

Meeting EXECUTIVE

Portfolio Area Housing Health and Older People

Date 11 March 2020



AIDS AND ADAPTATIONS SERVICE POLICY

KEY DECISION

1 PURPOSE

- 1.1 The purpose of this report is to seek approval from the Executive of the aids and adaptation policy and the implementation thereof.

2 RECOMMENDATIONS

- 2.1 That Executive approves the aids and adaptation policy document at Appendix A.
- 2.2 That delegated authority is given to the Assistant Director (Housing and Investment), having consulted the Portfolio Holder for Housing, Health and Older People, to approve any minor future revisions to the policy.
- 2.3 That delegated authority is given to the Assistant Director (Housing and Investment), having consulted the Portfolio Holder for Housing, Health and Older People, to approve appropriate processes and procedures in order to implement the policy, and to approve any future revisions to them.

3 BACKGROUND

- 3.1 In 2016 the Business Unit delivering the aids and adaptation service was moved from the Repair and Voids Service to Housing and Investment.
- 3.2 An aids and adaptation policy and procedure manual was written by external consultants PML in November 2017.
- 3.3 In March 2017 PML produced a draft 'End to End Process Mapping' for the Aids and Adaptation Service. Some of the recommendations were implemented however these will require developing and updating to align with the proposed new policy.
- 3.4 An independent review of the Disabled Facilities Grant (DFG) undertaken with the support of the Department of Health and Social Care and the Ministry of Housing, Communities and Local Government recommends that whichever funding source is used to access assistance with home adaptations DFG or Housing Revenue Account (HRA), it should be tenure neutral with all applicants given equal access to funding.

4 REASONS FOR RECOMMENDED COURSE OF ACTION AND OTHER OPTIONS

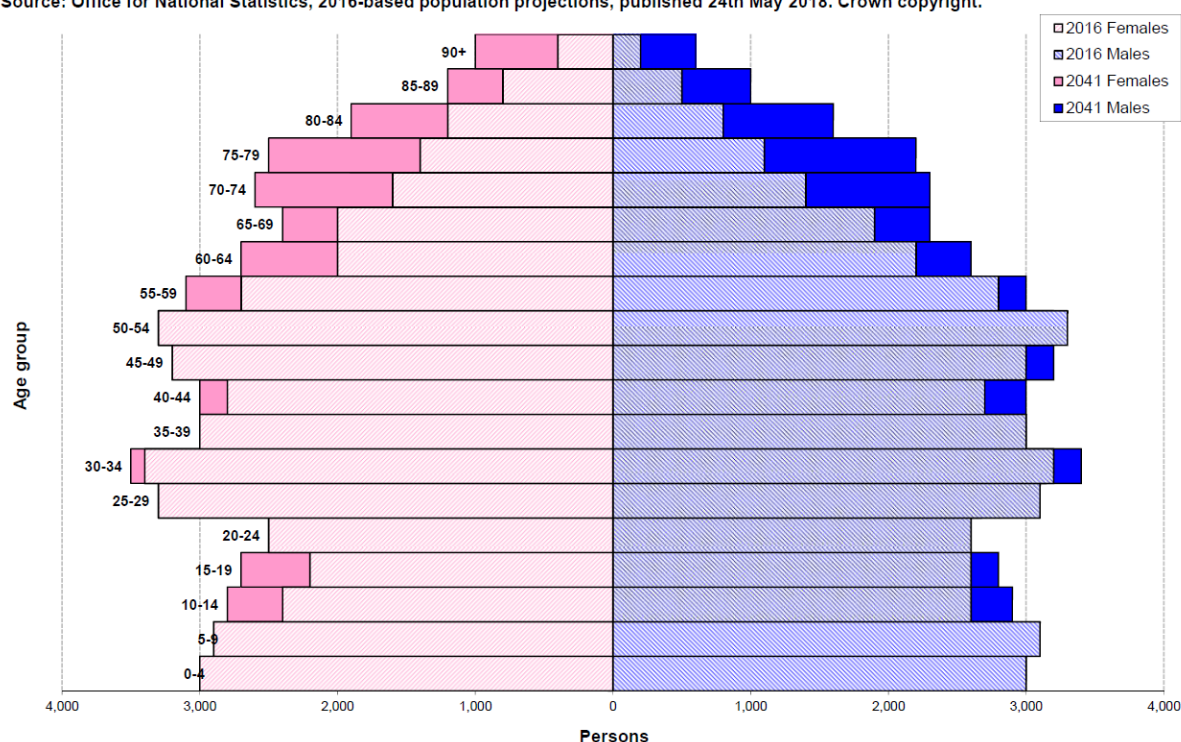
4.1 POLICY

- 4.1.1 The proposed Policy at Appendix A delivers the following aims:
 - Providing focus on supporting people to consider how their future housing needs can be met and how they may live more independently, improving their day to day quality of life in and around the home.
 - Ensuring that the reasonable needs of the council's disabled tenants are prioritised and appropriate aids and adaptations are implemented. Also that adapted properties are let taking into account the needs of the tenant.
 - Ensuring integration between internal services and working closer with partnering organisations for example Hertfordshire County councils Adult Care and Children's Services departments and NHS Children's Services.
 - Complying with the legal and statutory requirements in relation to the provision of disabled adaptations (e.g. the Equality Act 2010) and good practice guidance, including 'Delivering Housing Adaptations for Disabled People'.
 - Maximising all available funding sources and ensuring that the available budgets are used effectively and efficiently to maximise best use of council housing stock and ensure that the needs of the tenants are appropriately prioritised

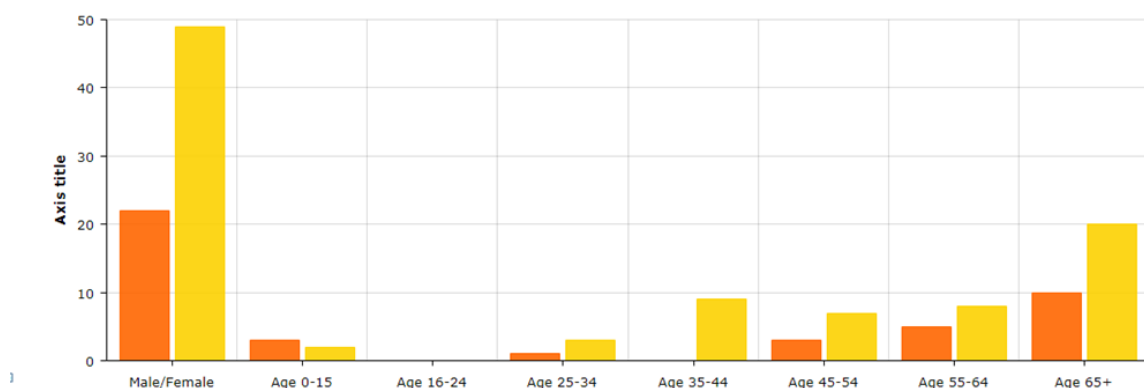
4.1.2 The age demographic in Stevenage shows a gradually ageing population. The Office of National Statistics have predicted that Stevenage will see the number of people living beyond 70 years almost doubling by 2041 (see age pyramid below), the council is therefore likely to see a proportionate year on year increase in the number of referrals for aids and adaptations. The council needs to ensure that its policy takes this into account and considers futureproofing homes for tenants requiring adaptation assistance, now and in the future. The aim of the policy is to support more people to live in suitable housing so that they can stay independent for longer.

Age pyramid 2016 and 2041 - Stevenage

Source: Office for National Statistics, 2016-based population projections, published 24th May 2018. Crown copyright.



4.1.3 The table below shows the age demographics of the council's tenants where adaptation works have been carried out over the last 12 months. This indicates that the 65 + age group has received the greatest number of adaptations.



- 4.1.4 Advances in medicine and treatments also mean that there is now a higher prevalence of elderly and disabled tenants, this also translates to an increase in the number of referral requests for adaptations.
- 4.1.5 The council will also needs to consider the decreasing number of existing housing stock due to the Right to Buy (RTB) scheme (offset against new build properties designed to lifetime homes standards and improved technology to support people staying in their homes longer), against the demand, ensuring that it's assets are being used in the most effective way to serve the council's customers including those on the housing register.
- 4.1.6 The policy is in line with the HRA asset management strategy (excellent council homes for life) and officers are currently in consultation internally with other teams to ensure that current and future policies align with this policy.
- 4.1.7 Every effort will be made to ensure mutual exchanges and allocations to void properties are done in due consideration of the housing needs and adaptations required. This will be carried out in conjunction with the Mutual Exchange Process Review team and Lettings team and the use of the Housing Panel for direct offers where appropriate. This will ensure that referrals are made within the timescales and the suitability of the property is assessed for the tenants needs.

4.2 ADAPTATIONS

- 4.2.1 Adaptations are split into two categories, minor and major

a) Minor Adaptations

Includes the provision of adaptations for example:-

- Ramps
- Handrails
- Grab rail
- Over bath shower

- Lever taps.
- Sanitary ware.

b) Major Adaptations

These require more extensive and complex work, often designed for the specific need of an individual, for example:-

- The installation of stair lifts and special purpose equipment;
- Bathroom and kitchen adaptations, ground floor WC conversions
- Garage conversions, extensions and access alterations.

Appendix B shows the typical types of adaptations carried out.

4.3 DECLINED REFERRALS

- 4.3.1 To ensure that the council can deliver a service to benefit those most in need and ensure that properties meet their current and future needs the council needs to consider the best use of available funds. It is necessary to review circumstances whereby aids and adaptation referrals might be declined. This will also ensure that the property will meet the tenant's current and future needs.
- 4.3.2 Where a referral has been declined the council will provide support and assistance to review the tenant's options that may include moving to more appropriate, suitable accommodation meeting their needs. It is not the intention to force tenant's to move but to encourage them to consider their future housing needs.
- 4.3.3 The tenant will be permitted to appeal any decision. This will be considered at the Housing Panel.
- 4.3.4 On occasions where referrals may be declined, and there are exceptional circumstances, this will be considered and referred to the Housing Panel.
- 4.3.5 Where tenant's needs are urgent, consideration will be given to undertaking suitable minor adaptations for an interim period while housing options are being considered.
- 4.3.6 There are circumstances where a referral may be declined or deferred:-

a) Personal Circumstances

There are occasions where the tenant's personal circumstances may have changed either through their own choice or due to other circumstances.

- Under occupied or overcrowded properties

Tenants will receive support and advice to review their options and look for alternative accommodation. The move to more appropriate accommodation will release their home for those with appropriate requirements.

The Tenancy Agreements states: *"You must not allow your home to become overcrowded"*.

Where an adaptation cannot be carried out due to overcrowding they will be moved to a band B priority under the councils Allocations policy to assist earliest relocation.

- Applied for Right to Buy (RTB) or moving to another area

Tenants will not receive any assistance while they are wishing to move or have applied for the RTB.

- Rent in arrears

Tenants who are in arrears by three weeks or more or where recovery proceedings have commenced.

The tenant will receive additional support and financial advice from the council's Debt Advisors and it may be necessary to refer to the Housing Panel or look to move to a more affordable accommodation.

- Requiring further adaptations

Where the tenant's condition is likely to deteriorate and further adaptations may be required in the next five years (as recommended by the Occupational Therapist Services) the initial referral may be declined. The council will in partnership with the Occupational Therapist (OT) look to design alternative solutions that are future proofed for the tenant's medium term future. The tenant will not need to go through the referral process again, ensuring less disruption. Installing all the tenants medium term required adaptations at once will be more cost effective.

- Move within 12 months of adaptation works.

Tenants who move within 12 months after having adaptation work carried out and then request adaptations again in their new home, will not receive assistance unless the original property is confirmed to be no longer suitable by a health professional or council officer. The tenant will be advised of this when they receive the initial adaptation.

b) Reasonableness / suitability

This will ensure that the council maintains control of how housing assets are managed and used, retaining the stock that there is a demand for and ensuring tenants are accommodated in the most suitable accommodation for

their needs. This will also ensure that cost effective solutions are considered and implemented.

- Re-let ability

This is where the council is requested to carry out an adaptation that would result in difficulty re – letting the property, for example, where a bedroom is lost due to an installation of a through floor lift.

- Risk to others

This is where the proposed adaptation might put others at risk. For example the installation of stair lifts in communal areas causing obstructions that may impede access and/or restrict fire safety escape routes.

- Limitations of the existing building structure

This is where the building structure is considered integrally unsuitable for adapting. For example widening doors in non- traditional constructed houses with concrete walls, or level access/wet room in beam and block floors.

- Major Works

This is where major adaptations are required and it is difficult to provide a cost- effective solution in the tenants existing home, particularly in the context of the 'reasonable and practicable' judgements, alternative solutions will be considered in consultation with the OT.

- Unreasonable solutions

This is where the tenants needs can be met by a more reasonable solution, for example, utilising existing space within the property instead of building extensions. Further consultations with the OT and design team will take place to look at alternative measures that will meet the tenant's needs.

c) Major Works

Adaptations that are likely to cost more than £50K will not be carried out. This is based on the Hertfordshire County Council (Home Improvement Agency's) DFG threshold which is set at £30K + £20K discretionary addition.

If the tenants needs cannot be met through consultations with the OT and/or alternative design solutions the tenant will be supported in reviewing the options and moving to alternative accommodation.

In 2019/20 there have been 4 cases where the cost of adaptation works exceeded £50K. This accounted for £245,000 costs 43% of the available

budget. These costs would have been significantly reduced if suitable alternative solutions had been found or tenants had been relocated to more suitable, adaptable home.

4.4 FINANCIAL IMPACT - DECLINED REFERRAL'S

- 4.4.1 The table below shows the referral cases for 2019/2020 and the estimated reduction in spend if the proposed policy was in place. This will ensure that funding can be best used for all tenants needs.

Reason	Occasions	Average cost of works (£)	Estimated possible saving (Incl. carrying out other necessary works) (£)
Under occupied	7	5,500	33,000
Over crowded	1	6,400	6,400
RTB applications	8	3,800	21,500
Rehoused (within 12 months)	4	12,200	11,200
Mutual Exchange (within 12 months)	3	6,100	12,200
Moved outside the Borough	4	6,400	25,600
Re – Let ability	4	12,800	11,700
Risk to others	12	1,800	7,200
Structure limitations	4	5,500	6,600
Major Works	6	58,000	104,000
Total costs		544,600	146,000

4.5 RECOVERING COSTS

- 4.5.1 Additional options for recovering revenue must also be considered in relation to ongoing maintenance and servicing costs including the potential for recovering costs where adaptations are deemed no longer suitable and require removal.

a) Specialist equipment servicing charges.

Where permissible, applying an additional service charge for ongoing servicing, repairs and maintenance e.g. stair lifts, hoists. This will also be covered in part or full if the tenant receives Universal Credit or Housing Benefit. This will not be charged retrospectively but will only be applied on adaptations under the new policy.

The table below shows the predicted charges that will be received based on 2019/20, including 20% administration costs:

Indicative weekly charges			
Equipment	Charge rate (£)	Quantity	total
Clos-O-Mat	3.75	4	780.00
Hoist	2.87	3	447.72
Stairlift	3.12	6	973.44
Through Floor Lift	10.92	1	567.84
Total for year			2,769.00

Over time the servicing charges will pay for extended warranties on new installations.

Service charge levied for the “Service, Maintenance and Repair” would be eligible for rebate provided it did not become the property of the tenant. This is in line with the Housing Benefit Regulations.

b) Charges for Adaptations

In appropriate cases it is proposed to introduce a financial “test of resources” (means test) with the support of the councils Welfare Benefit and Debt Advisors, and Specialist Support Service Advisor to determine whether the tenant needs the adaptation to be fully funded by the council, are able to make a contribution towards the adaptations or are financially secure enough to pay for all of the adaptation works requested.

The “test of resources” is a combination of savings, income (including benefits), age and pension where the first £6,000 (this is in line with the DFG) is not taken into account.

The “test of resources” is used to calculate the financial contribution that the tenant may be required to make towards the cost of the adaptation. Adaptations for children (under 16) and qualifying (eligible) young people (i.e. those aged 16-20 attending school or college or in approved non-wage training for more than 12 hours a week) and Tenants in receipt of the following “Passported” benefits will be exempt from the test and will not be charged for the adaptation.

- Income Support
- Income based Employment Support Allowance.
- Income based Jobseekers Allowance
- Guaranteed Pension Credit
- Housing Benefit
- Universal Credit
- Working Tax Credit and/or Child Tax credit (provided for these purposes income is less than £15,050)

The financial means testing proposed is in line with the current DFG. Nationally over 60% of councils currently means test their tenants, this increases to 100% for Housing Associations (HA) and the private sector.

Appendix C details how the “test of resources” will be applied

This will only impact tenants who are in a financial position to afford a contribution or pay for the installation of adaptations themselves. If the means test shows that the tenant can afford to pay for all of the adaptations they will be declined the adaptation. They will however still be required to request permission from the council to make alterations to their home. Permission may still be declined if the adaptation meets any of the grounds for refusal stated in the Policy.

No matter what the outcome of the financial “test of resources”, the council will assist in managing the works to ensure that the standards are met.

Financial information is collected from the tenant however they are not obligated to provide this. If the tenant declines to provide financial information, the council will not provide any further assistance, and the tenant will need to pay for the full cost of the adaptation.

It is proposed to only carry out the “test of resources” on adaptations above £8,000. This is based on evidence from other Local Authorities that shows only 5% of tenants would need to make any form of contribution towards an adaptation under the “test of resources” process. The resources required to administer the process and recover this cost is considered not to be cost effective to carry this out in every case.

c) Recuperation of adaptation costs

It is proposed that the policy will allow the council to recoup costs for any adaptations works over £5,000 and this is paid back should the tenant move from their adapted home or complete a RTB application within 5 years of receiving the adaptation. This amount will be reduced by 20% per annum over the 5 year period. This is in line with the DFG

The aim is to substantially reduce the council’s burden and the costs associated with reinstating properties that have previously been adapted, and minimise situations where the council in the past installed adaptations in unsuitable accommodation that the tenant is likely to move from in the near future

Currently independent and Local Authority Home Improvement Agencies (HIA) and most Housing Associations and private landlords have similar policies in place and charge tenants if they sell / move out of the property within a period of time, covering the cost of reinstating or removing adaptations.

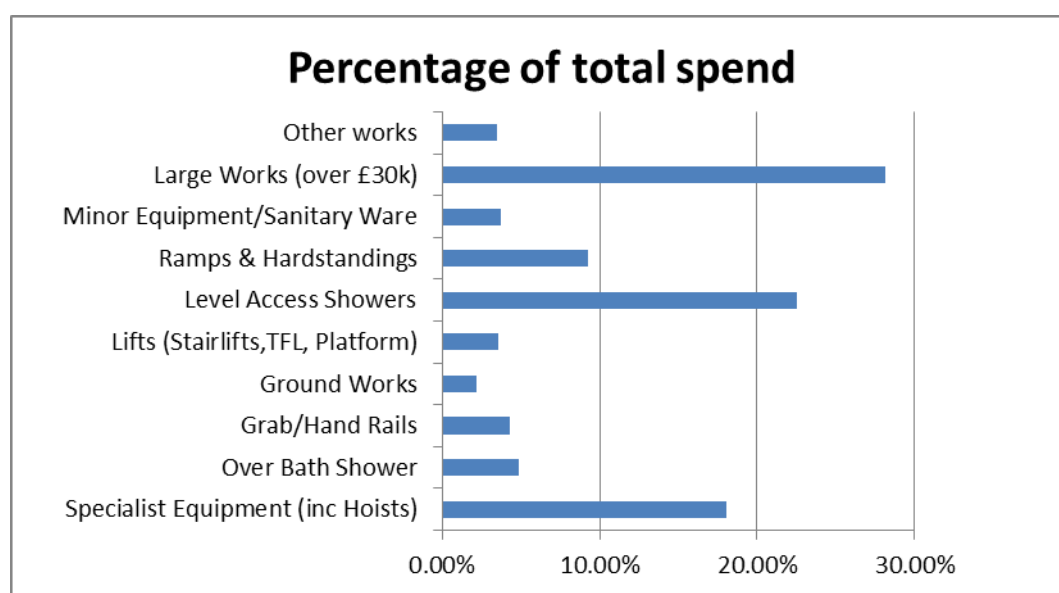
There have been no occasions this year where the tenant has moved out of their home within 5 years.

The Tenancy Agreement will be aligned with this policy allowing monies to be recuperated if a tenant moves out. Any move would not be allowed without ALL outstanding sums being paid in full.

Under very exceptional circumstances or where the council has instigated a move, the council may consider waiving some or all of this charge.

4.6 FINANCIAL POSITION

- 4.6.1 The Aids and Adaptation budget for 2019/20 is £563,966. The approximate percentage spend for the different types of work is shown in the table below.



- 4.6.2 In 2018/19 additional funds were committed to clear a back log of cases, as the annual budget was insufficient to meet previous year's demands. £40,000 of backlog cases was carried forward into 2019/20.
- 4.6.3 In previous years the aids and adaptations budget has not always been sufficient to meet the fluctuating demand. The proposals for the new policy will assist the council in meeting the current and future demand and deliver assistance to more households in need within the current budget by streamlining the services offered and by reducing high value works.
- 4.6.4 To meet the estimated adaptation demands over the next 20 years based on the statistics produced predicting an increase in the aged population. This will equate to approximately 4% year on year increase equating to and an estimated £27,000 increase in the budget for 2020/21.

5 IMPLICATIONS

5.1 Financial Implications

- 5.1.1 The 2020/21 budget of £569,520 for aids and adaptations will be closely monitored against the actual spend, and reviewed taking into account the fluctuating demand and the impact following the introduction of the policy. If it is anticipated that an annual increase in the budget is required to meet additional demand this will be reported through the Capital quarterly budget monitoring report and considered for inclusion in the future revisions of the HRA business plan.

5.2 Legal Implications

- 5.2.1 The Council has obligations towards disabled tenants under a number of statutes and regulations.
- 5.2.2 Under s20 and Schedule 4 Equality Act 2010 the council as landlord has duties:
- (i) where a provision, criterion or practice of the council puts a disabled person at a substantial disadvantage in comparison with persons who are not disabled, the council must take “such steps as it is reasonable to have to take to avoid the disadvantage”
 - (ii) where a disabled person would, but for the provision of an auxiliary aid, be put at a substantial disadvantage in comparison with persons who are not disabled, the council must “take such steps as it is reasonable to have to take to provide the auxiliary aid”.
- 5.2.3 s3 (2) (d) Housing Act 2004 requires the council to establish the likely need for adaptations and develop plans for delivering them.
- 5.2.4 s23 Housing Grants, Construction and Regeneration Act 1996 imposes a statutory duty on the council to provide grant aid to disabled people for a range of adaptations (Disabled Facilities Grants) where the works are “necessary and appropriate” to meet the needs of the disabled applicant and the council is satisfied that it is “reasonable and practicable” to carry out the works, having regard to the age and condition of the property. The maximum amount that can be granted is £30,000.
- 5.2.5 The Regulatory Reform (Housing Assistance) England and Wales) Order 2002 enables authorities to give (discretionary) assistance to tenants to adapt or improve their living accommodation

5.3 Consultation with the Housing Management Advisory Board (HMAB) and the Portfolio Holders Group (PHAG)

- 5.3.5 The policy was presented to the HMAB 16 January 2020. Members raised a number of issues and recommended to rephrase some of the wording in the policy. Officers provided responses to these at the meeting. Where appropriate these have been incorporated in the policy and will be included in the updated aids and adaptations processes and procedures.

5.3.6 The policy was presented to PHAG on 13 February 2020. Members were broadly in agreement with the policy. They raised a number of comments, and recommended that the following be considered:

- a) Indicate that under occupiers are not forced out of their homes (policy 4.5.3)
- b) Amend definition of “disabled” in line with the Housing Grants, Construction and Regeneration Act (policy 4.2.2)
- c) Change wording to “....eligible young people...” (policy 4.7.2)
- d) Dormant adaptations - include RTB (policy 4.8.1)
- e) Dormant adaptations – dissolve recharge if council instigate a move or withheld at the council's discretion (policy 4.8.2)

Officers clarified a number of points and have incorporated the recommendations in the policy.

5.4 Climate Change Implications

5.4.1 There are no climate change implications to this report.

5.5 Staffing and Accommodation Implications

5.5.1 Housing and Investment is currently undertaking a Business Unit Review. The review has identified the need for surveyors with specialist knowledge and skills relating to design and delivery of aids and adaptations. The structure comprises two Building Surveyors managed by a Principal Building Surveyor. It is considered that this will be sufficient to deliver the current service.

5.6 Equalities and Diversity Implications

5.6.1 See attached Appendix D - Equalities Impact Assessment

5.7 Service Delivery Implications

5.6.1 New processes and procedures will be produced in line with the proposed policy ensuring that the aims of the policy are achieved.

BACKGROUND DOCUMENTS

None

APPENDICES

- A The Aids and Adaptations Policy
- B Types of adaptations
- C “test of resources”
- D Equalities Impact Assessment