

Disabled Adaptations Policy



This policy will apply to the following entities:

Legal & General Affordable Homes Limited (LGAH Propco)
Legal & General Affordable Homes (SO) LLP (LGAH SO LLP)
Legal & General Affordable Homes (Capital) Limited (LGAH Capital)
Legal & General Affordable Homes (Development 3) Limited (LGAH DevCo 3)
Legal & General Affordable Homes (Development) Limited (LGAH DevCo)
Legal & General Affordable Homes (Development 2) Limited (LGAH DevCo 2)
Legal & General Affordable Homes (Investment 1) Limited (LGAH InvestCo1)
Legal & General Affordable Homes (Investment 2) Limited (LGAH InvestCo2)
Legal & General Affordable Homes (Investment 3) Limited (LGAH InvestCo3)

1. Policy Introduction

LGAH has developed this policy to inform staff and our Management Partners of the approach LGAH will take to proposed disabled adaptations within our homes. It is our desire to ensure that customers, regardless of local authority area, receive an equal opportunity for appropriate adaptations to be made in their homes.

Where the property is developed as a wheelchair user adaptable property for compliance with the planning requirements, there is an assumption that further adaptations are likely to be required to ensure the property can meet the full needs of the occupants.

2. Policy Aims

To ensure that LGAH customers are supported to remain in their homes and sustain long term tenancies where they have a disability, and to ensure requests for disabled adaptations are processed efficiently in partnership with Management Providers, and in line with Local Authority Policies.

3. Legal Framework

3.1 The Equality Act 2010 refers to the duty to make reasonable adjustments depending on; amongst other criteria; how practical the changes are, how much money and resources are available and the cost of making changes.

3.2 The legal principle for Disabled Facilities Grant (DFG) is contained in the Housing, Grants, Construction and Regeneration Act 1996. The availability of a DFG is dependent on all three of the following criteria being met:

- The works are necessary and appropriate, and
- The works are reasonable and practicable to carry out; and
- The applicant's means-tested contribution (except for children) is less than the approved value of the grant.

3.3 The Homes (Fitness for Human Habitation) Act 2018 requires that residential rented accommodation is provided and maintained in a state of fitness for human habitation throughout the duration of the tenancy. In order to be considered fit for habitation, a property must be/have:

- Structurally stable;
- Free from serious disrepair;
- Free from dampness prejudicial health;
- Adequate provision for lighting, heating, and ventilation;
- Adequate piped supply of wholesome water;
- Satisfactory facilities for the preparation and cooking of food;
- A suitably located w.c. for exclusive use of the occupants;

- A suitably located fixed bath or shower and wash hand basin with hot and cold water;
- An effective system for the drainage of foul, waste and surface water; and
- Free from Category 1 HHSRS hazards.

3.4 This policy is also designed with consideration of the Consumer Standard set by the Regulator of Social Housing, Particularly the Adaption standard:

Registered providers must clearly communicate to tenants and relevant organisations how they will assist tenants seeking housing adaptation services.

Registered providers must co-operate with tenants, appropriate local authority departments and other relevant organisations so that a housing adaptations service is available to tenants where appropriate.

4. Definitions and Eligibility Criteria

4.1 Adaptations are alterations or additions to any aspect of a dwelling to make it easier or safer for use by a person with a disability.

4.2 A person is formally defined as having a disability under the Equality Act 2010 if they have a 'physical or mental impairment', and 'the impairment has a substantial and long-term adverse effect on (the person's) ability to carry out normal day-to-day activities.'

4.3 Other eligibility criteria which apply to this policy are:

- Those identified by social care, primarily the Occupational Therapy service in respect of the Care Act 2014.
- Applicants must be a named tenant on our Tenancy Agreement or registered on our records as part of the tenant's household and living at the property on a permanent basis. If they are aged over 18 years, they should also be registered on the Council Tax records and/or electoral roll for that address. Individuals who have no recourse to public funds or do not have the right to rent will not be eligible for assistance under the terms of this policy.
- In cases where a child (someone who has not reached their 18th birthday) is disabled and the parents are separated, adaptation works will usually only be completed at the property of principal residence.
- Where tenants have a starter tenancy LGAH may consider alternative suitable accommodation rather than adapting the existing property.

Major adaptations will not be carried out in the following circumstances, unless there is a conflict with the Homes Act 2018, in which case the requirements of the Act will take precedence:

- The customer has a Right to Buy application
- The customer is under-occupying the current property
- The property is above ground floor level, and has no lift
- The layout and/or location of the current property make it unsuitable
- The works would negatively affect the future lettable of the property
- The customer is subject to investigation or legal action resulting from a breach in tenancy

In such cases, the customer will receive advice and assistance regarding their housing options and the alternatives open to them.

5. Policy Statement

5.1 Where the tenants are nominated to a new build property, LGAH will, wherever possible carry out the works during the construction phase to minimise disruption to customers and to minimise costs.

- 5.2 We reserve the right to decline requests for adaptations where the cost of the work is considered too high, or not reasonable or practical, and the tenant can apply to move to a more suitable property.
- 5.3 We reserve the right to decline requests for Major Adaptations for applicants who have moved from a previously adapted property or a property that was considered to be suitable for their needs, unless there is a change in their circumstances not related to their disability, such as an increase in household size.
- 5.4 Tenants who are applying for Major Adaptations to their current home and are also registered for a transfer or mutual exchange to another property, would need to withdraw their application to move before works will be carried out on their current home.
- 5.5 Where tenants are in arrears, a decision will be made on a case by case basis, including a risk review of household finances, taking into account their individual circumstances and repayment history.
- 5.6 This procedure applies to:
- 5.6.1 All permanent Social Housing let at Social or Affordable Rents; and
- 5.6.2 Adaptations required by permanent members of the household.
- 5.7 This procedure does not apply to:
- 5.7.1 Shared Ownership properties.

6. Funding

- Minor Adaptations are classed as work costing less than £1000
- Major Adaptations are works costing more than £1000
- LGAH will fund minor adaptations up to £1k and up to 25% of the total cost of any Major Adaptations.
- All other adaptations will be funded with Disabled Facilities Grant as directed by the relevant Local Authority.

7. Completing Disabled Adaptations

- All requests for disabled adaptations will be handled by the Management Provider who is responsible for the property in question, using their own internal procedures.
- The Management Provider will assess the residents need and eligibility for adaptations to their home.
- The Management Provider will use all available evidence, including an Occupational Therapist report, to make a recommendation to LGAH. This recommendation should include a statement that no further adaptations are required for (insert time period./ event) in order for this property to be suitable for this customer.
- In the first instance, wherever possible, customers will be encouraged to make an application to the relevant Local Authority for Disabled Facilities Grant.

- Where Disabled Facilities Grant is not available the Management Provider will recommend alternative sources of funding or liaise with LGAH to discuss funding.
- Management Providers will be responsible for completing all adaptations, unless LAGH decides to instruct a third party.
- The Management Provider should endeavour to instruct the same Employers Agent as was employed by LGAH on the Development Contract for continuity.
- No works will be carried out to an LGAH property by a Management Provider without the prior consent of the LGAH Head of Asset Management and Compliance.

8. Disabled Adaptations in new build properties within the (12/24 month) Defect Liability Period

The Management Provider should be ensuring that any customer offered a general needs new build property does not require any major adaptations. It is considered that minor adaptations (see appendix A) would not affect the DLP.

This is not applicable where the new build property is an adapted property, where there will be a presumption that further adaptations will be required to make the property suitable for the customer to move in to.

9. Servicing, maintenance and replacement of specialist equipment

The Management Provider must take responsibility for servicing and maintaining permanent adaptations. This will not include lifting equipment such as stair lifts or hoists because these are removable and will remain the responsibility of either the organisation who funded the works (such as the Local Authority who provided the DHP, or if this is not possible then the resident).

Step and through floor lifts are a permanent fixture and the MP (on behalf of LGAH) will be expected to ensure that a suitable maintenance schedule is in place and funded, to maintain these adaptations once the guarantee period expires. These fixtures may be removed at void stage if they are life expired and the property is to be re-let.

The regular testing and maintenance of this equipment (under LOLER and/or PUWER) is specialist work so unless there is a written agreement from the Local Authority, the installation will be subject to:

- agreement and completion of a tenancy variation by the resident
- payment of a service charge

10. Future Letting of properties with Major Adaptations

LGAH will seek to work with Local Authorities where major adaptations have been made to a property to secure direct lettings to the property for future households, who are able to make use of the adaptations undertaken

11. Responsibility

The **Operations Director** will have overall responsibility for ensuring this policy is implemented.

The **Head of Asset Management and Compliance** has responsibility for ensuring any works undertaken in LGAH homes are carried out to the required standards and do not impact the long-term value of the asset.

The **Head of Contract Management** has responsibility for ensuring that this policy is implemented consistently across our network of Management Providers.

The **Head of Nominations** has responsibility for liaising with local authorities to ensure properties are let as appropriately as possible to minimise the need for in occupation adaptations taking place.

Area Development Managers and/or Development Managers and/or Project and Quality Managers have responsibility for liaising with other LGAH colleagues and developers to help implement adaptations during the construction phase if this is appropriate.

12. Equality and Diversity

LGAH will treat all customers and staff with fairness and respect. We value diversity and work to promote equality and tackle unlawful discrimination.

We are committed to helping customers to access information about their homes and services in a way that suits individual needs.

Accountable Director	Shaun Holdcroft
Approval Date	October 2024
Review Date	October 2026 <i>(or subject to any changes in regulatory, legislative and/or areas of best practise where a review is required sooner than the stipulated review date)</i>

APPENDIX A

MINOR ADAPTATIONS INCLUDE -

NOTE: only where costs are not in excess of £1000

Rails

- Grab rails
- Banister rails
- Handrails to steps

Doors and windows

- Remove thresholds and make good
- Provide & fit doors
- Alter doorsteps
- Provide and fit door entry equipment (not door bells)

Plumbing

- Provide & fit lever taps

Electrics

- Provide and fit optical type smoke alarms
- Extend pull cord switches
- Lower light switches
- Raise electrical power points
- Provide & fit additional external lighting

Kitchens

- Minor alterations to kitchen units & sinks

Miscellaneous

- Concrete ramps
- Half steps

The above list is not exhaustive