



TECHNICAL
AIDS & ADAPTATION POLICY
October 2019
October 2024

1. Introduction
2. Definitions
3. Legislation
4. Responsibilities
5. Funding and Procurement
6. Referrals and Assessment
7. Prioritisation
8. Tenancy issues
9. Performance targets
10. Links with other policies
11. Data protection/GDPR
12. Equal Opportunities
13. Complaints
14. Review

Appendix-Examples of Major and Minor Adaptations

1. Introduction

1.1 As part of our overall provision of suitable housing to meet the needs of our applicants and tenants, and to comply with our Equality & Diversity policy, Paisley Housing Association (PHA) carries out adaptations to its stock.

1.2 PHA is committed to tenancy sustainment by providing support to those tenants/prospective tenants who require it, including those who require their home to be adapted to cope with age or disability.

1.3 PHA recognises that being able to access appropriate housing or to adapt a current tenancy can have a positive impact on health whilst contributing to independence, privacy and dignity.

1.4 The document makes reference to the supporting procedure that sets out how the policy will be implemented at an operational level, who has responsibility for each function and how the system will be administered.

1.5 It does not deal with design specifications for new build or CTI developments.

1.6 Adaptations to shared ownership properties (of which we have 2) are not eligible for funding from PHA.

2. Definitions

2.1 **Disability** -The Equality Act 2010 defines disability as a physical or mental impairment that has a substantial and long-term adverse effect on a person's ability to carry out normal day to day activities. Therefore the needs of, for example, a person with autism and/or the needs of family members living with someone who has autism should be considered in the same way as requests for support relating to a physical disability. However those needs are only relevant to the extent that they will be met by *physical* changes to the property.

2.2 **Adaptations** to housing are permanent or temporary changes to a home considered to be essential:

- **Major**-structural or other permanent changes, such as wet floor bathrooms
- **Very major**-as above but are highly specialised, high cost adaptations e.g. an extension
- **Minor**-a change that does not affect the overall structure, is relatively inexpensive and may be installed or removed quickly and easily e.g. handrails, over bath showers, flashing doorbells

2.3 **Auxiliary aids and services/support** can be similar to minor adaptations e.g. a lever tap, door bell etc. It includes equipment such as signage and also covers services or changing practices as appropriate e.g. providing a sign language interpreter. We have an obligation to carry these out.

2.4 Reasonable adjustment- as a landlord where a **provision, criterion or practice** puts disabled people at a substantial disadvantage compared with those who are not disabled, we have a duty to take reasonable steps to avoid that disadvantage. This can cover rules about the occupation or management of the property. This also links to 2.3 above.

- where a **physical feature** (arising from the design/construction, or a fixture and fitting) puts disabled people at a substantial disadvantage compared with those who are not disabled, to avoid that disadvantage or adopt a reasonable alternative method of providing the service or exercising the function
- where not providing **auxiliary aids** puts disabled people at a substantial disadvantage compared with people who are not disabled, to provide that auxiliary aid

2.5 Stage 3 Adaptation-the categorisation applied by the Regulator of Social Housing of adaptations done to occupied property, supported by an assessment by an Occupational Therapist, for which a grant is sought by the Association.

3. Relevant Legislation/Good Practice

Scottish Government's Social Housing Allocations in Scotland-A practice guide 2019. In relation to ensuring our Common Allocations Policy meets with legislation and good practice.

Equality Act 2010- an Act of UK Parliament with the primary purpose of consolidating, updating and supplementing the numerous prior Acts and Regulations that formed the basis of anti-discrimination law

Housing (Scotland) Act 2001-gives tenants the right to carry out works to make their home suitable for a disabled person-subject to the consent of their landlord

Housing (Scotland) Act 2010-established the Scottish Social Housing Charter and Annual Return on the Charter which includes the reporting and monitoring of stage 3 adaptations.

Housing (Scotland) Act 2014 –allows the recovery of possession of properties designed or adapted for special needs.

4. Responsibilities

4.1 The lead section in dealing with adaptations is the Technical section which will assist tenants with advice, liaise with Housing Management over adaptation referrals, and carry out works. See the Association's Adaptation Procedure.

4.2 To ensure the Adaptation Policy is applied consistently and to ensure that we provide a quality service for our customers the Association's staff and Board have clearly defined areas of responsibility.

The Technical Officers are responsible for:

- Liaison with tenants/signposting referrals
- Liaison with OT department
- Technical advice on suitability of properties for adaptations
- Ensuring tenants and their carers are consulted in the adaptation process and kept advised of progress
- Advice to tenants wanting to fund their own adaptations
- Ensuring quality of work and completion in the minimum timescale possible
- Maintaining records and collating information for quarterly draw down of grant
- Updating the property attributes register on the housing system

The Housing Management section is responsible for:

- Identifying need and liaison with prospective tenants requiring adaptations
- Ensuring liaison between HM & Technical and communicating suitability/appropriateness of properties for adaptation
- Determining when a transfer is more appropriate for current tenants i.e. property not suitable for adaptation

The Housing Manager is responsible for:

- Any decision to take back an adapted property originally allocated to someone with no requirement for the adaptation

The Finance section is responsible for:

- Making draw down claims for grant and annual grant approval on behalf of the Technical Manager

The Technical Manager is responsible for:

- Making annual grant bids
- Procurement of adaptation contract
- Ensuring compliance with Adaptation Policy and Procedure
- Monitoring and reporting on performance

The Board is responsible for:

- Approving Policy
- Monitoring KPI outcomes

5. Funding and Procurement

5.1 PHA will apply for funding for (stage 3) medical adaptations annually. The level of application will take into account demand in the previous year, any known needs, and a projection of demand from our housing waiting list.

5.2 Where very substantial high cost adaptations are required for a tenant PHA would have to apply to the Regulator for a major adaptation grant, detailing the

project. This is a separate allocation bid to the normal stage 3 process. See 6.4 below.

5.3 PHA has incorporated over bath showers into its bathroom planned replacement programme as this is one of the most common adaptations requested.

5.4 Very minor aids under £75 i.e. auxiliary aids requested directly by tenants will be funded from the reactive repairs budget.

5.5 Procurement of a contractor for adaptations works is done annually through the Scottish Procurement portal, as per our Procurement Policy & Procedure. Details of the MEAT (most economically advantageous tender) contractor are put onto the Contracts Register on our website.

6. Referrals and Assessment

6.1 Renfrewshire Council does not allow PHA to make referrals for an Occupational Therapy (OT) Assessment. We can therefore only give advice to our customers on the process.

6.2 Tenants and prospective tenants must self refer to the OT department of Social Work to be assessed for their adaptation needs. This can take many weeks.

6.3 Where an applicant has applied to the Council for housing, under the Common Allocations Policy Information Sharing Protocol we may be able to access OT current home assessments to determine need for applicants.

6.4 For waiting list applicants with identified needs, the Occupational Therapist should assess, whenever possible, the prospective property with both the prospective tenant and technical staff in attendance, prior to issuing a referral. This allows for advice on the suitability of the property for adaptation and speeds up the referral process.

6.5 Where a major adaptation i.e. high cost work has been identified (see 5.2 above). PHA staff in conjunction with Occupational Therapy staff should assess housing options and alternatives available considering;

- the likely medical prognosis, and long term usability of the proposed adaptation(s)
- the suitability of the property to meet the current and, reasonably foreseen, future needs of the tenant
- the tenants desire to stay in their current home, and their safety
- the ongoing availability of the tenants existing support network
- the likely availability of suitable alternative accommodation from PHA, or other RSL
- the cost of the adaptations required
- technical or planning requirements which may make an adaptation not viable

- timescale of available options
- sources of funding available

Where the outcome of the appraisal is that the best solution would be a move to suitable alternative accommodation, depending on the timescale for this to happen, OT staff may still require some adaptation to the current home via the stage 3 referral process.

6.6 As noted at 5.4 tenants can self refer direct to PHA for auxiliary aids.

7. Prioritisation

7.1 This is carried out by the Occupational Therapist and noted on the referral form received by PHA.

7.2 PHA carries out referrals as they are received. It does not keep a customer with a lower priority waiting in case a higher priority is subsequently received.

7.3 To facilitate this, a budget provision of £20,000 has been made as part of our annual budget. This can be used while waiting for our grant allocation, or if the grant allocation has been used up. In both cases the sum used can be reclaimed from the grant/following year's grant when awarded.

7.4 If the £20,000 budget provision has been used and PHA has been unsuccessful in its application for additional grant then a waiting list will be formed. Tenants will be advised that work will be carried out as soon as the next grant allocation has been made. Work will be done in date order of receipt of referral.

7.5 Should Scottish Government funding grants be withdrawn for RSL, the Board will re visit the issue of prioritisation and eligibility criteria.

8. Tenancy issues

8.1 PHA will not charge an additional rent or service charge for the provision and/or maintenance of stage 3 adaptations, or approved adaptations self funded by tenants.

8.2 Properties will normally be re-let with the adaptations that have previously been carried out.

8.3 The allocation of properties will take into account any existing major adaptations. Details of adaptations are held on PHA's housing management system.

8.4 Agreement to remove major adaptations at void must be made jointly by the Technical and Housing Managers

8.5 Permission to a request for removal of an adaptation installed on a referral by an Occupational Therapist for the current tenant will not be given. It is expected that any change in a tenant's condition would be the subject of a further referral e.g. removal of a level access shower in favour of installing a wet room.

8.6 New tenants will be advised that existing adaptations will not be removed. However as 8.5 above, a tenant's condition may be the subject of a subsequent referral which could require a change to the adaptations present.

8.7 It is at the Housing Managers discretion to invoke legislation that permits an adapted property which has been allocated to a person with no requirements (due to no need/demand on the waiting list at that time) to be taken back and allocated to a person with needs when such an application for housing is received.

8.8 Consent for permission to carry out self funded adaptations will follow the principles/ take into account criteria set out at 6.4, depending on the scale or nature of the request.

8.9 Conditions may be attached to the consent for self funded adaptations, for example, the standard to which any works undertaken must be carried out, or that the property must be restored to its previous state if ending the tenancy. PHA will take into account the age and condition of the property, its own planned maintenance programme and the costs upon the tenants of complying with any conditions.

8.10 Adaptations required to the common parts of a building in mixed tenure closes, require a 100% agreement of owners. This therefore may be a circumstance where we have no option but to consider a transfer to alternative accommodation, if necessary, as a management transfer. This is an extreme measure to be considered only where there is a major common parts adaptation required that is essential for the tenants occupation of their home.

9. Performance targets

9.1 Staff will aim for continuous improvement year on year in turnaround time from receipt of referral to completion of adaptation.

9.2 Performance is reported annually in the ARC, and also on a 6 monthly basis to the Board as a KPI

10. Links with other policies

Allocations
Asset Management
Complaints
Equality and Diversity
Permissions and Alterations
Procurement
Rents setting
Voids

11. Data Protection/GDPR

11.1 When implementing the policies and procedures of Paisley Housing Association all staff and Board members must adhere to and be aware of the requirements of the Data Protection Act 2018 and the General Data Protection Regulation (EU) 2016/679 (“the GDPR”).

11.2 In situations where there may be any doubt about the requirements of the above, the Association may seek the views of its legal advisors.

11.3 The Technical section will retain information on adaptations carried out to properties. It will not retain personal information on the tenant involved beyond the end of a tenancy or the statutory period allowed to claim compensation for adaptations where the adaptation was a) carried out by the tenant and b) is eligible as an ‘improvement’.

12. Equal Opportunities

12.1 The Association promotes equal opportunities and will not discriminate between persons on grounds of gender or marital status, on racial grounds, or on grounds of disability, age, sexual orientation, language or social origin, or of other personal attributes, including beliefs or opinions, such as religious beliefs or political opinions.

See our **Equalities and Diversity Policy**

13. Complaints procedure

13.1 The Association aims to ensure that the service provided to tenants is of the highest quality. If this is not the case, a **Complaints Policy and Procedure** is in place to allow all residents or affected parties to state their grievance. The Scottish Public Services Ombudsman is the final stage of this process.

14. Review

14.1 This Policy will be reviewed five years from the date of approval.

14.2 Consideration will be given to any changes in legislation, good practice or operational changes which may affect the content.