



<b>Policy title:</b>	Aids and Adaptations Policy		
<b>Scope:</b>	Aspire Housing		
<b>Policy owner &amp; job title:</b>	Head of Neighbourhoods and Head of Assets and Sustainability		
<b>Approver:</b>	Executive Team		
<b>Date:</b>	01/09/2024	<b>Review Due Date:</b>	01/09/2025

## 1. POLICY SUMMARY

1.1 Customer needs can change during the time that they live in our properties which may require alterations to assist them to continue to live in their home independently, these are referred to as aids and adaptations. Aspire will act reasonably and meet its legal and regulatory obligations to ensure the effective delivery of adaptations supporting customers to remain independent and safe in the most appropriate home.

1.2 This policy applies to all properties within Aspire stock that fall within the Regulator for Social Housing standards where Aspire has a repair responsibility.

1.3 The Equality Act 2010 outlines how landlords may have to make reasonable adjustments in response to a request from a disabled tenant.

1.4 The policy has been developed in line with Aspires Corporate Plan 2030 strategic objectives of providing safe, decent and affordable homes and being customer obsessed.

1.5 This Aids and Adaptations Policy sets out:

- The approach that Aspire Housing will take to enable customers with identifiable needs to live safely and independently within their homes through the provision of an aid or property adaptation.
- The criteria that will be applied concerning the provision of adaptations
- The legal and regulatory requirements placed on us as a landlord
- How we will make beneficial use of our housing and balance the requirements of current and future customers

## 2.0 DEFINITIONS

### 2.1 Aids and Adaptations

Any additions or adjustments to a property that can assist a customer or a member of the household with the movement around their homes and completing everyday tasks.

## **2.2 Disability**

The Equality Act 2010 describes a disability as a physical or mental impairment that has a 'substantial' and 'long-term' negative effect on a person's ability to do normal daily activities.

## **2.3 Disabled Facilities Grant (DFG)**

A grant that may be available from your Council if you're disabled and need to make changes to your home.

## **2.4 Major Adaptations**

A major adaptation is the provision of fixed equipment and/or a modification to a property where an identified need within the household has been determined by a medical professional or trusted assessor. It does not include the provision of portable equipment. Examples include

- Fitting a stairlift or through floor lift
- Ceiling Hoists
- Level Access showers or wet rooms

A major adaptation will comprise work that meets the DFG criteria.

## **2.5 Minor Adaptations**

A minor adaptation is the provision of fixed equipment and/or a modification to a property where an identified need within the household has been determined by pre-set criteria and /or Aspire staff. These could include

- Grab rails
- Kitchen/bathroom lever taps
- External door threshold ramps

Minor adaptations comprise completed works that do not meet the DFG criteria and do not always need an Occupational Therapist. They are provided to all Aspire Housing customers (where we have a repair responsibility) and a need has been identified and there are available resources. Examples of minor work include lever taps, grab rails, and handrails.

## **2.6 Occupational Therapist (OT)**

A health care professional who engages with customers to assess their requirements to live a full and active life. The Care Act 2014 statutory guidance specifically states that assessments can be conducted by key professionals, such as OTs, as these assessors would be appropriately trained to provide a comprehensive assessment.

# **3.0 LEGISLATION AND REGULATORY FRAMEWORK**

3.1 The Legislation and Regulations applicable to this policy are:

- The Housing Act of 1985 & 2004
- The Housing Grants, Construction and Regeneration Act 1996
- The Human Rights Act 1998
- Regulatory Reform (Housing Assistance) Order 2002
- The Equality Act 2010
- The Care Act 2014 (Section 1)
- The Children and Families Act 2014
- The Housing Renewal Grants (Amendment) (England) Regulations 2014
- Homes (Fitness for Human Habitation) Act 2018
- Construction (Design and Management) Regulations 2015 & 2019
- Social Housing (Regulation) Act 2023
- The Regulatory Framework for Social Housing, in particular Consumer Standard - Safety and Quality – Adaptations

#### 4.0 SCOPE OF POLICY AND EXCLUSIONS

4.1 This policy applies to all customers and registered household members living in a home where Aspire is responsible for repair. Leasehold and Shared Ownership properties have the right to make a DFG application.

4.2 **Eligibility**- A request for adaptations will only be considered if the disabled person is the sole or joint tenant, or their partner or a member of the immediate family who is currently occupying the property.

4.3 **Exclusions** -Unless it is a reasonable adjustment request by a disabled person which will be considered in line with section 7, Aspire may not otherwise approve and fund minor adaptations or give consent to DFG applications for homes (or rooms) which:

Minor Adaptations	Major Adaptations
have a live Right to Acquire application	have no record of the subject of the application being resident in the relevant home
are residential or commercial leaseholders	are under occupied
are shared ownership	are above ground floor and are only accessible via a stairwell
are not owned by Aspire	are in communal areas
have a tenancy breach in place	
are in communal areas	
have no record of the subject of the application being resident in the relevant home	
are under-occupied	
are above ground floor	

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Where:

- means tests have excluded a customer from funding
- the needs of the household could be more reasonably satisfied by the customer transferring to a more suitable home provided by Aspire or other registered providers
- works are not appropriate for the structure of the property or appear unreasonable
- works are to be undertaken by the customer or their contractor (these requests can be considered in line with our Customer Alteration Policy)
- works do not represent value for money and is cost prohibitive
- the adaptation is principally to reduce overcrowding caused by the customer's change in circumstance since being granted their tenancy

For:

- improvements to driveways
- provision of in-garden parking
- to facilitate mobility scooter access

**4.4 Alternative Options-** Aspire aims to make the best use of its stock and therefore, rehousing will be discussed with customers in cases requiring a major adaptation if the existing property does not meet their long term needs. Arrangements can be made for customers to move to alternate more suitable accommodation if that is their wish.

Where customers refuse to move, we will support the Aspire customer to identify more suitable accommodation as appropriate through working with the Occupational Therapy service, the customer or other representative of the customer. Where the customer is not open to this support we will work with the OT to look at interim support which can be given.

## **5.0 OUR APPROACH TO ADAPTATIONS**

5.1 Aspire will publicise our obligations regarding adaptations, so you know how you can apply for an adaptation and who is responsible.

5.2 Requests for minor adaptations do not require an OT assessment and can be made directly by the customer or a member of their household. We will fund and carry out minor adaptations, described in section 2 'Definitions', this work will be instructed and managed by Aspire staff.

5.3 Major adaptations will not be funded by Aspire and customers will need to contact Social Care and Health for them to do an Assessment by an Occupational Therapist (OT). Local Authorities have a statutory duty to aid with major adaptations through

the provision of Disabled Facilities Grants (DFG). The customer will need to make an application for funding to the appropriate Local Authority. We are committed to supporting the provision of adaptations through DFGs, where appropriate, to enable you to maintain independence in your home.

5.4 Aspire will consider, on a case-by-case basis, the provision of 'top up' funding up to a maximum of £5,000 where the DFG maximum funding level is exceeded, to enable the delivery of major adaptation work to a property where this is deemed the most appropriate route to meet customer needs. Homeowners including shared ownership and leaseholders are not eligible for this contribution.

5.5 Where a DFG is approved by the Local Authority, Aspire has the right to refuse permission for the works and all major adaptations to the property need to be approved by Aspire before they are carried out. We reserve the right to refuse permission for any adaptation which is a health and safety or fire risk, or conflicts with any of our policies/procedures.

5.6 Aspire have no direct influence on the timescales for processing and completing DFG's but will support customers and escalate delay concerns to the Local Authority on behalf of the customer.

5.7 Following a major adaptation customers are expected to remain in the Aspire property for a minimum of five years, in line with the governments DFG eligibility criteria.

5.8 The rent of the property may be reviewed following an adaptation if the works completed have resulted in an extra room.

## 6.0 EQUALITY AND DIVERSITY, AND INCLUSION

6.1 This policy has been considered against our Equality and Diversity Policy. Where people have specific needs to access the policy, or progress a matter via the policy, reasonable support would be given. By way of example, this may include the provision of the policy in alternate forms e.g. braille, large print or audio versions and ensuring that the process followed was reasonably adapted to reflect the needs of the individual.

## 7.0 REASONABLE ADJUSTMENTS

7.1 Some requests for adaptations might also amount to requests to make reasonable adjustments under the Equality Act to Aspire as the **"controller of let premises"**.

7.2 The Controller of let premises is either the landlord or "a person who manages let premises" so can include Aspire even when we are only the managing agent. We would always then need to liaise with and seek consent from the landlord.

7.3 **Leasehold and shared ownership properties** are also covered by the duty to make reasonable adjustments when we are the landlord or managing agent. This is because the definition of “Let premises” in the Equality Act includes both leases and tenancies.

7.4 We are required to consider making reasonable adjustments to premises when we get a “**trigger request**”. That means

- We receive a request (which does not have to be in writing)
- The request is from a tenant or another person who is disabled<sup>1</sup> who is entitled to occupy the premises e.g. a member of the tenant’s household. The person making the request does not need to be disabled.
- We are the landlord or manage the let premises.
- The reasonable adjustments request asks for
  - steps to be taken or
  - an auxiliary aid providedto avoid the *substantial disadvantage* a disabled person suffers in either enjoying the premises or making use of a benefit or facility they are entitled to under their lease or tenancy
- We cannot however be required to remove or alter a “physical feature”

7.5 When considering if there is a **substantial disadvantage**, this must be a disadvantage that is more than minor or trivial. The comparator is with a non-disabled person.

7.6 In determining whether the request is **reasonable** we will consider the guidance from the Equality and Human Rights Commission that advises that the following should be considered:

- Whether the change can actually be made
- The cost
- Our size and our resources.

7.7 A **Physical feature** does not include signs or notices, taps or door handles, door bells or door entry systems, changes to colours of walls, doors or other surfaces, chattels, equipment or furniture furnishing or materials.

Examples:

- We could be required to alter the volume of a door entry bell inside the flat for a tenant who is deaf.
- A request to change a bath to a walk in shower would be a change to a “fixture” which is a physical feature we do not have to remove or alter.

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<sup>1</sup> The definition of disability to apply here is that in section 6 of the Equality Act - “a person who has a physical or mental impairment, and the impairment has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities”

- A request to change a front door to widen the doorway for a mobility scooter or wheelchair access would be a request to alter a physical feature and would again be refused

7.8 There is no current obligation in force to make **reasonable adjustments to common parts** of let premises. For example, a request for reasonable adjustments under the Equality Act to a door entry system because it is too high for a tenant in a wheelchair to reach could not cover the system in the common parts or outside doors. It could however cover the part of the door entry system on the flat front door or inside the flat.

**7.9 Costs.** We cannot charge the occupier for a reasonable adjustment we agree we are required to carry out.

## **8.0 ALLOCATION OF ADAPTED HOMES**

8.1 Upon tenancy termination, customers are required to remove all electrical adaptations and make good the property. Aspire Housing will make every effort to reallocate an adapted home to a customer who will benefit from its particular features and will include making direct matches where appropriate.

8.2 Aspire will reallocate adapted homes in the most cost-effective manner and avoid removing adaptations wherever possible.

8.3 Aspire will assist with the transfer of a family or partner remaining in a substantially adapted or purpose-built property where the disabled person is no longer resident.

## **9.0 RECYCLING AND REMOVAL OF ADAPTATIONS**

9.1 When a property becomes empty, following a termination of a tenancy, Aspire will try to avoid the removal of the adaptation, if this is not practical then it will be recycled where feasible and appropriate.

## **10.0 WARRANTIES AND MAINTENANCE**

10.1 After initial warranties have expired it is the responsibility of the customer to facilitate maintenance and repairs as appropriate of all electronic equipment, particularly lifts and hoists. Aspire will not take on liability for mechanical adaptations installed via DFG's, however if recommended maintenance schedules are not evidenced Aspire reserves the right to carry out servicing and remedial works programmes as set out in our Lifting Equipment Policy.

10.2 Permanent fixtures such as kitchens and wet rooms will be maintained by Aspire Housing once the initial warranty is completed.

10.3 All adaptations will be updated into the asset management database following completion.

#### **11.0 ASSOCIATED POLICIES AND PROCEDURES:**

- Allocations Policy (Joint)
- Tenancy Policy
- Adaptations Procedure Guide
- Tenant Private Works Policy
- Leasehold Management Policy
- Repairs Maintenance and Improvement Policy
- Rent Setting & Service Charging Policy
- Equality and Diversity Policy
- Fire Safety Policy
- Customer Home Alteration Policy
- Lifting Equipment Policy

#### **12.0 CUSTOMER FEEDBACK**

Any feedback will be considered in line with our Customer Feedback Policy.

#### **13.0 RESPONSIBILITIES OF EMPLOYEE**

13.1 To comply with the policy, attend training and seek advice where necessary.

13.2 To encourage and support customers to carefully consider all the options available to meet their needs, signposting where necessary, including the option to offer relocation to a property better suited to meet a customer's needs .

#### **14.0 RESPONSIBILITY OF ASPIRE**

14.1 Aspire will ensure that there are procedures and processes in place together with training as appropriate to ensure the successful implementation of this policy.

14.2 To monitor the impact of this policy and ensure that it continues to facilitate the effective delivery of adaptations that support customers to remain independent and safe in the most appropriate home for their needs.