

INTRODUCTION

The purpose of this document is to set out Tendring District Council's policy with regard to disabled adaptations to Council owned property in compliance with the Equality Act 2010 and the Chronically Sick and Disabled Persons Act 1970.

TDC will maintain procedures to ensure the application of this policy.

OUR AIM

Tendring District Council is committed to assisting tenants living in Council owned accommodation (or permanent members of their household) to maintain their independence, privacy, confidence and dignity when their homes become unsuitable for their needs. That assistance may be in the form of disabled adaptations or assistance to transfer to more suitable accommodation.

From this point forward such persons this policy affects will be described as tenants.

WE WILL

- Provide physical adaptations where reasonable and practicable.
- Provide advice on alternative housing options.
- Refer Tenants to Social Services or other agencies that can provide appropriate support or advice on care services or equipment.

In furtherance to this commitment and in order that there is an adequate supply of accommodation suitable for people with physical disabilities, the Council will:

- Work to ensure that a proportion of all new-build affordable housing is barrier free or meets mobility standards so that it is accessible to people with physical disabilities.
- Work to ensure that, where possible, an element of future housing is built to 'Lifetime Homes' standard to enable Tenants with changing needs to remain in their homes and fit adaptations as necessary for their needs.
- Liaise with other local landlords to identify properties in the area that are suitable for people with support needs.
- Identify and maintain a register of Council properties that:
 - Are suitable for people with support needs, such as properties built or adapted for older people or to wheelchair or mobility standards.
 - Would be suitable for adaptations when vacant and are part of a supported housing scheme.

- Advise Tenants with support needs of the range of housing options available to them so that they can make informed choices as to what type of housing they want.
- Wherever feasible, include improvements in council housing sheltered schemes (benefiting a number of Tenants) for people with disabilities when undertaking the improvement programmes, e.g. lift access, provision of a communal adapted bathroom, improved access to the schemes.
- Adapt existing council properties where reasonable and practicable to provide access to appropriate essential facilities.

POLICY FOR ADAPTATIONS TO COUNCIL OWNED DWELLINGS

The remainder of this policy concentrates on the circumstances in which the Council will provide physical adaptations to individual properties or assist Tenants to move to suitable alternative accommodation.

ELIGIBILITY

The Council will, where possible, resource works for those secure tenants who are registered or able to be registered as disabled upon the recommendation of an Occupational Therapist (OT) or member of the OT Bureau under the supervision of an OT.

Qualifying adaptations in general includes the following:

- Making a property safe for the disabled person and other occupants. This includes provision for those with sensory impairment and behavioural difficulties.
- Improving access to and from the property.
- Making access easier to the living room, bedroom, kitchen and bathroom.
- Providing suitable kitchen, bathroom or sleeping facilities.
- Adapting heating or lighting controls to make them easier to use.
- Making provision around the home that will help the disabled person to care for someone living with them who is dependent on their care.

The Council will only consider adaptations if the OT has assessed the household's situation and recommended that the works are both **necessary and appropriate** given the nature of the dwelling.

UNDERTAKING THE WORK

Following an assessment, if the OT recommends that adaptations are necessary then, provided the work is deemed **reasonable and practicable** and an appropriate

application has been made, the Council will arrange for all minor adaptations, i.e. those up to a value of £1000, to be carried out within two months of the acceptance of the OT assessment. All major adaptations, over the value of £1000, will be completed in strict date order.

All of the above work is subject to the necessary funds being available and the impact on other performance indicators set for the Council.

The Council will complete the work within the appropriate time-scale, and:

- Where budgets permit, complete the works set out in the OT recommendations.
- Arrange for specification and costing of works.
- Work closely with the OT's to explore all possible avenues to meet the Tenant's needs.
- Expect the Tenant to move, where there is a suitable adapted or adaptable property available at the time of the assessment or that could be reasonably expected to become available within one year.
- If the property is under occupied, expect the tenant to move, where there is a suitable adapted or adaptable property available, or that could reasonably be expected to become available within one year.
- With the more complex cases arrange joint visits between the Council Special Needs and Technical Officers and OT to discuss all available options to the Tenant.
- The Council will record all major disabled adaptations on the stock condition database. Wherever practical, this information will be utilised to ensure that full use is made of existing facilities by targeting suitable adapted properties or applicants with matching mobility or other needs.

In all cases the Council and the OT will work together to ensure that:

- Cases are assessed fairly and equally.
- Exceptional needs are taken into account.
- Public money is used responsibly.
- Budgetary issues that may affect service delivery are communicated promptly.
- There is close liaison on individual cases and alternative options to meet the Tenant's needs are considered.

Where slippage occurs, due to funds not being available, the work will be completed in strict date order, unless identified as critical by the OT.

CIRCUMSTANCES IN WHICH WORK WILL NOT BE CARRIED OUT

If it is deemed that it is not **reasonable and practicable** to adapt the property the Tenant will be requested to consider transferring to a more suitable property.

The decision as to whether or not it is reasonable or practicable to undertake the work will take account of factors such as:

- The extent to which the existing home is capable of being adapted.
- The cost of the work in relation to the benefit.
- The availability of suitable alternative accommodation.
- The degree of occupation within the premises.
- The extent to which the tenant complies with the conditions of tenancy.

The final decision will be made by the Council.

For example, it will be deemed as not reasonable or practicable for disabled adaptation works to be carried out in the following circumstances:

- In a two or three bedroom family dwelling where under occupation exists and there is suitable alternative accommodation currently available or could be reasonably expected to become available within one year. In exceptional circumstances, where a move would be detrimental to health, the recommendation will be considered following further discussion with the tenant and OT service.
- Where the requirement is to provide an additional bedroom, bathroom or living room and suitable alternative accommodation is available or could be reasonably expected to become available within one year.
- Where undertaking adaptations for an individual would be detrimental to or significantly change or impact on communal facilities or similar public areas such as open spaces, verges, greenswards, trees or the like.
- Where the works would affect the ability of the Council to let the property in the future.
- Where major works are requested for Tenants with terminal illnesses. Before deciding to carry out work, the Council will have regard to the prognosis of the tenant in consultation with the OT's. If the prognosis is poor, minor works will be carried out instead very quickly, if budgets permit.
- Where major alterations are required to a property already in need of major repairs.

- Where the Council is seeking possession of the property because the tenant or member of the household is guilty of unacceptable behaviour which is so serious that it makes them unsuitable to be a tenant of the Council.
- Where the Council is seeking possession of the property due to rent arrears.
- Where a Tenant with existing needs carried out a mutual exchange from an adapted or suitable property to one that would require major adaptations.
- Where there is no budget for works.
- When the tenant has an active application for re-housing
- Works will not be carried out to provide accommodation or storage for mobility scooters except for the provision of an electrical socket for charging.
- The Council will not pay for ceiling track hoists or associated equipment, but will consider alterations to a property to accommodate these.
- Adaptations to a garden area (e.g.fencing).

Where it is deemed not reasonable or practicable to carry out the adaptations in a particular property, minor works to ensure the health and safety of the disabled person will be considered.

ASSISTANCE FOR TENANTS TRANSFERRING TO MORE SUITABLE ACCOMMODATION

Tenants who need adapted housing and who are willing to move to a suitable alternative property will be given priority for a transfer and, if applicable, assistance with moving in accordance with the Council's Under-Occupation Transfer Incentive Scheme. The aim is to enable the tenant to move within one year of the OT assessment.

In all cases, the OT will be invited to view the new property prior to acceptance of a tenancy.

FUTURE USE OF ADAPTED PROPERTIES

Wherever possible, the Allocation process will seek to allocate properties to make the most appropriate use of any adaptation. It is, however, recognised that pressure on keeping homes empty for the minimum amount of time and the difficulty of matching an individually specified adaptation to another disabled person sometimes makes this difficult to achieve.

Where it is necessary for a new tenant who is not disabled to move into an adapted property, level access showers or low level baths will usually not be removed.

EQUALITY AND DIVERSITY

We are committed to giving a fair and equal service to all and this means that we will not treat individuals differently because of age, disability, gender reassignment, marriage or civil partnerships, pregnancy or maternity, race, religion, sex or sexual orientation.

All Tenants will have access to this document on request or via our website. Documents can be translated or provided in alternative formats on request. The council is required to carry out an Equality Impact Assessment of this policy to make sure that it does not have a negative impact on different sections of the community. A copy of this assessment can be downloaded from the Council's website www.tendringdc.gov.uk

CUSTOMER SATISFACTION

Following the completion of adaptations, tenants will be sent a questionnaire concerning their satisfaction with the works carried out and how the adaptations have improved their daily lives. A copy of the questionnaire is attached to this policy as Appendix 1. The questionnaires will be subject to a review by members of the Tenants Scrutiny Panel.

EXCEPTIONS TO POLICY

It is recognised that any Policy is unlikely to take account of every individual situation. Each case therefore, needs to be considered on its merits and this policy used as guidance for officers. In cases where officers consider that a decision should be made outside this policy, they will be referred to the Head of Housing, who will determine the outcome in consultation, if necessary, with the Corporate Director for Operational Services or the Portfolio Holder for Housing. Every application by a Tenant for disabled adaptations will be decided as an individual case on its own merits and the above policy guidelines will not prevent the Council from using its own discretion with regard to an individual case.

KEY SERVICE STANDARDS

The Council is committed to providing a high quality service within the resources available. There is no national performance indicator relevant to this policy but, locally, the following key service standards will apply:

Disabled adaptations of a minor nature under £1000:

- Work will be undertaken within two months of receipt of OT recommendations, subject to sufficient capital resources being available and the availability of contractors.
- Where such resources are not available, Tenants will be advised within 10 working days of the approximate waiting period.

For disabled adaptations requiring major works that are deemed reasonable and practicable and are over £1000, the Council will:

- Aim to complete all works within one year or more urgently if critical need is identified by the OT. The OT will be made fully aware of cases where this cannot be met.

All service standards will be included in the information provided to Tenants and potential Tenants.

APPEALS

We always try to provide the best service that we can, but accept that sometimes mistakes or delays do occur. If you are not happy with something we have done or not done, you should initially contact the Senior Housing Renewal & Adaptations Officer, thereafter use the [Corporate Complaints Procedure](#).