

# Policy Statement:

## Adaptation of Family Houses and Upper Floor Flats for people living with a disability

2013-2016



Prepared by

**Neighbourhood Housing Management**

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## 1. Introduction

Flintshire County Council understands that living with a disability can affect the way in which a person can access, enjoy and use their home.

The Council has developed this policy to support customers to retain their independence whilst balancing the need for the authority to make the best use of its housing stock.

## 2. Scope

This policy sets out the Council's approach to the way in which it responds to requests for adapting a Council home. It applies to customers who require the adaptation for themselves, or for a member of their household.

It applies only to customers who live in family houses and upper floor flats

## 3. Background

The Council's Housing Department receive regular recommendations in relation to the adaptations required to enable customers, or members of their household to live independently

In order to be able to provide customers with a prompt and well-reasoned response to these requests, it has been necessary to develop a consistent but individually tailored approach.

This process supports a "right first time" experience for the customer; however the safeguard of an appeals procedure is included for those customers who think we haven't got it right.

## 4. Definitions

### Definition of a 'person with a disability'

The Equality Act 2010 states that:

A person has a disability if:

- They have a physical or mental impairment
- The impairment has a substantial and long term adverse effect on their ability to perform normal day to day activities

For the purpose of the Act, these words have the following meanings:

- 'substantial' means more than minor or trivial
- 'long term' means that the effect of the impairment has lasted or is likely to last for at least 12 months (there are special rules covering recurring or fluctuating conditions)
- 'normal day to day activities' include everyday things like eating, washing, walking and going shopping'

## 5. Requesting an adaptation of a house or upper floor flat

Flintshire County Council's Occupational Therapy Service has the statutory duty for carrying out an assessment in order to determine what the needs of the customer are.

Following their assessment with the customer, they will send a copy of the assessment to the Council's Neighbourhood Housing Team.

The request will be looked at by the Neighbourhood Housing Officer for the area, who will in some cases need to speak to the customer to obtain further information about their circumstances, their tenancy and their home.

A report will then be sent to the Neighbourhood Team Leader who will provide a written response with the decision on whether the adaptations will be carried out.

## 6. Factors to be taken into account

Flintshire County Council is unlikely to invest in the provision of adaptations where the benefit achieved for the customer is only short term, unless it can be reused for the benefit of any tenant. Each decision will be made on a case by case basis.

There may be other circumstances when it is not reasonable or practical to do so, or there are exceptional circumstances to be considered, or where the provision of such adaptations may conflict with other aspects of the council's strategic approach to housing.

In cases where the outcome is to refuse a request for adaptations, the decision will always have been considered by the Neighbourhood Housing Team Leader and the following factors will invariably have a bearing on the decision making process:

- the applicant occupies a property that is scheduled for modification, or major refurbishment within the next two years

- the resident is actively seeking re-housing
- the adaptation requested is not structurally practicable
- there are properties within the same community which are already adapted, or can be adapted more cost effectively (access to support networks, school catchments, and community facilities will be considered).
- the property is under-occupied
- extensive adaptations are requested (Over £10,000)
- suitable alternative accommodation can be provided within a reasonable timescale, which the housing service deems to meet the needs of the household, following the recommendations made in your Occupational Therapy assessment
- the future ability to let the property would be adversely affected
- the tenant has made an application to purchase the property under the 'Right to Buy' scheme.
- the tenancy is less than 12 months old and/or the tenant failed to declare that they, or a member of their family had a pre-existing disability, where it is reasonable to do so, i.e. those with an enduring condition

Flintshire County Council has a responsibility to all residents of the county and particularly to those who are currently registered on the housing waiting list, to make best use of the limited social housing properties available.

Whilst the needs of the customer will be given proper consideration, it is inevitable that the best use of the Council's housing stock must additionally be considered, to ensure that all residents are being treated fairly, particularly where the nature of the adaptations are substantial.

In some cases, re-housing will be identified as an alternative to carrying out major adaptations to the property. Re-housing may be to another Flintshire County Council property, or to one of the other social housing providers in the county.

Such cases will be considered on an individual basis, taking into account all relevant information.

The Council understands that moving home can incur additional costs for the customer and some financial assistance may be available for eligible households to help with removal costs and/or other essential expenditure incurred as a result.

Where it is determined that suitable alternative accommodation will be available in a reasonable timescale, then major adaptations will not normally be carried out to the existing property.

## 8. Appeals Procedure

The Council has established an appeals process where customers who do not agree with the outcome of their request, can ask for a review of the decision where there is reasonable cause to believe that a material fact has not been considered.

Upon receiving the formal decision letter, there will be a form included to request a review of the decision.

This must be completed and returned within 28 days. Requests received after this time will not be considered unless there are exceptional circumstances.


An appeal hearing will be convened within 28 days of the request being received.

Customers may bring someone with them to the appeal. Appeals will be heard by the Neighbourhood Housing Manager.


Any further evidence to be considered as part of the review must be provided by the customer to the chair of the review panel no fewer than 5 working days in advance of the hearing.

The council aims to ensure that all customers are treated fairly and are able to fully access services. In the event that the customer has any requirements on the day of the hearing, they should notify the council in advance so that these can be accommodated where possible.

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