

## **ADAPTATIONS TO PROPERTY POLICY**

This policy is applicable where foster carers, adoptive parents or Special Guardians of a child/ren on behalf of Nottinghamshire County Council may be considering an adaptation to their property in connection with their role.

### Principles

- Wherever possible children should be able to live in a stable family-based setting for the duration of their childhood with any siblings, and placement moves should be minimal
- To be equitable regardless of placement type
- To use public funds responsibly and fairly
- To be fair and transparent

### Applies to

- Foster carers
- Adopters
- Family and Friends: SGO's, Child Arrangement Orders

### Objectives

- To increase number of placements
- To provide permanence for specific looked after child/ren or young person
- To provide permanence for specific children / young people to whom the Local Authority has responsibility

### Policy Description

- To provide grants to adapt home properties in order to achieve above objectives
- Grants will typically be to:
  - adapt present property to create extra room
  - extend present property to create extra room
  - assistance to buy bigger property to alleviate overcrowding or take extra children

### Eligibility

- Foster carers of Notts County Council (NCC) children
- Adopters of NCC children
- Family and friends / carers of children who are under a Care Order or subject to Care Proceedings

### Criteria

Any request must be able to satisfy the following:

- To provide extra capacity
- To secure long term placements for children
- To enable sibling groups to be placed together
- To meet the needs of children with multiple disabilities
- To meet health and safety requirements which would otherwise result in child being moved

In addition the council retains the right to undertake a cost benefit analysis to ensure any proposed work provides Best Value.

### Process

- Request for adaptation
- Social Worker has initial discussion with carers and provides relevant information
- Meets eligibility threshold (carer must be the legal owner of the property)
- Team Manager approval to make application (does not guarantee approval)
- Carer (foster / family / adopter) obtains 3 quotes – (info sheet to carer)
- Application completed by fostering social worker, with input from child's social worker
- If request is over £2500, financial statement is required from the applicant
- Application sent to relevant Service Manager for decision
  - Adoption Service Manager (Tracey Coull)
  - Fostering Service Manager (Jayne Austin)
  - SGO's Service Manager (Sue Rollin)

### Decision Making

NCC adopts a flexible, shared-cost policy in relation to these grants. Therefore, there is some expectation that carers make a financial contribution to the cost of the adaptation, where possible.

**Amounts up to £2500** – decision made by Service Manager (*per application, not per child*)

If Yes

- Financial Assistance Agreement sent to carers
- Once signed, work can proceed
- Finance informed

If No

- Letter to carers with reason why
- Decision logged on Framework

**Amounts £2501 - £30,000** – Decision by Group Manager (initial recommendation and report forwarded on by Service Manager)

If Yes

- Legal Department informed
- Financial Assistance Agreement sent to carers
- In addition, a Legal Charge is applied if over £10,000 (the legal charge is imposed upon the foster carer's property and serves to protect the Local Authority's investment)
- Once signed, work can proceed
- Finance informed

If No

- Letter to carers with reason why
- Decision logged on Framework

**Amounts over £30,000**, Group Manager make recommendation and report must go to Children and Young People's Committee

If Yes

- Financial Assistance Agreement sent to carers
- Legal Charge is applied
- Once signed, work can proceed
- Finance informed

If No

- Letter to carers with reason why
- Decision logged on Framework

## **Payments**

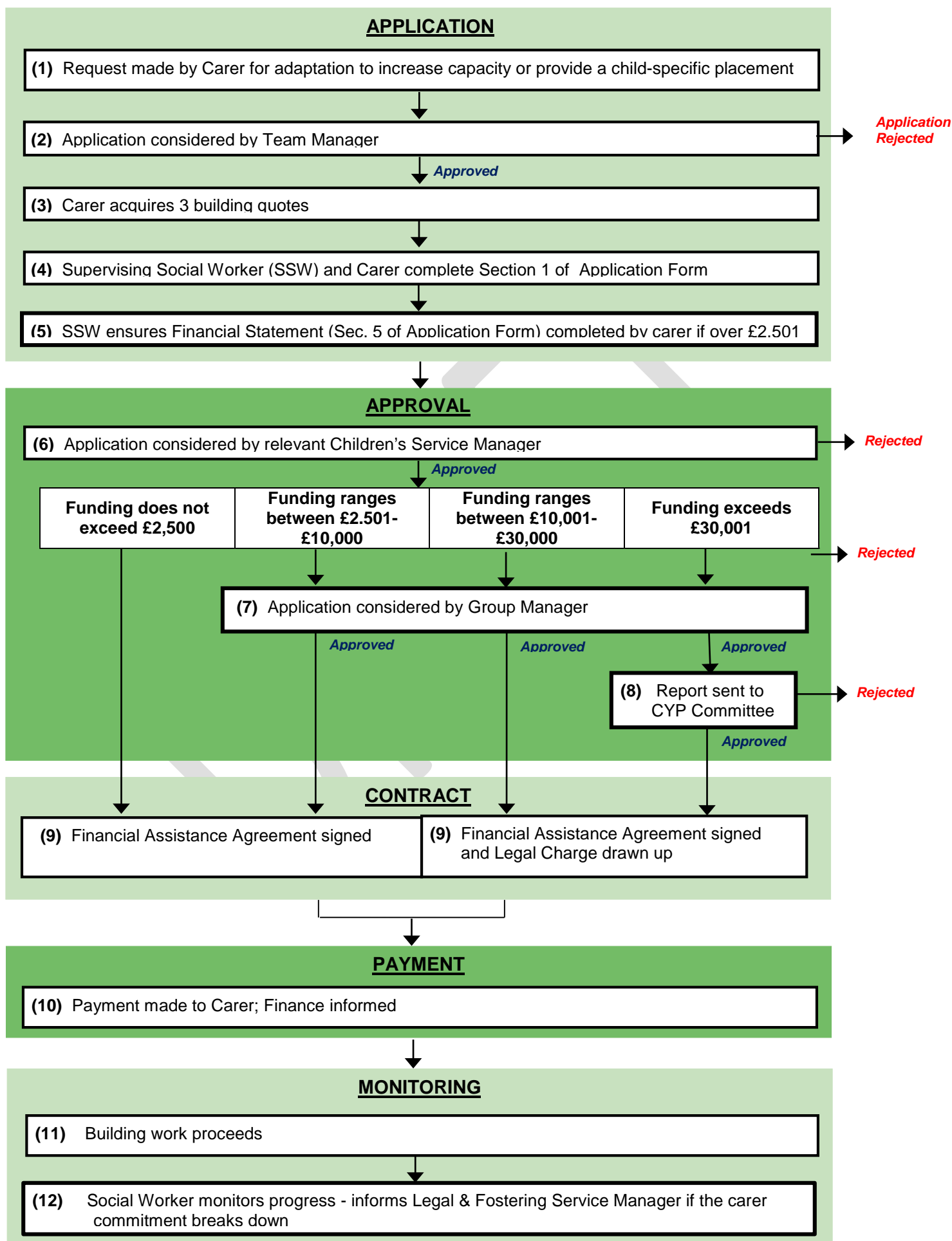
Payments for the building work are made to the foster carer in instalments and a final payment is not released until the building works have been completed to standard and to the satisfaction of a local building inspector. The payments are monitored by the foster carer's team manager and by the children and young people's payment team.

## **Additional Relevant Documentation:**

- **Application Form** – Request for Funding for Building Adaptations, including Financial Statement
- **Process Flow Chart**
- **Information for Carers**
- **Information for Social Workers**
- **Legal Checklist**
- **Legal FAQ's**
- **Financial Assistance Agreement** (up to £2500, £2501 to £10,000, £10,001 and above)
- **Legal Charge** (over £10,001)



## PROVISION FOR FUNDING: ADAPTATIONS TO CARERS' HOMES





## INFORMATION FOR SOCIAL WORKERS REGARDING CARERS WHO ARE CONSIDERING AN ADAPTATION TO THEIR PROPERTY

On occasions, foster carers, adoptive parents or Special Guardians of a child/ren on behalf of Nottinghamshire County Council may be considering an adaptation to their property in connection with their role.

There is a clear process by which such applications for funding from the County Council can be approved. Please refer to the [Adaptations Policy](#) and [Process Chart](#).

### (1) ELIGIBILITY

There are certain eligibility requirements in place before an application for an adaptation to their property can be made. Any request for funding made to the County Council must satisfy at least one of the following criteria before it can be considered:

- To provide extra capacity in their home to care for another child on behalf of the County Council
- To secure a long-term placement for a child already in their care
- To enable sibling groups for whom they are caring to remain together
- To meet the needs of a child with multiple disabilities in their care
- To meet certain health and safety requirements, which otherwise would mean that a child in their care would have to be moved

Carers must also be the **legal owner of the property in question** before an application for an adaptation can be considered. Therefore, if carers are renting a property, we cannot consider adapting their home.

### (2) PRE-APPLICATION PROCESS

If carers meet one or more of the eligibility requirements outlined above, please discuss the options in detail with the carer, ensuring you consider at an early stage:

- Alternative options for finance
- The need for legal contracts and charges, including claw back arrangements
- The ability of the carers to contribute financially towards some of the costs
- Provide written information to the carers - [Information for Carers](#)

Further discussions should also take place, for example with the child/ren's social worker and Independent Reviewing Officer, where appropriate.

If there is merit in the proposal, please discuss with your Team Manager who will agree if an application can be made. Please note this doesn't guarantee that a grant will be made.

Upon the approval of the Team Manager, please advise the carers they are required **to obtain three quotes for the cost of the proposed building work**. The lowest quote is usually the one that is agreed by the County Council.

### (3) APPLICATION PROCESS

Complete the [Request for Funding for Building Adaptations](#) form with the carer. Information required from the carer's at this stage includes:

- The details of the work required to their property, including the total cost obtained in their building quotation and the relevant timescales for the work to be completed
- How such an adaptation will benefit the child/ren in their care
- Whether there are other appropriate funding options available

You also need to provide written analysis of the **risk and benefits** of the proposed adaptations from the child's perspective.

The form also requires the input of the **child's social worker** so you must ensure that they complete their own relevant section

Please also consider the **views of the child/ren** and evidence this in the appropriate section of the form.

### (4) FINANCIAL ISSUES

Nottinghamshire County Council adopts a **flexible, shared-cost policy** in relation to grants and loans. Therefore, there is some expectation that carers make a financial contribution to the cost of the adaptation, where possible.

If the application for funding is less than £2,500 in total, the County Council will pay this funding in full if the application is successful in the approvals process. There is **no requirement** for you to obtain a Financial Statement from carers for applications up to £2,500.

If the application for funding is over £2,500 in total, you will need to ensure the carers complete the [Financial Statement](#) which is attached to the Application Form. This will include evidence of carer's sources of income and expenditure, Council Tax, mortgage repayments, value of their property, private pensions, court commitments and savings.

This information is needed as we take account of possible increases to the value of the carer's property and their potential ability to generate income as a result of the funding. This is in order to determine how much the County Council will consider funding, and how much we expect carers to contribute as part of the process. It is the responsibility of the Group Manager to make this decision (see below).

### (5) APPROVALS PROCESS

Once you have the completed application form, including the Financial Statement if over £2,501, please forward for **the consideration of the relevant Children's Service Manager**.

If approval is made by the Children's Service Manager, the next steps of the process depend on the value of the adaptation request:

	Funding Request (total)	Approvals Process
A	£2,500 or less	(1) A <b>Financial Assistance Agreement</b> will be produced which carers must sign (2) The County Council will then authorise payment and the building work can begin
B	Between £2,501 and £10,000	(1) Application considered by a <b>Group Manager</b> (forwarded on by Service Manager) (2) If the Group Manager approves the application, a <b>Financial Assistance Agreement</b> will be produced which carers must sign.



		(3) The County Council will then authorise the payment agreed to as part of the financial assessment process and shared cost principle (4) Building work can begin
C	Between £10,001 and £30,000	(1) Application considered by a <b>Group Manager</b> (forwarded on by Service Manager). (2) If the Group Manager approves the application, a <b>Financial Assistance Agreement</b> and a <b>Legal Charge</b> will be produced which carers must sign. (3) The County Council will then authorise the payment agreed to as part of the financial assessment process and shared cost principle (4) Building work can begin
D	In excess of £30,000	(1) Application will be considered by a <b>Group Manager</b> . (2) If the Group Manager approves the application, a report will be drafted to go to the <b>Children and Young People's Committee</b> , where elected members will deliberate on the application for funding (3) If approved at Committee, a <b>Financial Assistance Agreement</b> and a <b>Legal Charge</b> will be produced which carers must sign. (4) The County Council will then authorise the payment agreed to as part of the financial assessment process and shared cost principle (5) Building work can begin

Approval and Tracking of the application is provided within the [Application](#) form.

## (6) LEGAL PROCESS

Please ensure that carers are aware that as potentially large sums of money are involved, a legal agreement will need to be put in place. As highlighted in the table above, there are different legal documents depending on the value of the funding requested.

- Up to £10,000 (A and B in the table above)

A legal contract will be produced, called a [Financial Assistance Agreement](#). This puts in writing the detail of the financial assistance offered by the County Council, including the conditions by which we will pay the grant and what will happen if carer's breach their part of the agreement. In some circumstances, this may include repayment of the grant to the County Council if carers choose not to continue as a carer with us.

This must be signed by carers and a representative from the County Council

- £10,001 or more (C and D in the table above)

In this situation, a **Financial Assistance Agreement** will be produced (as above), **as well as a [Legal Charge](#)**. A legal charge makes clear any expectations of carers in connection with the grant, including any terms and conditions of the money being granted. Typically this agreement will set out expectations about carer's intention to continue as a carer, and what may happen if they choose to stop caring for a child/ren, including repayment of the grant to the County Council.

Usually legal charges are in place for a **certain number of years**. This duration will be explained to carers before they sign the legal charge, so they are fully aware of how long the commitment will last.

Carers will be required to sign the legal charge, alongside a representative from the County Council. They may wish to seek legal representation before choosing to commit to this agreement.

Further detailed information regarding the legal process has been provided by Legal Services:

[Frequently Asked Questions Checklist](#)

## (7) PROJECT DELIVERY

It is your responsibility to liaise with the carers to ensure they are informed about the outcomes of the process. Please ensure that carers know that they will be responsible for the building work.

As they manage the building project, they must obtain the necessary building/planning permissions and ensure they have fully considered the costs that will be incurred from the proposed building work.

It will also be their responsibility to talk to their mortgage provider about the proposed adaptation work if applicable.

The council usually releases the money in three instalments - the last one being when the work has been completed to the satisfaction of a building inspector.

Please ensure that the work progresses satisfactorily, and any delays or difficulties are promptly reported back to Team Managers and Service Managers.

Once the work is finished, and the final payment released, Children and Young People's Payments will set up an alert system to refer back to the Service Manager on an annual basis for review.

In order to provide a continuous over view of the funding awarded, please complete an **amend note on the front screen of the carers file**. This will ensure it is considered on an annual basis at their review.

Any changes to the placement specific to the adaptation or the carers status, please inform your Team Manager / Service Manager.

## (8) SUMMARY OF RESPONSIBILITIES

WORKER	TASK
SSW	Initial discussion with carers
	Obtain approval to proceed from Team Manager
	Complete Application form, ensuring contribution from child's social worker
	Ensure Financial Statement is completed if over £2501
	Send completed form and Financial Statement to Service Manager
	Convey decision back to carers and child's social worker
	Support carers to sign Financial Assistance Agreement
	Support carers to sign Legal Charge if over £10,001
	Ensure work progresses (note - carers are the Project Managers)
	Report back to TM/SM on completion / or any delays and difficulties
	After completion put amend note on front screen of carer file
	After completion report any changes in carer status/ child placement to Service Manager / legal
Service Manager	Approve / reject grants up to £2500
	If approved up to £2500 responsible for Financial Assistance Agreement
	For requests of £2501 and above, forward to Group Manager
	If approved inform Legal if over £2501 (who have oversight of Financial Assistance Agreement and Legal Charge documents)
	If approved inform Finance
	Track completion of work and sign off (on Application Form)
Group Manager	Approve / reject grants £2501 to £30,000
	When approved, back to SM who informs Legal and Finance
	For requests over £30,001, ensure report goes to CYP Committee
CYP Finance	Set up alert to review with Service Manager on annual basis when final payment released