

Update: Aids and Adaptions in Council Homes Policy

Report of: Head of Housing

Purpose: For decision

Publication status: Unrestricted

Wards affected: All

Executive summary:

The Aids and Adaptions in Council Homes Policy was substantially rewritten in 2020 and was adopted in its current form in November 2020.

Members requested that the Policy was reviewed post implementation to ensure that the Policy was working effectively and there were no unintended impacts.

Staffing capacity due to vacant posts and the Future Tandridge Programme (FTP) restructure necessitated delaying this report until the service review had been concluded and new structure was in place.

There are also some minor adjustments required which would further enhance the Policy, as well as reflecting the Council's new organisation structure.

This report supports the Council's priority of: Creating the homes, infrastructure and environment we need.

Contact officer Jane Ellis, Grants and Adaptions Manager
jellis@tandridge.gov.uk

Recommendation to Committee:

That it be recommended to Council that the minor amendments put forward are agreed.

Reason for recommendation:

Members requested that the Policy was reviewed by Officers post implementation to ensure that the Policy continues to enable the Council to fulfil its duties towards vulnerable and disabled people effectively and that there were no unintended or unforeseen consequences as a result of adopting this policy.

Introduction and background

- 1 The Aids and Adaptions Policy was adopted in November 2020. This Policy is key to ensuring that the Council tenants with disabilities are supported to have access to reasonable adjustments to enable them to live safely and independently in their home.
- 2 Although major and minor adaptions in Council homes are funded from the Council's own budgets, the Policy has to comply with the provisions of the Housing Grants Constructions and Regeneration Act 1996 and associated caselaw which handles the administration of Disabled Facility Grants funding for adaptions in private sector and housing association homes.
- 3 Officers have now reviewed the Policy and recommend some minor clarifications based upon delivery experience. The main purpose of these changes is to better manage our tenant's expectations, to make best use of Council housing stock and to form the basis of our operational processes.
- 4 Following the Future Tandridge Programme (FTP) throughout the document all references to:
 - "Executive Head of Housing" are to be replaced with "Head of Housing";
 - "Community Surveyor" are to be replaced with "Grants and Adaptions Manager";
 - "Senior Resident Support Specialist (Housing Management)" to be replaced with "Landlord Services Manager";
 - "Resident Support Lead Specialist" are to be replaced with "Housing Needs Manager".
- 5 The Council's Housing Strategy "A Place to Call Home" expires in 2023 and so direct references to this strategy need to be removed in para 1.2 to prevent the Policy going out of date quickly.
- 6 As set out at para 5.4 of the Policy, Officers have taken steps to develop maintenance programmes which improve accessibility to homes for disabled people in order to provide best value for money, provide a better tenant experience and to reduce pressure on the Council's internal budget for adaptions.
- 7 A specification has been developed and priced to provide an accessible bathroom which meets the widest range of need as standard. Where there is a bathroom refurbishment programme in sheltered housing, the

Council's Surveyor's will offer the tenant the choice of a like for like bathroom replacement or the tenant may choose to have an accessible wet room installed instead, comprising of a level access shower, slightly raised WC, tiling that assists those that are visually impaired and a wall hung wash basin with level arch taps. This standard specification wet room can be installed as the tenant's preference, without the need for an Occupational Therapy report. If specialised adaptations are needed, advice would be sought from an Occupational Therapist at Surrey County Council. The accessible wet room will then be funded from the comprehensive improvement budget identified for the refurbishment programme rather than the aids and adaptations budget. This will enable more people to be assisted.

- 8 It is not desirable to offer this level of tenant choice to those living in general needs housing as due to the levels of under occupation in family homes, it can prevent best use of housing stock. The Council is better enabled to manage its housing stock by offering those in general needs housing who are under occupying, an alternative smaller property and having the adaptations they need installed there instead. Three bedroom homes are in particularly acute demand in the district with those on the housing register waiting for approximately four years to achieve rehousing. Therefore, it is imperative that the Council is able to utilise the existing stock of family homes as effectively as possible.
- 9 To make this clearer in the Policy, it is suggested that the wording at para 5.4 is amended as follows:

"The Council is committed to maintenance programmes that improve accessibility as this should reduce the pressure on the Council's internal budget for adaptations. An example of this would be where tenants in sheltered housing are offered the choice to replace their existing bath with a standard specification wet room containing a level access shower during the bathroom refurbishment. When offered as part of a bathroom refurbishment programme a wet room can be provided at the request of the tenant, without needing an Occupational Therapist report. Where specialist adaptations are needed an OT's report will be needed. The Council will seek to consider this in any re-procurement of appropriate contracts.

This standard specification wet room containing a level access shower is not routinely provided in general needs housing which is underoccupied as part of a bathroom refurbishment programme. In these cases, an Occupational Therapist report is required as it is usually more appropriate for the tenant to move to an alternative, smaller home more suited to their needs and have bathroom adaptations installed there instead. Where there is under occupation in general needs housing and the tenant would like to have a wet room installed as part of a bathroom refurbishment programme, each case will be considered on its merits by the Adaptions Panel."

- 10 The drafting of para 9.4 needs to be improved to explain that the Officers consulted form the Adaptions Panel and that they will also consider whether landlords consent for any adaptions will be granted.
- 11 The Council is extremely careful how it responds to the needs of its disabled tenants and ensures that all decisions concerning vulnerable and disabled tenants are made lawfully and with great sensitivity. To this end, the operation of the Adaptions Panel which decides whether or not landlords' consent for adaption works will be granted has been subject to close scrutiny. Further specialist legal advice has been sought on the operation of the Panel to support decision making in this regard. This advice has confirmed that the Panel is a legitimate way of making these decisions and that in some cases it may be defensible to refuse landlords consent for adaptions. The advice has also clarified further the steps the Council should take when deciding to refuse works under this policy which will enhance the audit trail in place to support decisions of this nature, ensuring any decision to require a tenant to move home is as defensible as possible.
- 12 It is therefore suggested that para 11.4 of the Policy be extended to say:

“Consideration will also be given on a case by case basis to requesting that the tenant transfer to a more suitable property. This request will be made in consultation with the tenant/disabled person to assess the impact of moving on the disabled persons health, condition, and individual circumstances to ensure that it will not have a serious adverse effect on them. The Council will be sensitive to people who have lived in their homes for a long time, to ensure that moving is in their best interests and support their long-term needs, well-being, and continuity of care. An Equalities Impact Assessment will also be completed by the Panel in relation to any decision not to agree to adaptions being installed.”
- 13 More generally the Policy has been well received by professionals, particularly the Adult Occupational Therapy at Surrey County Council who advice that the Policy provides much needed clarity and is easy to follow.
- 14 There have been no successful formal or ombudsman complaints relating to this Policy to date.

Consultation

- 15 There is no requirement to consult on these minor changes to the Policy.

Key implications

Comments of the Chief Finance Officer

There are no additional revenue or capital costs associated with the report. Applicable officer time has been built into the budgets for 2023/24.

Comments of the Head of Legal Services

The Aids & Adaptations Policy is key to ensuring that tenants with disabilities are supported to have access to facilities as set out by medical and related professional opinion, in accordance with individual need and ability to continue living in their home. It is therefore necessary to ensure that the current Policy addresses all the Council's legal obligations and reflects any changes in caselaw.

Equality

There are no negative equality impacts as a result of this report. The provision of aids and adaptations to disabled and vulnerable Council tenants promotes equality of opportunity.

Climate change

None

Appendices

Appendix 'A' - Aids and Adaptations Policy in Council Homes

Background papers

Housing Committee minute 183, Thursday 19th November 2020

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