identified as necessary, appropriate, reasonable, practical and will meet the needs of the applicant. Each case will though be considered on its own merits. The following will be taken into account in making this decision:

- The availability of suitable alternative accommodation that could be offered to the applicant if the applicant was agreeable to this option
- The applicant's wider physical health needs and the length of time they are likely to remain in the property
- The construction of the property and whether it is suitable for building alterations
- The total value of the proposed adaptation. This cost should generally not exceed the maximum value of an equivalent Disabled Facilities Grant
- Whether the household is under occupying their accommodation
- Any unacceptable health and safety risks associated with the desired adaptations

7.3 Vehicular access ways and hard standings will generally only be installed where the availability of parking is limited in relation to the applicant's entrance door. This may depend on the mobility of the tenant or a member of their family who is disabled. This will also be subject to Hampshire Highways providing permission for highway crossovers, and in some cases, they may withhold consent.

7.4 Where required, the Council will be responsible for the annual servicing of equipment.

7.5 We aim to complete installation within 6 months of receiving the report from the OT, unless it is a more complex adaptation such as an extension to a property. This will exclude the timeframe required to gain any required planning permission.

8. Long Term Housing Needs

8.1 To ensure the long-term needs of the household are fully considered, the Council will use the advice provided by the OT and the procedures as set out in the Allocations Policy and to make a best-match, direct housing offer. The Allocations Policy states that the Council will make every effort to match any preference expressed by the applicant and the suitability of the property. Therefore, the complete requirements of the household will be taken into consideration to ensure a best match for long-term needs. In some cases, the Council may also assist with moving costs.

9. Mutual Exchange

9.1 Where a tenant applies for a mutual exchange, the properties (if moving within the Borough) will be assessed for suitability. The Council will engage an OT in this decision where both parties require an adaptation.

9.2 The Council may refuse an exchange in accordance with the Grounds laid out in Schedule 3 of the Housing Act 1985.

9.3 Where a property has had major adaptations implemented an exchange will only be approved if the other party has an identified need for these adaptations.

10. New Lettings

10.1 To ensure adapted homes are available to those in need, the Council will generally not remove any disabled adaptations when the property becomes empty. The preference will be to let to another household who needs the particular type of adaptation. There may be occasions where an adaptation cannot be used by the incoming tenant, where this is the case, it will be removed free of charge by the Council.

11. Where we will not undertake an adaptation

11.1 Unless exceptional circumstances apply, we will generally not undertake any adaptations to a property if:

- The household is under occupying or is overcrowded in their property
- The household is awaiting a move to another property and the move is likely to be imminent
- The costs of the adaptations exceed £30,000 to reflect the disabled facilities grant¹ (or as per any increase to this fund)
- The property cannot be adapted to meet the household's needs due to the physical constraints of the property, land or adjacent buildings, boundaries, Highways paths or other such constraints
- The adaptation is unreasonable, prohibitive or not practicable and the costs override the wider benefits
- The applicant's condition is such that further adaptations will be required over time and the property will not be able to continue to meet the household's needs
- The adaptation would place others at risk

11.2 All applications will be considered on an individual basis and will take into account the tenants and their disabled family members' wishes and feelings.

12. Appeals

12.1 In the event that an applicant wishes to appeal against the decision to refuse an adaptation, they may write to Senior Management within the Housing Department, the Head of Housing Delivery or the Head of Housing and Benefits. The case will be reviewed, and a decision will be made within 21 days.

13. Review

13.1 This policy is intended as a working document and will be reviewed as and when new legislation is introduced.

¹ A grant issue by the Council to help disabled people in private sector housing to carry out essential adaptations to their homes so that they can live more independently.