

This Report will be made public on 6 December 2022



Report Number **C/22/68**

**To:** Cabinet  
**Date:** 14 December 2022  
**Status:** Non key  
**Responsible Officer:** Andy Blaszkowicz, Director of Housing and Operations  
**Cabinet Member:** Councillor Godfrey, Cabinet Member for Housing, Transport and Special Projects

**SUBJECT: HOUSING DISABLED ADAPTATIONS POLICY**

**SUMMARY:** The following report sets out the rationale for the adoption of a new policy, to assist in the management and administration of housing adaptations to Folkestone & Hythe District Council tenants.

**REASONS FOR RECOMMENDATIONS:**

The Disabled Adaptations service was scheduled for review in 2022, as part of the Housing Service's policy development and review programme. As a result, a new policy has been written and is being presented to Cabinet for approval.

The Council has certain obligations within housing legislation in relation to providing a fair and managed adaptations service that supports the needs of our disabled tenants. These are set out in the report that follows.

**RECOMMENDATIONS:**

- 1. To receive and note report C/22/68.**
- 2. To approve the adoption of the appended Disabled Adaptations Policy**

## **1. BACKGROUND**

- 1.1 The Regulatory Framework for Social Landlords (Home Standard 2.2.2) states that “Registered Providers shall co-operate with relevant organisations to provide an adaptations service that meets tenants’ needs.”
- 1.2 The purpose of this policy is therefore to enable the Council to adopt, wherever possible, a consistent approach to the management and administration of disabled adaptations across its Housing Revenue Account (HRA) housing portfolio.
- 1.3 This policy sets out the parameters within which the Council, and more specifically the Assets and Major Works team, will operate, alongside Kent County Council Occupational Therapists (OTs), Social Care Services and other relevant professionals.
- 1.4 In addition, the Equality Act 2010 ‘Duty to make Reasonable Adjustments’ applies to the Council as a housing landlord and, in the case of adaptations, arises if the Council receives a request from, or on behalf of, a tenant to make an adjustment.
- 1.5 Under the Equality Act (Section 20, (3) and (5),) the Council is therefore required to provide, upon request: auxiliary aids and services, or change its provisions, criteria or practices where, but for the provision of these, the disabled person would be put at a substantial disadvantage.
- 1.6 There is no legal requirement under the Equality Act for the Council to make any changes which would consist of or include the removal or alteration of a physical feature of the property. However, it is good practice for social housing landlords to align their adaptations offer with the equivalent Disabled Facilities Grant (DFG) scheme in the private sector, in order to provide a comparable service to disabled tenants across all housing tenures.
- 1.7 The appended policy will act as a guide for our officers (as well as OTs and other trusted assessors) providing clarity on what we are able to assist with, as well as what restrictions there are, in terms of adapting a tenant’s home. The cost of adaptations and suitability of accommodation are relevant factors in determining the best course of action.
- 1.8 Housing adaptations for F&HDC tenants are funded from the Housing Revenue Account (HRA). In 2021-22, we spent £529,816 of our £565,000 budget for the year (94%). Our current spend for 2022-23, as at 30 November 2022, is £142,541 (32%) against a budget of £450,000 for the whole year, which we are projected to fully spend.
- 1.9 The main stakeholders (and beneficiaries) of this policy are F&HDC tenants with a disability that require adaptations to their home to meet their specific needs and have had/are eligible for an assessment by an Occupational Therapist (OT) or another trusted assessor.

- 1.10 The overarching aim of the appended policy is to improve the quality of life for our disabled tenants and promote independent living. Secondly, to operate a service that offers suitable, practical, and cost-effective solutions that best meet tenants' assessed needs.

## 2. CONSULTATION

- 2.1 The appended policy has undergone consultation internally with operational housing managers and staff within the Tenancy, Neighbourhoods, Supported Housing, Compliance and Assets and Major Works teams. Externally we have sought the views of tenants through the Council's Strategic Tenants Advisory Panel (STAP) and Kent County Council's Occupational Therapy (OT) Team.
- 2.2 As a result of the consultation, clarity has been sought on the conditions of eligibility including specific restrictions that may apply, and the circumstances under which an adaptation may or may not be granted, or where alternative solutions may be considered. Clarity on timescales and categories for work, were also sought and provided. Amendments were also made to ensure practices aligned with latest DFG guidance and the roles of both the Council and OTs more clearly defined.

## 3. OPTIONS

- 3.1 Approve the policy as appended to this report without further amendment
- 3.2 Approve the policy with any additional changes or recommendations from Cabinet
- 3.3 Do not approve the policy

This policy has been written in line with relevant housing legislation and is believed to be compliant and consistent with best practice within the housing sector. Adoption of this policy is therefore recommended.

## 4. RISK MANAGEMENT ISSUES

- 4.1 A summary of the perceived risks follows:

Perceived risk	Seriousness	Likelihood	Preventative action
Not having a clear policy to manage adaptations work	Medium	Low	Adopt a policy that aligns with best practice
The policy is not monitored or fit for purpose	Medium	Low	Ensure the policy is regularly reviewed in line with changes in

			legislation, funding, or practice
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## **5. LEGAL/FINANCIAL AND OTHER CONTROLS/POLICY MATTERS**

### **5.1 Legal Officer's Comments (NM)**

The policy requires formal adoption in order to satisfy the requirements of individual Acts of Parliament/ Statutory Instruments and this includes revision or review of such policies.

### **5.2 Finance Officer's Comments (ST)**

No financial information is included within the body of this report but any increases to future budgets to accommodate additional spend would need to be approved under the normal growth & savings process.

### **5.3 Diversities and Equalities Implications (GE)**

There are no equality and diversity issues directly arising from this report. The Housing Disabled Adaptions Policy is designed to improve the quality of life for disabled residents, promote independent living and help the service provide solutions that meet tenants assessed needs. This new policy has been subjected to an Equality Impact Assessment (EIA) and the assessment has concluded there are no negative impacts of implementing this policy.

### **5.4 Climate Change Implications (AT)**

The Housing Disabled Adaptions Policy would have a positive social impact by supporting tenants to live in their existing homes, wherever practical.

The impacts of the policy on emissions from construction and building operations (e.g. energy and water use) would be dependent on the specialist equipment and construction materials used (e.g. stairlifts, showers, baths) which would need to be selected according to the individual needs of the tenant and the construction and layout of the house or flat.

Overall, the policy is designed to make best use of the available housing stock by adapting buildings to tenants' changing needs and so would have a positive impact on reducing waste.

## 6. CONTACT OFFICERS AND BACKGROUND DOCUMENTS

Councillors with any questions arising out of this report should contact the following officer prior to the meeting

**Andy Blaszkowicz, Director of Housing and Operations**

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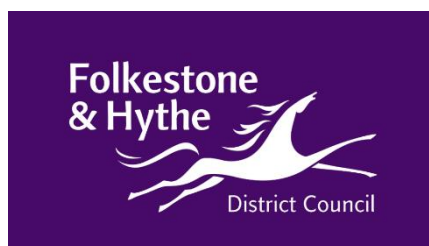
The following background documents have been relied upon in the preparation of this report:

***(Note: only documents that have not been published are to be listed here)***

**Appendices:**

Appendix 1: Housing Disabled Adaptations Policy

Appendix 2: Equality Impact Assessment



## DISABLED ADAPTATIONS POLICY (HOUSING)

Date of policy	Oct 2022
Date for review	Oct 2025
Policy author	Roy Catling, Assets & Development Lead Specialist
Policy owner	Roy Catling, Assets & Development Lead Specialist
Approved by	Scheduled for Cabinet 14 Dec 2022
Risk register rating	Medium
Associated documents	Repairs and Maintenance Policy

<b>Revision history</b>			
Version	Date	Revision description	Revision author
0.0	August 2022	New	Roy Catling
0.1	September 2022	Re-draft after consultation with staff	Roy Catling Mick Hale Jonathan Hicks
0.2	November 2022	Re-draft after further consultation with STAP and OTs	Roy Catling Mick Hale Jonathan Hicks

<b>NEW POLICY / POLICY REVIEW</b>	
New policy	Yes
Early review – change in legislation	
Early review – significant changes in practice	
Review due – significant changes	
Review due – cosmetic changes or unchanged	
Other reason	
<b>Reason for new policy / summary of changes</b>	
New policy to support the wider Repairs and Maintenance policy; to assist FHDC in the effective delivery of housing adaptations to disable tenants.	

**CONSULTATION**

List of people/roles who have been consulted	Date
Chief Officer Housing	Aug 22
Housing Ops Lead	Aug 22
Neighbourhood Management Senior Specialists	Aug 22
Case Management Lead Specialist (Place)	Aug 22
Tenant Services Lead Specialist	Aug 22
Supported Housing Senior Specialist	Aug 22
Compliance Senior Specialist	Aug 22
Assets & Major Works Senior Specialist	Aug 22
Leasehold Management Senior Specialist	Aug 22
Strategic Tenant Advisory Panel (STAP)	Sep 22
KCC Occupational Therapy (OT) Service	Oct 22

**EQUALITY IMPACT ASSESSMENT****Completed****Date**

	YES	07/11/2022
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**DISSEMINATION**

Role	Awareness	Essential
Neighbourhood Surveyors		x
Neighbourhood Officers		x
Case Management		x
Tenant Services		x
Independent Living Mgrs.		x
Compliance Specialists		x
Assets & Major Works Surveyors		x

**TRAINING**

Role	Trainer	Date completed

**MONITORING AND COMPLIANCE**

Method	Responsibility	Frequency

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# Introduction

## 1. Purpose of the policy

- 1.1 The purpose of this policy is to, wherever possible, adopt a consistent approach to the management of disabled adaptations across the HRA housing portfolio of Folkestone & Hythe District Council (hereafter referred to as 'the Council').
- 1.2 This will be achieved through:
  - Greater focus on supporting tenants to meet their long-term housing needs, by providing the most appropriate adapted homes for them
  - Providing financial assistance to support tenants with the costs of relocating where applicable
  - Ensuring that best use is made of adapted properties within our housing stock and that these are let to those in greatest need
  - Ensuring the available budget for adaptations is used effectively

## 2. Policy objectives and scope

- 2.1 The primary objective of this policy is to enable the Council, within the financial and legislative constraints applicable to social housing, to identify housing solutions which best meet the assessed needs of tenants with disabilities.
- 2.2 This policy sets out the parameters within which the Kent County Council Occupational Therapist Team and the Council will operate. The scope of this policy extends to all tenants of the Council that have a disability and have had/are eligible for an assessment by an Occupational Therapist (OT).
- 2.3 The policy will also act as a guide to OTs and other professionals (including Council officers) providing clarity on what we are able to assist with in terms of adapting a tenant's home.
- 2.4 Through the implementation of this policy, we aim to operate a service that offers suitable, practical, and cost-effective solutions that best meet tenants' assessed needs.
- 2.5 The key principles of this policy are to:
  - provide a seamless service that puts tenants at the heart of the process
  - offer a range of options for tenants that are both achievable and realistic
  - find the best possible solution for tenants to meet their individual needs
  - operate legally and according to best practice
  - operate within the available budget and provide value for money
  - minimise waiting lists and waiting times
  - measure the impact of this policy in terms of real outcomes
  - work with the allocations team to make best use of the housing stock
  - ensure adaptations take into consideration any other Disabled Facilities Grant (DFG) application or provision
- 2.6 It is also a key aim of this policy to ensure that no tenant waits longer than 12 months for a 'Major' adaptation and no longer than 3 months for a 'Minor' adaptation to be progressed.

### **3. Legal/regulatory framework**

3.1 In determining this policy, regard has been given to the relevant statutory provisions and requirements as set out in the following:

- The Housing Act 2004
- The Housing and Regeneration Act 2008
- The Equality Act 2010
- The Care Act 2014
- The Children and Families Act 2014
- The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015

### **4. Definitions**

4.1 The Equality Act 2010 defines a person with disabilities as someone who has a physical or mental impairment which has a substantial and long-term adverse effect on his or her ability to carry out normal day-to-day activities.

4.2 A 'long-term adverse effect' specifically refers to disabilities that:

- have lasted for at least 12 months
- the effects of which will last for at least 12 months
- are likely to last for the remainder of a person's life

4.3 The Occupational Therapist is required to confirm that all three of the above criteria for disabilities apply to each assessment submitted to the Council for consideration.

## **The Policy**

### **5. Adaptation Process Overview**

5.1 For adaptation work to be carried out, tenants must request a referral to an Occupational Therapist (OT) approved by KCC Social Services. The OT will assess the level of disability need and, if applicable, make a referral to the Council. In some cases, the OT will request a joint visit with a Council Officer to consider the feasibility of a proposal they may wish to recommend.

5.2 Minor adaptations (see 5.4 below) may be requested directly by the tenant or other healthcare professional, with work being agreed at the discretion of the Assets and Major Works team at the Council.

5.3 Each case will be individually assessed on its own merits and the Council will decide what is reasonable, taking account of the need to make housing available to a wide range of people in need, over the long term.

5.4 The Council will categorise assessments as follows:

- **Minor Adaptations** - Works costing £1,000 or under and stairlifts up to £5,000 are considered routine and are progressed in referral date order within 3 months of receiving the referral from the OT.
- **Major Adaptations** - Works over £1,000 are sub-categorised by the OT as either 'critical' or 'substantial'. These are reviewed monthly with 'critical' taking higher priority:
  - 'Critical' major works will be carried out as soon as possible and are intended to be progressed within 6 months.
  - 'Substantial' (and therefore not critical) major works will be put on a waiting list and carried out the order in which the referral was received by the Council; these works intended to be progressed within 12 months.

5.5 This policy supports the best use of financial resources and property assets. This may result in adaptations being declined where the assessed needs cannot be met within the tenant's current home because either:

- the financial cost of the adaptation involved is too great; and/or
- the adaptation may potentially have a detrimental impact on the future use of the property; and/or
- the practical difficulties of adapting the property are outweighed by alternative solutions which may be more suitable for the tenant.

For a full explanation of limitations see section 16 below

## 6. Tailored solutions

6.1 It is recognised that tenants with disabilities will sometimes require specific, tailored solutions to meet their individual needs. Any adaptation work will therefore only be undertaken after careful consideration of a range of factors including:

- The current and future needs of the tenant(s) and their household
- The individual tenant's level of disability
- Professional assessment/recommendations of healthcare professionals
- Characteristics of the dwelling, its construction and internal arrangement
- Planning and building regulation requirements and legislation
- Budget provision and long-term property asset implications
- The most cost-effective means of achieving the required outcome
- Any alternative solutions that may address assessed needs
- The impact upon other adjoining tenants and/or communal spaces
- Fire risks, and other health and safety legislation

6.2 Tailored solutions also relate to cost. For example, where the construction type of a property makes it excessively costly to adapt (e.g. the lower limit of 10% or £5,000 more than the equivalent cost of the adaptation to a property of standard housing construction,) we may refuse the adaptation in favour of offering alternative housing that meets the applicant's needs, or which can be readily adapted at a lower cost.

## **7. Examples of adaptation work**

7.1 The following is a list of examples of adaptation work that we may carry out to an individual flat or house (although this list is not exhaustive):

- Installation of grab rails in various locations throughout a property
- Installation of access steps/ramps to front and rear entrances
- Additional internal banister rails
- Additional external handrails
- Installation of lever taps
- Alterations to the height of electrical sockets and switches
- Fixed aids for visual and hearing impairment (doorbells/ fire alarm/ smoke detectors)
- Specialist Equipment (fixed rise/fall baths, shower stretchers, wash/dry toilets)
- Level access shower facilities
- Over bath shower facilities
- Kitchen adaptations
- Extensions (see 7.2 below)
- Work that would be eligible for funding under DFG legislation

7.1.1 The on-going maintenance and servicing of these adaptations will be funded from annual repair and maintenance revenue budgets. The renewal/ replacement of previously installed adaptations will be treated as a renewal funded from capital budgets.

7.1.2 Provision of appliances and portable specialist equipment will not be funded as these are considered to be either a tenant's responsibility or that of health and social services.

## **7.2 Extensions and Conversions**

7.2.1 In some instances, extensions and/or conversions will be considered where these are within the financial limits contained within the DFG legislation, and:

- the property is capable of being adapted to meet a tenant's needs cost-effectively; and/or
- the adaptation is likely to have an on-going future demand and there is no other reasonable or viable alternative (including re-housing)

This also applies to an extension or conversion of an existing outbuilding, where ground floor facilities/access may be required.

7.2.2 Extensions and conversions often require planning permission and building regulation approval, as well as a detailed feasibility study, specification, and approval from the Council's Planning Team before being tendered and a contractor appointed to carry out the work. Assuming it is approved, work will be progressed as quickly as possible, but may take up to 24 months to complete.

- 7.3 We will not remove substantial adaptations (e.g. extensions and conversions) or previously installed major adaptations solely on the basis that the tenant no longer needs them, even if they (or a new non-disabled tenant) requests it.

## **8. Financial restrictions**

- 8.1 Financial restrictions as defined in legislation are expected to be applied to all adaptations. In England the maximum entitlement is currently set at £30,000 per applicant.<sup>1</sup> Where costs for major adaptations, extensions and conversions exceed this prescribed limit they will not be approved.
- 8.2 In exceptional circumstances (where there are no reasonable alternative solutions, or any that are likely to arise within 36 months) they may be referred to the Council's Housing Leadership Team for consideration and review.
- 8.3 Approval and budget allocation will be at the sole discretion of the Council's Housing Leadership Team and may require a contribution from the tenant for any costs over the prescribed limit. Tenants must also be made aware that this may be subject to a 'means test' and that if a property increases in size, there may also be a subsequent increase in rent and/or property value.

## **9. Long-term diagnosis**

- 9.1 The long-term diagnosis of a tenant's condition and the future use and occupation of the property will be key considerations when deciding the most appropriate solution or proposal.
- 9.2 We will work in close partnership with the OTs and KCC Social Care Services when developing adaptation proposals.

## **10. Redevelopment**

- 10.1 Where a tenant living in an adapted property is being moved because of redevelopment or refurbishment of their home, essential adaptations will be carried out in the new home being offered. This is most likely to apply to the tenants of previously converted housing, older properties and Independent Living schemes which require refurbishment. It may include, for example, providing showers to tenants who have previously only had access to communal facilities.

## **11. Planned Maintenance**

- 11.1 We will ensure, subject to funding constraints, that any necessary adaptation works are carried out through the Capital Programme. Our commitment to maintenance work that improves accessibility is intended to reduce the pressure on the adaptations budget. An example of this might be a programme to replace baths with level access shower facilities in Independent Living schemes and ground floor one-bedroomed flats.

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1.1 <sup>1</sup> Disabled Facilities Grant (DFG) delivery: Guidance for local authorities in England 2022

## **12. Communal areas and flatted accommodation**

12.1 We recognise that where works are both essential and reasonably practical, we will consider essential access requirements to the communal areas of blocks of flats and estates. Such proposals may require the consent of other tenants and must not impair or compromise the safety of other tenants. Any such work will therefore be risk assessed and considered/agreed on a case-by-case basis.

## **13. Access and Egress**

13.1 Suitable access will be considered for the main front door and/or existing rear door(s) to a property where this is reasonable and practical. If this is not viable the most economical provision will be explored, which may include other adaptations such as changing windows to doors. This will be at the discretion of the Council in conjunction with a recommendation with the OT.

## **14. Referrals relating to behaviour**

14.1 We recognise that where a tenant has challenging behaviour as a result of their disability it can cause difficulties, putting additional strain on the tenant, their family, and/or neighbours.

14.2 In these circumstances it may be appropriate to provide additional space and/or specialist facilities and equipment, as recommended by an OT. This may take the form of an extension to the property.

14.3 All other available options will be considered before any extension to a property is agreed. We are only likely to consider an extension to a property on the grounds of behaviour where:

- the tenant is unable to share a bedroom for reasons of privacy, safety or due to a medical condition that affects their behaviour, and/or
- adequate additional space cannot be provided within the property by converting an existing space within it

14.4 For all referrals relating to behaviour, we will work with the OT to consider the best solution and only carry out an adaptation where there is a genuine and essential medical need that satisfies the requirements of this policy, and this only when all alternative options have been considered and exhausted.

## **15. Mobility Scooters**

15.1 The Council has limited provision for tenants' mobility scooters in some Independent Living schemes. Where this is the case, the Council has responsibility for maintaining these storage areas.

15.2 For all other individual properties, where scooter storage is not provided, tenants are responsible for undertaking or paying for any necessary alterations to access paths/gates, hard standings, sheds, and the electrical supply. This, as well as any other associated works connected to accommodating their scooter.

15.3 Any work required to accommodate mobility scooters that is the tenant's responsibility is subject to the tenant receiving written permission from the Council's Housing Team and, where applicable, Building Control and Planning.

15.4 In all cases, mobility scooters must not be positioned in communal areas or stored near habitable properties, to ensure prevention of risk of fire as set out in the Council's Housing Compliance (Fire Safety) Policy 2021.

## **16. Limitations**

### **16.1 Circumstances under which we will not undertake an Adaptation**

This section of the policy only relates to adaptations exceeding £1,000. We will not adapt a property in the following circumstances:

16.1.1 Where the Council does not own the property

16.1.2 Where the property is used for temporary housing

16.1.3 Where the Council intends to dispose of the property within the next 36 months,

16.1.4 Where the property forms part of a redevelopment proposal

16.1.5 Where the property is subject to structural movement or environmental monitoring

16.1.6 Where the tenants are waiting for a transfer to another property

16.1.7 Where there is suitable alternative adapted, part adapted accommodation or where it is considered likely that a suitable property will become available within 12 months of the request being made

16.1.8 Where an adaptation would adversely affect the Council's ability to make the best use of the stock and to re-let the property in the future without removing or altering the adaptation(s)

16.1.9 Where the cost of the adaptation exceeds the equivalent maximum value applied to an equivalent DFG

16.1.10 Where the tenant's requirements are such that further adaptations will be required within 24 months and during that time it is considered likely that alternative suitable accommodation will be available

16.1.11 Where an adaptation would place others at risk (e.g. a communal stair-lift with no alternative access for other first floor tenants)

16.1.12 Where a tenant leaves a property (through their own choice or through eviction) that has previously been adapted for their needs within 5 years of any adaptation having been completed

Other limitations where the Council may not undertake adaptations:

### **16.2 Under-Occupancy**

16.2.1 Where a tenant or their family is under-occupying a property by two or more bedrooms, adaptation requests will be refused.

- 16.2.2 Where a tenant is under-occupying a property by one-bedroom the Council will consider the practicalities and cost involved in adapting the under-occupied property and its future use against the potential benefits to the tenant and the Council of moving them to a suitable smaller home.
- 16.2.3 Where we feel a tenant's needs are best met by moving to a smaller suitable home, our overarching concern will always be to consider the wider impact of a potential move on the tenant's well-being and continuity of care. This will be judged on a case-by-case basis in collaboration with the OT and any other relevant professionals involved.
- 16.2.4 Where a tenant is under-occupying but has been granted under-occupation exemption via spare room subsidy, we will authorise adaptations providing the property is suitable to be adapted. Evidence of exemption must be provided.

### **16.3 Overcrowding**

- 16.3.1 Where a tenant or their family are deemed to be overcrowded and there is every likelihood that they would be rehoused in a suitable alternative property within 24 months, we are unlikely to adapt the property except in exceptional circumstances, which have been recommended by the OT and approved by the Council.
- 16.3.2 Any referral for additional space, (for example an extra bedroom,) will not be deemed a valid adaptation on the grounds of social overcrowding. This will be classed as a Housing Needs issue and the Council will instead provide housing advice to help the tenant find a more suitable property that meets their need.

### **16.4 End of tenancy**

- 16.4.1 Major adaptations will not be carried out where eviction action is pending or where the tenancy will not, or is not likely to continue, beyond a period of 12 months from the date upon which the recommended adaptation is received by the Council. This is to ensure that adaptations are not carried out at a property if the tenant that needs the adaptation is going to be moving.

### **16.5 Right-to-buy**

- 16.5.1 We will not carry out adaptations to properties that are going through the right-to-buy process.
- 16.5.2 Once the right-to-buy process is complete, as a new homeowner any adaptation may be progressed by applying for adaptations through the Disabled Facilities Grant (DFG).

### **16.6 Suitability of property for adaptation**

- 16.6.1 In some cases, a property may not be suitable for adaptation due to the characteristics of the building. For example, because of its age, location, internal layout, type of construction, surrounding buildings, or ground conditions. Where an adaptation cannot be carried out for any of these reasons, we will recommend moving the tenant to a more suitable property that can be adapted to meet their needs.



16.6.2 Adaptations will not be carried out where it is considered reasonable for a tenant to move to a more suitable Council property and/or where there is a reasonable expectation that this accommodation will become available within a period of 12 months from the date at which we are made aware of the tenant's assessed needs.

### **16.7 Unreasonable adaptations**

There may be other circumstances when it is unreasonable for us to undertake an adaptation.

Examples may include (but are not limited to):

- 16.7.1 Where the cost of the adaptation is abnormally expensive, or where excessive structural alterations (beyond that of widening door openings, removal of non-load bearing internal walls and forming openings less than 1.2m wide in floors and walls) are necessary to facilitate the adaptation
- 16.7.2 Installing a level access shower to a flat above ground floor which cannot be accessed by an existing lift (see also 16.8 below)
- 16.7.3 Where the tenant's needs can be met through amendment of the original proposal/recommendation, such as fencing a proportion of a garden rather than the entire garden or using a ground floor second reception room as a bedroom
- 16.7.4 Where it requires alterations to common areas which would constitute a fire, and/or health and safety risk, or would negatively impact upon the use of the common area by other tenants

### **16.8 Level access showers above ground floor**

- 16.8.1 New tenants with a disability or who are elderly are not usually housed in flats above ground floor level, as access may prove difficult for them. For disabled and elderly tenants currently living in flats above the ground floor, we will actively encourage rehousing the tenant in a ground floor property before considering any adaptation to install level access shower.
- 16.8.2 Where there is not a suitable ground-floor property available, we will assess the likelihood of a suitable property becoming available within 24 months and the long-term needs of the tenant, as well as their ability to access the property.

### **16.9 Pavement crossovers and hard standings**

- 16.9.1 Pavement crossovers and hard standings for car parking are primarily aimed at wheelchair users and tenants with severe disabilities. Requests for a pavement crossover or hard standing are subject to approval by the Council's Planning Team and Kent County Council Highways, and they will only be progressed once such approvals are received.

## **16.10 Mutual Exchanges and Transfers**

16.10.1 Where a Folkestone & Hythe District Council (FHDC) tenant requests a mutual exchange or transfer from their recently adapted property to another FHDC property that is not suitably adapted, we may not carry out further adaptations to the property. For example, where major adaptations have been undertaken within the previous 5 years. This will be subject to review and assessed on a case-by-case basis.

16.10.2 In all cases (including mutual exchanges and transfers from outside FHDC-owned properties) we will take account of the reasons for the move and work with the tenant(s) to consider the option that best meets the long-term needs and requirements of the tenant(s) and/or their family.

## **16.11 Stair lifts and through floor lifts in stand-alone properties**

16.11.1 Stair lifts are classified as a minor adaptation, and these will be progressed where the property will accommodate the stair lift installation and the necessary power supply.

16.11.2 Through-floor lifts will be considered after all alternative solutions have been explored, including re-housing. These types of adaptations are subject to the constraints of the existing construction of the property and a fire risk assessment.

## **16.12 Specialist fixed and free-standing equipment**

16.12.1 Specialist equipment such as rise and fall baths, bath and shower stretchers that are fixed to the structure of the property will be considered after all alternative solutions have been explored. These types of adaptations are subject to the constraints of the existing construction, layout of the property, budget availability and financial expenditure limits applicable to adaptations.

16.12.2 It should be noted that the cost of such specialist equipment and the limited supply source may require the Council to undertake additional financial approval processes including obtaining a 'waiver' for the purchase of these items.

16.12.3 We will not fund or install specialist free standing equipment as an adaptation as this is considered a Health and Social Care Service/ tenant responsibility.

## **16.13 Stair lifts in communal areas of blocks of flats**

16.13.1 We will not authorise the installation of a stair lift in a communal staircase in a block of flats or the shared communal areas of properties. This is due to the increased risk of an impeded exit, to the disabled person, other users of the building, and the emergency services.

## **17. Other options available to tenants**

- 17.1 In cases where a tenant's assessed needs and the recommended adaptation does not meet the requirements of this policy, tenants have the option to apply for DFG funding or consider other alternatives that may be available, such as funding through a charity, armed forces associations (where applicable) and/or self-funding.
- 17.2 All alternative funding options are subject to written permission from the Council and will only be agreed if the option is reasonable and meets the tenant's assessed needs.
- 17.3 If a tenant carries out their own work, they will also need permission in writing from the Council before any work is started. In these cases, the tenant must:
- Ensure the proposed work is carried out by a fully competent qualified contractor
  - Conform to the appropriate regulations and legislation
  - Be responsible for putting right any damage relating to the works being carried out
  - Contact us upon completion of any work so we can inspect it, to ensure it has been carried out to a satisfactory standard
  - Provide us with any relevant certificates of the work upon completion
  - Maintain and repair any equipment or fittings they have installed
- 17.4 If a tenant carries out their own work with written permission from the Council, we reserve the right to request that the property is returned to its original condition upon termination of the tenancy. Any such requirement will be made known to the tenant as part of the original written permission. The cost of this must also be met by the tenant.

## **Key Controls and Reporting**

### **18. Communication and Consultation**

- 18.1 We recognise the importance of effective communication with tenants regarding the adaptations process and as a commitment, we will:
- Provide clear and comprehensive advice and information to tenants, with an aim for a single point of contact,
  - Consult in person with tenants regarding major works and explain the scope of the work required and how long it will take to complete,
  - Contact tenants to confirm approval of recommended adaptations; when the work will be carried out, or that there is a waiting list,
  - Keep tenants informed of where they are on the waiting list and provide an approximate waiting time for their adaptations,
  - Inform tenants and explain why recommended adaptations have been

refused under the limitations of this policy,

- Where appropriate, provide tenants with colour choices (e.g. for major bathroom adaptations – paint, tiles, flooring etc. - within the Council specification)
- Work with occupational therapy and healthcare professionals on individual cases to ensure the most timely and cost-effective options are considered.

## **19. Complaints**

- 19.1 If a tenant is unhappy with the work undertaken or the way they have been treated by a member of staff or contractor, this should be reported to the Major Works Surveyor in the first instance. We are committed to providing the best possible solution to tenants, which includes resolving any issues or concerns that may arise.
- 19.2 If a tenant remains dissatisfied with our response, or any action taken to resolve their issues or concerns, they may submit a formal complaint. This will be dealt with independently of the Adaptations service following the Council's Comments, Complaints and Compliments Policy.

## **20. Performance Monitoring and Review**

- 20.1 We recognise the importance of working in partnership with tenants and stakeholders to develop and continually improve our services and raise standards. To demonstrate this we are committed to:
- Undertaking post-adaptation satisfaction surveys; to ensure we maintain performance and help inform future service improvements
  - Recording and reporting on the number of properties with adaptations and the type of adaptations completed
- 20.2 Performance of contractors will be monitored through both tenant satisfaction surveys and post-inspections to ensure timescales are being met and the quality of the work is of the highest possible standard.
- 20.3 Adaptation budgets and waiting lists will be also reviewed routinely as part of cyclical budgeting and contractual monitoring arrangements.
- 20.4 This policy and any associated procedures will be reviewed at least every three years. The review will ensure that a comprehensive service is being offered that meets tenants' requirements. The policy will also be reviewed in accordance with any future legislative changes as and when they occur, or if the policy is deemed to be unfit for purpose and/or no longer reflects tenants' changing needs.
- 20.5 Overall monitoring and review of this policy will be undertaken in consultation with staff, tenant groups, the KCC Occupational Therapy Service and other relevant partners and stakeholders.

## **21. Equality and Diversity**

- 21.1 Through the management of this policy we aim to treat all tenants fairly, and with respect and professionalism regardless of their gender, race, age, disability, religion, sexual orientation and/or marital status.
- 21.2 An Equality Impact Assessment has been carried out to determine whether this policy could have a negative impact on any tenant/service user that unfairly discriminates or disadvantages them in the context of the Equality Act 2010.
- 21.3 Overall, this policy is intended to have a positive impact on equality, particularly in relation to tenants with physical disabilities, as the policy aims to improve tenants' accessibility in and around their homes.
- 21.4 Where there may be a barrier to accessing information about the service, we will make all reasonable adjustments to ensure all tenants and/or service users can understand the process and the options available to them.

# Disabled Adaptations Policy 2022

## Stage 1 Equality Impact Assessment

Directorate: Housing and Operations Service: Assets and Development

Accountable Officer: Roy Catling, Assets and Development Lead Specialist

Date of assessment: November 2022

Names & job titles of people carrying out the assessment:

Jonathan Hicks, Performance Specialist  
Mick Hale, Planned Maintenance Specialist

Name of service/function/policy etc: Disabled Adaptations Policy
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Is this new or existing? New Policy
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## Stage 1: Screening Stage

### 1. Briefly describe its aims & objectives

The purpose of this policy is to, wherever possible, adopt a consistent approach to the management of disabled adaptations across the HRA housing portfolio of Folkestone & Hythe District Council
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### 2. Are there external considerations? (legislation/government directive etc.)

This policy sets out the parameters within which the Kent County Council Occupational Therapist (OT) Team and the Council will operate. The policy will act as a guide to OTs and other professionals (including Council officers) providing clarity on what we are able to assist with in terms of adapting a tenant's home.
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### 3. Who are the stakeholders and what are their interests?

FHDC tenants with a disability that require adaptations to their home to meet their specific needs and have had/are eligible for an assessment by an Occupational Therapist (OT).
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### 4. What outcomes do we want to achieve and for whom?

To improve the quality of life for our disabled residents and promote independent living. To operate a service that offers suitable, practical, and cost-effective solutions that best meet tenants' assessed needs
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### 5. Has any consultation/research been carried out or relied upon?

This policy has undergone consultation internally with operational managers and staff within tenancy, neighbourhoods, supported housing, compliance and assets and major works. Externally we have sought the views of tenants through FHDC's
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Strategic Tenants Advisory Panel (STAP) and KCC's Occupational Therapy (OT) Team.

**6. Are there any concerns at this stage which indicate the possibility of inequalities/negative impacts?** (Consider and identify any evidence you have - equality data relating to usage and satisfaction levels, complaints, comments, research, outcomes of review, feedback and issues raised at previous consultations, known inequalities) If so please provide details.

No.

**7. Could a particular protected characteristic be affected differently in either a negative or positive way? (Positive – it could benefit, Negative – it could disadvantage, Neutral – neither positive nor negative impact or Not sure?)**

	Type of impact, reason & any evidence
Disability	<b>Positive.</b> This policy is specifically aimed at improving outcomes for disabled people with a clinical need for adaptations. The service promotes independent living for disabled people improving their quality of life.
Race (including Gypsy & Traveller)	<b>Neutral.</b> This policy does not discriminate on the grounds of ethnicity, either directly or indirectly. It should have a positive benefit to all applicants regardless of their ethnicity
Age	<b>Neutral/Positive (60+)</b> This policy does not discriminate on the grounds of age, either directly or indirectly. However, the policy may provide greater benefits for older people who are more likely to be frail or have an impairment as a result of their age. The policy seeks to promote equality for elderly residents by providing aids and adaptations to promote independent living.
Gender	<b>Neutral.</b> This policy does not discriminate on the grounds of gender, either directly or indirectly. It should have a positive benefit to all applicants regardless of their gender
Transgender	<b>Neutral.</b> This policy does not discriminate on the grounds of gender, either directly or indirectly. It should have a positive benefit to all applicants regardless of their gender
Sexual Orientation	<b>Neutral.</b> This policy does not discriminate on the grounds of sexual orientation, either directly or indirectly. It should have a positive benefit to all applicants regardless of their sexuality.
Religion/Belief	<b>Neutral.</b> This policy does not discriminate on the grounds of religion or belief, either directly or indirectly. It should have a positive benefit to all applicants regardless of their religion or belief.  However, timing of works could be an issue given different faith holidays/religious and holy days. Awareness of significant cultural and/or religious festivals and days recommended when planning work.

Pregnancy & Maternity	<p><b>Neutral.</b> This policy does not discriminate on the grounds of pregnancy or maternity, either directly or indirectly. It should have a positive benefit to all applicants regardless of their pregnancy or maternity status.</p> <p>However, awareness and sensitivity recommended when planning work with regard to status of pregnancy and/or maternity status.</p>
Marriage/ Civil Partnership Status	<p><b>Neutral.</b> This policy does not discriminate on the grounds of marriage or civil partnership, either directly or indirectly. It should have a positive benefit to all applicants regardless of their marital or partnership status.</p>

**8. Could other socio-economic groups be affected e.g. carers, ex-offenders, low incomes?**

No negative impact has been identified in relation to other socio-economic groups. The policy should have a positive benefit to all applicants regardless of their socio-economic background, income or status.

**9. Are there any human rights implications?**

No

**10. Is there an opportunity to promote equality and/or good community relations?**

**Yes.** The policy seeks to promote equality for disabled residents by providing aids and adaptations to improve access and/or promote independent living.

**11. If you have indicated a negative impact for any group is that impact legal? (Not discriminatory under anti-discrimination legislation)**

No

**12. Is any part of this policy/service to be carried out wholly or partly by contractors?**

**Yes.** For adaptation work to be carried out, tenants must request a referral to an Occupational Therapist (OT) approved by KCC Social Services. The OT will assess the level of disability need and, if applicable, make a referral to the Council. Adaptation work will be agreed by the Council and undertaken by Council approved contractors.

If yes have you done any work to include equality & human rights considerations into the contract already?

N/A



**Please note that normally you should proceed to a Stage 2: Full Equality Impact Assessment Report if you have identified actual, or the potential to cause, adverse impact or discrimination against different groups in the community. (Refer to Quick Guidance Notes at front of template document)**

**13. Is a Stage 2: Full Equality Impact Assessment Report required?**

No

**14. Date by which Stage 2 is to be completed and actions**

NA

**Please complete**

We are satisfied that an initial screening has been carried out and a full impact assessment is not required.

Completed by: Jonathan Hicks Date: 07 November 2022

Role: Performance Specialist

Countersigned by Director/Chief Officer: Date:

*Please keep the signed hard copy with your team for auditing purposes and forward an electronic copy to [policy@folkestone-hythe.gov.uk](mailto:policy@folkestone-hythe.gov.uk) so that it can be published.*