



## **VHA Policy Document**

### **DISABLED ADAPTIONS POLICY**

**Reviewed: November 2021**

**Next Review: November 2024**

# **VECTIS HOUSING ASSOCIATION**

## **DISABLED ADAPTATIONS POLICY**

### **1. *Introduction***

The Association is responsive to the needs of its tenants whose physical needs change through disability. Accordingly it is committed to providing a management service that properly addresses those needs, and the requirements of the Disability Discrimination Act 1995, all within the context of practicality.

The Association recognises the special needs of tenants with disabilities. It must, however, balance the potential provision of adaptations with the long term management of its assets.

There will be proper consultation with the local authority, whose support will be sought in order to help identify the most practical solution which best matches the interests of both the tenant and the Association.

This policy explains how the Association will approach a request for an adaptation to the home in the foregoing circumstances.

### **2. *Objectives***

The key objectives of the Disabled Adaptations Policy are:

- 2.1 To respect tenants' needs and consider requests for adaptations with due sensitivity;
- 2.2 To explore all alternative housing options which might better suit those needs;
- 2.3 To undertake approved works in liaison with, and with advice from, the local authority and appropriate medical professionals, where the Association owns and manages properties;
- 2.4 To ensure any grants and other financial resources likely to be available for such adaptations are obtained, securing value for money at all times;
- 2.5 To comply with all statutory and regulatory requirements in relation to any such adaptations; and
- 2.6 To ensure that all work undertaken meets the criteria of the Decent Homes Standard.

### 3. Definitions

- 3.1 For the purposes of this policy the definition of a disabled adaptation is *“an alteration or addition to any aspect of a dwelling to make it easier or safer for use by a disabled person”*.
- 3.2 The Disability Discrimination Act 1995 defines a person as disabled if they have:
- a mental or physical impairment, which
  - has an adverse effect on their ability to carry out normal day-to-day activities, where
  - the adverse effect is substantial, and:
  - the adverse effect is long term (meaning it has lasted for 12 months or is likely to last more than 12 months or for the rest of the person's life)

A person with a progressive condition, which will affect the ability to carry out normal day-to-day activities in the future, is classed as disabled.

At least one of these areas must be badly affected:

- mobility
  - manual dexterity
  - physical co-ordination
  - continence
  - ability to lift, carry or move everyday objects
  - speech, hearing or eyesight
  - memory or ability to concentrate, learn or understand
  - understanding of the risk of physical danger
- 3.3 A Disabled Facilities Grant (DFG) is a local authority grant provided to help towards the cost of adapting a resident's home to enable them to continue to live there. A grant is paid when the LA considers that changes are necessary to meet a resident's needs and is happy that the work is reasonable and practical. Eligibility to a DFG is means tested and requires consent of the Landlord if the property is rented (social or private sector).

### 4. Legal and Regulatory Framework

- 4.1 The legislation relevant to the Disabled Adaptations Policy is:
- the Chronically Sick and Disabled Persons Act 1970 – this requires Social Services departments to assist people with disabilities to obtain aids and adaptations to make their home suitable for their needs.

- S.23 of the Housing Grants Construction and Regeneration Act 1996 - provides for Disabled Facilities Grants, available from local authorities for carrying out 'works that are necessary and appropriate to meet the needs of a disabled occupant provided that it is reasonable and practicable to carry out the works having regard to the age and condition of the dwelling'. Mandatory grounds are available for some works but authorities also have powers to make discretionary grants.
- the Disability Discrimination Act 1995 ('the DDA') – part 3 imposes duties on service providers to make 'reasonable adjustments' to services without which it would be 'impossible or unreasonably difficult for the disabled person to use the service'. From 1 October 2004 where a physical feature makes it impossible or unreasonably difficult for disabled people to access goods or services, the organisation is required to take reasonable steps to:
  - remove the feature, or
  - alter it so it no longer has that effect, or
  - provide a reasonable means of avoiding the feature, or
  - provide a reasonable alternative method of making the service available

These provisions refer to public space and services offered including offices and the communal areas of flats. They do not require works to the inside of tenants' homes which would be funded by Disabled Facilities Grants.

## **5. Key Points**

### **5.1 *Alternative viable options***

All housing options will be considered with the tenant, and any professional supporting the case, to ensure that adaptation is the most suitable and viable option.

In the undertaking of such research the Association has an obligation to consider whether the installation proposed is also in the best interests of the property. A property so adapted could significantly reduce its suitability to the purpose for which it was originally constructed, and this might affect its ability to be re-let for such purposes in the future.

If the best housing option is found to be that the tenant transfer to accommodation already better suited to the tenant's needs, the Association will support an application through the joint choice based lettings scheme (or future scheme) and award priority within Association's own transfer list.

## 5.2 ***Funding***

It is expected that funding for disabled adaptations will be met from either the local authority (DFG) or The Association, depending on the nature and value of works required.

Disabled aids are generally small access ramps, handrails, grab rails and levers tap, etc. If the cost of disabled aids is less than £2000 it will be funded by the Association. Such works will be completed within 20 working days from receipt of the request unless it is deemed necessary to seek the advice of an appropriate medical professional.

Minor adaptations are generally works valued between £200 and £2000, such as over bath showers, straight stair lifts and concrete ramps. These minor adaptations will be funded by the Association. The Association will aim to complete minor adaptations being funded by the Association within 6 months from when the need for the adaptation is identified.

Major adaptations are generally for works costing in excess of £2000 and will be funded through local authority DFG. The Association will endeavour to reply to a request for landlord consent from the local authority within 10 working days.

## 5.3 ***Works***

The Association will endeavour to ensure all disabled adaptations works undertaken are of good quality, properly meet the needs of the tenant, represent value for money, and minimise future maintenance costs.

## 5.4 ***Recording on housing database***

All major adaptations will be recorded on the stock condition database. Whenever practical, this information will be used to ensure that full use is made of existing facilities by targeting suitable adapted properties or applicants with matching mobility or other needs.

## 5.5 ***Maintenance***

The Association will assume responsibility for the maintenance of all equipment installed and work carried out as part of disabled adaptations, unless otherwise agreed with the tenant and local authority social services.

## 5.6 ***Landlord consent***

Landlord consent for major adaptations will only be granted when:

- all housing options have been explored and adaptation is deemed to be the most suitable option;

- the tenant is not under-occupying the property by more than one bedroom;
- the tenant can afford any shortfall in housing benefit (or its successor source);
- the long term ability of the property to be let for its original purpose will not be adversely affected.

#### 5.7 ***Replacement***

Where an existing adaptation becomes uneconomical to repair the tenant will be supported in make a claim for a DFG to replace or upgrade.

#### 5.8 ***Removal***

At the end of a tenancy, where a suitable tenant with similar disabilities cannot be housed or the adaption is unlikely to benefit the incoming tenant, it will be removed to reduce ongoing liability and maintenance cost.

### 6. ***Review***

- 6.1 The policy will be reviewed every three years. The review will ensure that the policy takes into account changes in statutory guidance and developing good practice. Consultation will also be undertaken with colleague associations to attempt to achieve a consistent approach for Island residents.