



Nottinghamshire County Council

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Title: Occupational Therapy - Recommending Major Adaptations – staff guidance

Aim / Summary: To set out guidelines for staff in recommending major adaptations funded through a Disabled Facilities Grant (DFG)

Document type (please choose one)

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Please include any supporting documents

1. Disabled Facilities Grants Contribution Fund Staff Guidance

2. Occupational Therapy Provision of Equipment and Minor Adaptations

3.

Review date

Amendments

Occupational Therapy - Recommending Major Adaptations – staff guidance

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1 Relevant legislation

A major adaptation is one costing more than £1,000. These are funded by a Disabled Facilities Grant (DFG) and are administered by District and Borough Councils.

The current legislative framework governing major adaptations is provided by the Housing Grants, Constructive and Regeneration Act 1996

<http://www.opsi.gov.uk/acts/acts>. This Act provides the legislative framework for DFGs.

The maximum amount of grant available for a mandatory DFG is currently £30,000. A test of resources is applied to the disabled occupant, their spouse or partner and may lead to a deduction from the amount of grant payable. A local housing authority does not have a duty to assist applicants with their assessed share of the costs. However, they may refer cases of hardship to the social services authority or consider

using their discretionary powers of assistance. The County Council has a [Disabled Facilities Grant Contributions Fund](#), which may provide assistance in cases of hardship. A test of resources is required and evidence of an inability to obtain funding from other sources. If approved, a charge on the property is made.

The Act provides definitions of who may qualify for a DFG, irrespective of the type of tenure. It also sets out the purposes for which mandatory DFGs may be given.

Section 24 of the Act places a duty on housing authorities to consult with local authorities with social care responsibilities over whether the proposed works are necessary and appropriate. However, it is nevertheless the responsibility of the housing authority to decide in any particular case whether or not to approve a grant: they are not bound to follow the social care authority's advice or recommendation. Providing the housing authority has considered all the facts and has acted rationally, the courts are unlikely to interfere with that decision. Attempts to reach a compromise should be made if a dispute arises between the occupational therapist's view and that of the grants officer about what work is "necessary and appropriate".

Chapter 53 part 1 chapter V Section 101 of the Act includes the following definition regarding to what is meant by a dwelling.

“Dwelling means a building or part of a building occupied or intended to be occupied as a separate dwelling, together with any yard, garden, outhouses and appurtenances (*N.B this means a part or improvement to*) belonging to it or usually enjoyed with it.”

This clarifies that to ‘facilitate access to and from a dwelling’ can include adaptations such as rails, path alterations, hard standings and ramps.

1.1 The duty to co-operate

Housing and social services authorities are under different statutory duties to cooperate in the community care planning and assessment processes, most commonly under section 47(3) of the NHS& Community Care Act 1990. The duty to cooperate is reinforced by joint guidance issued by the DoH entitled Housing and Community Care - LAC (92) 12 which included the following advice:

"Social services authorities and housing should construct an individual's care plan with the objective of preserving or restoring non-institutional living as far as possible and of securing the most appropriate and cost effective package of care, housing and other services that meet the person's future needs. For some people the most appropriate package of care will be in a nursing or residential home, but in many cases this will be adaptations to the individual's existing home....."

The new proposals will require effective relationships to be established and built upon between all parties involved. The aim should be to provide a seamless service for clients, with a mutual recognition of all authorities' responsibilities. This will require all the relevant agencies, including housing, health and social services authorities, to put an emphasis on discussion, understanding and agreement in the planning of services, rather than unilateral decision making....."

Detailed non-statutory good practice guidance has been issued by the Department for Communities and Local Government, "[Delivering Housing Adaptations for Disabled People: A Good Practice Guide \(June 2006\)](#)". The Local Government Ombudsman often uses the good practice guidance as the benchmark for maladministration determinations and stresses the importance of all officers dealing with DFG applications being trained in its use.

1.2 Access to gardens

The Department for Communities and Local Government published "[Disabled Facilities Grant: the package of change to modernise the programme](#)" in February 2008 which states:

"The legislation has therefore now been changed making access to gardens a specific criterion for entitlement for the grant, where this is reasonable and practicable."

2 Assessments for Disabled Facilities Grants

Under the Chronically Sick and Disabled Persons Act 1970 and the associated national eligibility criteria local authorities have a duty to assess and to then meet the needs of eligible people. The Local Authority can offer the most cost effective solution to meet eligible needs and therefore, only where eligible needs cannot be met by equipment and minor adaptations costing less than £1,000 should an application/recommendation for a DFG be made.

If a service user refuses to accept a more cost effective solution and requests that a recommendation for a DFG is made, the recommendation should include details of what else could be provided to meet their needs.

2.1 Owner Occupiers and Private Tenants

Occupational Therapy staff recommend necessary and appropriate works to the District, Borough or City Council. The Environmental Health Officer (EHO)/Housing Improvement Officer (HIO) undertakes a test of resources in order to estimate how much the disabled person may be expected to contribute to the work. The amount contributed will be taken into account in any future DFG applications. The fees for the services of an architect, surveyor, project manager or housing improvement agency are eligible for grant support in the total cost of the works. The County Council has a [Disabled Facilities Grant Contributions Fund](#), which may provide assistance in cases of hardship. A test of resources is required and evidence of an inability to obtain funding from other sources. If approved, a charge on the property is made.

2.2 Public Sector Property

Occupational therapy staff recommend the necessary and appropriate works to the Housing Authority or Housing Association, which may require their tenants to apply for a DFG towards the costs. If the tenant is assessed as having to make a contribution towards the cost of these works, it is the responsibility of the Housing Authority/Association to consider whether they will meet this expense out of their budget. Public sector tenants are not eligible to apply for a grant from the Council's [Disabled Facilities Grant Contributions Fund](#).

3 Guidelines for recommending major adaptations

Major adaptations should always be a last resort as they are expensive. Other options should always be looked at first, for example, consider if there is a ground floor room that is available and suitable for a change of use.

3.1 Progression of an existing condition

Advice should be sought from health colleagues about the prognosis of an existing condition, as this may inform the outcome of the occupational therapist's recommendation. For example, if a person is unlikely to be able to transfer on and off a stair lift in the future, the lift may not meet long-term needs and an alternative solution may have to be considered. This should be discussed with your line manager.

Information from health colleagues should be provided free of charge as part of the joint working arrangements with local health services. A fee will be charged if a GP has to undertake an additional assessment.

3.2 Major adaptations for people with more than one home

The [Housing Grants, Construction and Regeneration Act 1996 ss21\(2\)\(b\)](#) provides that DFGs are only available to disabled people who live or intend to live in the accommodation as their only or main residence. Major adaptations should therefore only be recommended at the disabled person's main residence. This is determined by the property on which Council Tax is paid.

3.3 Grab rails, hand rails by a path, extra steps and shallow steps

Adaptations will not be recommended solely for fire exit or leisure purposes. Careful assessment is needed where adaptations purely for leisure purposes are identified. Alternative funding sources may be more appropriate.

Path widening will only normally be considered where the person needs to use a walking frame or wheelchair or requires the guidance of an assistance dog or carer to walk beside them.

3.4 Door entry systems

These are systems with intercom and door unlatching facilities.

These may be considered:

- if key safes have been judged inappropriate
- to enable the person to independently answer and unlatch the door
- if there is no potential for an improvement in mobility via physiotherapy services.

The service user should live alone or be alone for large parts of the day. The service user's mental capacity must be considered and the risks assessed.

3.5 Hard standing, dropped kerbs and ramps

Hard standing is a level car parking area with access from the road i.e. it should include a dropped kerb.

These will not be recommended to prevent vandalism or alleviate lack of general parking spaces.

The housing legislation covering DFGs requires staff to identify that this is a necessary and appropriate need, which relates to the disabled person's access to and from the dwelling. All such situations should be discussed with your line manager.

Dropped kerbs without a hard standing are the responsibility of the Nottinghamshire County Council's Environment and Resources Department's Highways section. Applicants must apply to the Highways Section and pay for the work.

Ramping may be provided if:

- a person's mobility is dependent on the use of a wheelchair (indoors / outdoors) **and**
- the person qualifies for a NHS wheelchair **or**
- the person, or anyone caring for them, is at risk from the current method of access.

Ramps will not be provided for privately purchased scooters, unless the above criteria is also met.

Only one entrance will be considered for a ramp unless there is a clearly defined need for another entrance to be adapted. Only the entrance which is the easiest, most appropriate to need and most cost-effective will be adapted.

The ramp must be built to meet current specifications with appropriate safety features.

3.6 Step lifts

Step lifts may be provided if the guidelines for a ramp have been met but there is insufficient space or gradient for the provision of a ramp.

3.7 Stair lifts

A stair lift may be recommended if:

- the person is unable to manage the stairs safely and independently and an additional stair rail will not suffice, **and**
- this difficulty with the stairs prevents them from accessing essential sleeping/toilet/washing facilities.

A stair lift should not be recommended where a person has access to a suitable bathroom and toilet downstairs and where there is adequate and appropriate space to sleep, having taken into account the accommodation needs of the family and anyone

else caring for the person. For example, if a downstairs bedroom could be created by converting an existing reception room or dividing a large reception room

3.8 Vertical lifts

A vertical lift may be recommended if a person is eligible for a stair lift but it is not appropriate. For example, the person is a wheelchair user or would be unsafe using a stair lift or their condition is expected to deteriorate significantly.

3.9 Changes to heating

A change of heating appliance may be recommended if:

- a person is unable to manage their existing heating appliance/system by reason of their disability. For example they are unable to make up, light and tend their coal fire.
- fireguards or other safety measures are not sufficient to reduce the risk to a person.

Running costs will not be considered as a reason for changing heating systems.

The type of heating will not normally be changed on medical grounds.

The gas/electricity supplier should be consulted where the person has difficulty operating the controls of a unit or system, as they can often arrange for changes to controls as part of their general service to customers with disabilities. Also government – funded schemes to improve heating systems (such as Warmfront) should be approached. See, [keep warm this winter](#).

3.10 Additional heating

Additional heating may be recommended if:

- a person is unable to generate sufficient body heat, for example, if the person is quadriplegic or has a tetraplegic spinal injury.
- a person habitually throws off their bed coverings and cannot re-cover themselves during the night. However, solutions such as sleep suits, secure covers and cosy-toes should be explored.

Only rooms which are regularly used by the eligible person for significant periods of time will be considered.

3.11 Additional toilet (upstairs or down)

Provision of toilet facilities within the existing floor space should always be considered first. Construction of a ground floor extension to accommodate an additional toilet should be a last resort, and it might be appropriate to include a level access shower in

such a scheme, with a view to sleeping on the ground floor in the long-term. The person's assessment should record the alternatives that have been considered.

An additional toilet may be recommended if:

- the existing toilet cannot be accessed safely or independently due to the person's physical impairment. An outside toilet is not considered to be appropriate.
- installation of a stair lift or vertical lift is not feasible or does not meet the need.
- using the existing toilet causes severe risk to carer (s), for example, there is not sufficient space for carer (s) to assist.
- continence cannot be maintained by using the existing toilet because the person's physical impairment prevents them from getting to the toilet in time.

3.12 Specialist toilets (wash and dry)

A specialist toilet may be recommended if the person is unable to adequately clean/wipe themselves after using the toilet, and equipment has been tried but was unsuccessful.

3.13 Bathing / showering

Adaptations to assist with bathing and showering may be recommended if the person is unable to safely access their existing facilities (whether a bath or a shower) and minor adaptations and/or bathing equipment have been tried or considered but do not/will not meet the needs of the person.

3.14 Ground floor extensions

Extensions should always be the last resort as they are invariably very expensive. Full funding may not be covered by a DFG. Reasons why alternatives (e.g. stair lifts, through floor lifts) are unsuitable must be clearly recorded. Re-housing options should be fully considered before recommending such major adaptations.

3.15 Ground floor bedroom with shower and toilet facilities

May be recommended if:

- a person is unable to access existing bedroom and toilet/washing facilities on the first floor and provision of a stair lift or vertical lift is not feasible or not appropriate.
- the existing bedroom is too small to facilitate safe care of the person and their needs cannot be met by a re-organisation of the living space, for example by changing bedrooms. Families are expected to be flexible in the use of living space.

Bedroom extensions will not be recommended solely to alleviate overcrowding.

Where a family has taken in an additional disabled member who does not have their own bedroom, the provision of a ground floor bedroom would only be recommended if that disabled member would not be able to use a stair lift.

3.16 Ground floor washing / bathing / toileting facilities

May be recommended if:

- the person meets the criteria for additional toilet and adapted shower facilities, **and**
- the person is unable to use the stairs, **and**
- a stair lift or vertical lift is not suitable, **and**
- the existing facilities are not accessible and cannot be adapted to make them suitable for the person, **and**
- a suitable bedroom already exists on the ground floor.

Provision of the facilities within the existing floor space should always be considered before recommending the building of an extension.

3.17 Ceiling Track Hoists

Ceiling track hoists are normally recommended where:

- there is insufficient space for a mobile hoist and
- the need is considered to be long term or
- the number of transfers and the ability of family carer(s) to use a mobile hoist is a consideration.

These hoists are normally purchased by the district/borough council for use in council owned property or via a Disabled Facilities Grant (DFG) in privately owned property.

If the applicant can not afford their assessed contribution, staff should ensure that all options have been investigated, such as mobile hoists or a gantry hoist, before making an application to the County Council's [Disabled Facilities Grant Contributions Fund](#). A Mental Capacity Act assessment and risk assessment must be carried out in cases where the service user and/or their carer refuse to complete a DFG application. This is to determine the consequences of not providing a hoist. This information must be shared with the service user/carers so that they are aware of the likely impact of their decision. If the service user/carers has the capacity to understand the implications of their decision not to apply for a DFG, the County Council will give no further assistance.

However, if there are issues, for example, adult safeguarding issues or a lack of capacity to make the decision, a special request can be made to the [Disabled Facilities Grant Contributions Fund](#). The panel chair will consider the risks and make the final decision as to the possibility of the County Council funding the hoist.

A ceiling track hoist funded through a DFG is the property of the service user, but will be maintained by the County Council because of the potential risks to carers should the lift not be maintained. A request can be made to reclaim and re-use the hoist when no longer required by the service user. The County Council will not pay for redecoration if removal of the lift causes damage.