

**COMHAIRLE NAN EILEAN SIAR**

**HOUSING (SCOTLAND) ACT 2006**

**SCHEME OF ASSISTANCE**

**(Including Section 72 Statement)**

**Revised September 2018**

## **Scheme of Assistance**

### **A. BACKGROUND**

- A.1 The Housing (Scotland) Act 2006 changed the framework of local authority powers in relation to the repair and improvement of private sector housing and adaptations for people with a disability. This legislation became fully enacted on 1 April 2010.
- A.2 Under Part 2 of the Act, local authorities must prepare and publish a Section 72 Statement, describing the circumstances in which they will help owner-occupiers and private tenants to carry out work to their homes, and how that help will be provided. The Comhairle's Section 72 Statement, which takes account of guidance provided by Government, can be found at Page 1.
- A.3 The Scottish Government's policy vision includes the following:
- That there will be a cultural change in attitudes to housing quality in the private housing sector;
  - Private owners will become more aware of repair and maintenance responsibilities and be more pro-active in carrying them out;
  - Private owners will invest more of their own resources to ensure their homes have a sustainable future.
- A.4 The Comhairle sets its own budget for private housing assistance from within its overall Capital Grant allocation and any assistance is dependent on the available resources at the time an application for assistance is made. Section F below details the resources available for the period 2018-2023.

### **B. THE ASSISTANCE STATEMENT**

- B.1 The Section 72 Statement includes details relating to:
- The types of assistance which may be available
  - Information and advice
  - Practical help
  - Financial support
  - The priorities for assistance
  - Adaptations for disabled people
  - Below Tolerable Standard (BTS) housing
  - Energy efficiency
  - Changes to the 'means testing of resources' regime - which has been generally discontinued (other than for individuals with a disability)
  - The move towards loan rather than grant support - with loans coming from a wide range of sources
  - The revised grant funding regime which has come into place as a result of the general move away from grant support
  - The switch in focus from 'professional' to 'amateur' landlords

### **C. ENERGY EFFICIENCY**

- C.1 The Section 72 Statement takes the opportunity to strengthen the Comhairle's approach on energy efficiency in the private sector.

## **D. ENFORCEMENT POWERS**

### **D.1 Maintenance Orders**

Under Section 42 of the 2006 Act, the Comhairle has the power to serve a Maintenance Order on the owner of a house which requires the owner to develop a maintenance plan for the property, for up to a five year period. If the owner fails to carry out the maintenance which the plan sets out, the Comhairle is able to enforce the plan and recover the costs for doing so from the owner.

The Comhairle has agreed that Maintenance Orders may be used:

- Where the Comhairle has previously invested public funds in the treatment of a property through the award of a grant and, on inspection after a year or more following completion of work, the property is found to be lacking maintenance the Comhairle may, after discussing the situation with the owners and where they fail to agree to a voluntary maintenance plan, serve a maintenance order. For grant cases determined under the Housing (Scotland) Act 2001, this will be a maximum period of five years from the completion of grant works and for cases under the Housing (Scotland) Act 2006 a ten year period will apply.
- Where serious lack of maintenance of common parts comes to the notice of the Comhairle
- In response to a request by a majority of owners of a building with multiple owners
- Where lack of maintenance of a non-flatted property is causing damage to an adjacent property

### **D.2 Housing Renewal Areas**

The Comhairle does not intend to utilise every power available in the Housing (Scotland) Act 2006 but will employ those which are considered to be appropriate to tackle the Private Sector Housing issues in the Outer Hebrides. For example, there are presently no proposals to create Housing Renewal Areas in the islands because it is not considered to be appropriate given the nature and dispersed pattern of the housing stock.

## **E. SERVICE IMPLICATIONS**

E.1 Financial: The Scheme of Assistance and the Section 72 Statement were reviewed and amendments approved in September 2018 to reflect reductions in Local Housing Strategy Capital resources

E.2 Legal: The adoption of a Section 72 Statement is a legal requirement.

E.3 The Comhairle's Scheme of Assistance has been approved according to the requirements of the 2006 Act, the Housing (Scotland) Act 2006 (Scheme of Assistance) Regulations 2008, and the Statutory Guidance issued by Scottish Ministers in March 2009. The Scheme of Assistance and the Section 72 Statement were reviewed and amendments approved in September 2018 to reflect reductions in Local Housing Strategy Capital resources.

E.4 Service Plan: A Section 72 Statement is required for the effective delivery of the private housing priorities in the Local Housing Strategy.

E.5 The Comhairle's Scheme provides assistance and encouragement to improve and repair existing housing which will cause the least environmental impact in the Outer Hebrides.

## **F. AVAILABILITY OF RESOURCES**

F.1 The Capital resources available for implementing Local Housing Strategy measures between 2018 and 2023 were set and agreed by the Comhairle in early 2018. As a consequence of

diminishing resources the amount of available funding has reduced and therefore financial assistance for improvement and repair will not be provided. However, in the majority of cases, information and advice will be available from the Comhairle and this is set out in the Section 72 Statement.

F.2 The following table indicates the levels of Capital budget available from 2018/19 to 2022/23 for all Local Housing Strategy Capital spend. The detailed expenditure for each budget heading will generally be dictated by Comhairle policies which support and enable the delivery of the Comhairle's Section 72 Statement.

<b>Capital Budget Allocation</b>	<b>2018/19 £k</b>	<b>2019/20 £k</b>	<b>2020/21 £k</b>	<b>2021/22 £k</b>	<b>2022/23 £k</b>	<b>Total</b>
Medical Adaptations	450	450	400	350	175	<b>1825</b>
Small Adaptations (OT)	35	35	35	35	30	<b>170</b>
Minor Works Scheme	65	65	65	60	50	<b>305</b>
<b>Total</b>	<b>550</b>	<b>550</b>	<b>500</b>	<b>445</b>	<b>255</b>	<b>2300</b>

**PRIVATE HOUSING: SECTION 72 STATEMENT**

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## **1 PURPOSE OF THIS STATEMENT**

- 1.1 This Statement is produced as required by the Housing (Scotland) Act 2006, Section 72. It sets out the circumstances in which Comhairle nan Eilean Siar will prioritise particular types of information, advice, practical support and financial assistance to private house owners in relation to works carried out to private houses. It will apply until further notice.

## **2 VISION**

- 2.1 ***Housing provision and services in the Outer Hebrides should make a strong contribution to health and well-being, encourage population retention, and support the sustainability of our communities.***

## **3 STRATEGY**

- 3.1 In reflecting the requirements of the Housing (Scotland) Act 2006, this Statement also reflects national policy priorities on the repair and improvement of sub-standard housing, promotion of responsibility of owners to look after their property, and enabling the most vulnerable people in our communities to live independently.

- 3.2 The recent review of the Comhairle's Local Housing Strategy (LHS) identified four strategic priorities:

- Housing Quality
- Housing Supply
- Homelessness
- Independent Living

- 3.3 The LHS has set out the issues relating to the overall housing stock of the islands and a number of objectives for Private Sector stock –

- Consider reinstatement of targeted grant assistance for private sector properties.
- Consider targeting grants at empty houses and linking with population initiatives.
- Continue partnership approach to maximising resources for fuel poverty/energy efficiency measures across all housing tenures within the wider Fuel Poverty Action Plan.
- Contribute to development of a local energy supply company.
- Increase investment in services to assist the care at home agenda.
- Continue support for achieving single housing funding resource through enthusiasm for potential single pot of housing funding through "Our Islands Our Futures".
- Develop "one stop shop" for advice and information on housing repair and maintenance, energy efficiency, home safety and related financial issues.

## **4 PARTNERS**

- 4.1 The Comhairle will deliver assistance along with the following services and partners:
- Integrated Joint Board (IJB);
  - Tighean Innse Gall through: Western Isles Care and Repair; Taigh Blath; TEAS; and the Home Safety Project;
  - NHS Western Isles: Occupational Therapy (OT)

Contact details of all these partner organisations are contained in Appendix 1.

## **5 PRIORITIES FOR ASSISTANCE**

- 5.1 The funding to implement this Section 72 Statement of Assistance is very limited and only available in specific circumstances. Assistance is subject to council priorities, available resources and tailored to individual needs and circumstances. Therefore, resources are targeted to ensure that help goes to those most in need and the Local Housing Strategy's strategic objectives are achieved.
- 5.2 The Priority Works for Assistance are:
- Essential adaptations for people with disabilities

## **6 SUMMARY OF ASSISTANCE AVAILABLE**

- 6.1 It is a principle of the Housing (Scotland) Act 2006 that the responsibility for the repair, maintenance and improvement of a house lies with the owner. Therefore, in the first instance, information and advice will be provided to enable owners to carry out the necessary activities themselves and this will require owners to secure their own finance to carry out the works. Practical assistance may be provided, if required.

### **Information and Advice**

- 6.2 Information and advice will be provided to enable households either; to carry out works themselves, or to be better informed when going through the process of appointing a contractor to carry out works for them. It is intended that information and advice will be available for all enquiries where possible, and certainly made available for all priority works.
- 6.3 Information will be also be provided through the provision of written information on specific topics, for example, how to fund household improvements and repairs; maintenance; selection of a contractor, etc. These leaflets are available in all area offices of the Comhairle.
- 6.4 Specific information and advice may also be given verbally if the client has made an enquiry to discuss a particular fault or problem that their house is suffering from.

### **Practical Assistance**

- 6.5 Practical assistance may involve the Comhairle offering to assess building problems and recommend solutions and, if appropriate, offer advice on finding, arranging and managing a suitable contractor to carry out the works. This type of service may also be available to older people and people with a disability, through Care and Repair.

### **Financial Assistance**

- 6.6 The Comhairle recommends that owners should always seek independent financial advice before taking on any loan. The Comhairle will make grants for adaptations available to people with disabilities.

### **Monitoring**

- 6.7 The Comhairle will monitor all enquiries for assistance to ensure that the Scheme is effective, is within the terms of the legislation and Scottish Government guidance and is appropriate in meeting the needs of private sector housing in the Outer Hebrides.

## **7 INITIAL ACCESS TO ASSISTANCE**

**Access to assistance from the Comhairle will in the first instance be to:**

**For Lewis and Harris:** Development Department  
Comhairle nan Eilean Siar  
Council Offices  
Sandwick Road  
Stornoway  
Isle of Lewis  
HS1 2BW  
Telephone: 0845 6007090 or 01851 822691 : Fax 01851 705349

**For Uists and Barra:** Development Department  
Comhairle nan Eilean Siar  
Council Offices  
Balivanich  
Isle of Benbecula  
HS7 5LA  
Telephone: 0845 6007090 or 01870 604990 : Fax 01870 602332

**Alternatively, visit the webpage <http://www.cne-siar.gov.uk/housing> where a variety of information is available.**

## **8 EQUALITIES AND SERVICE STANDARDS**

- 8.1 The Comhairle promotes equality and diversity, by ensuring there is no discrimination between persons on grounds of race, colour, ethnic and national origins, marital status, domestic circumstances, gender, sexuality and transgender, age, class, ethical or religious belief, in the delivery of the Scheme of Assistance.
- 8.2 The Comhairle is committed to providing an excellent service to its customers and will always aim to:
- deal with you honestly, fairly and politely.
  - give you the information you need.
  - see things from your point of view.
  - respect your right to confidentiality.
  - be trustworthy and reliable.
  - take account of the needs of people with a disability and those whose first language is not English.
  - be efficient and effective.
  - have a user-friendly Complaints Procedure if things do go wrong.

## **9 ADAPTATIONS AND STANDARD AMENITIES FOR PEOPLE WITH A DISABILITY**

- 9.1 If you live in a property which you own or rent from a private landlord and you think your home may need to be adapted to make it suitable for you to continue to live in, then you may be able to receive financial assistance. Appendix 2 provides the appropriate advice on how to proceed with the request and the types of assistance which may be available to you. Assistance may also be available to adapt or move to a home more suited to your particular needs.

## **10 CARE AND REPAIR**

- 10.1 Western Isles Care and Repair assists home owners aged 60 or over and people with disabilities to organise medical adaptations to their property.



- (a) Care and Repair can provide practical assistance to get improvement or repair works carried out on your home. Care and Repair charge a fee for their agency services for certain services. This fee is normally paid in stages at different steps of the application process. The fee can, however, be included as an eligible cost if a grant application is approved by the Comhairle.
- (b) The Scheme of Assistance for Minor Works provides practical help with small repairs and tasks around the home that owners can find difficult to do. The service and labour charges are generally free, although there is likely to be a charge for any materials used.
- (c) Care and Repair also provide a service for disabled people to carry out any necessary adaptation works in their homes. This assistance includes getting drawings produced to show the adaptations proposed, obtaining competitive quotations for the works and liaising with the contractor, client and Occupational Therapists throughout the course of the work.

Contact details for Western Isles Care and Repair are contained in Appendix A.

## **11 INFORMATION AND ADVICE**

11.1 A variety of sources of information are available in the form of leaflets, booklets, and websites:

- Information on property maintenance to include the basics of repairing, improving and adapting properties
- Information on sources of advice and practical assistance including local and national advice sources, and any practical assistance available locally (e.g. Care and Repair)
- Information for common owners to cover including the role and remit of property managers, responsibility for paying for repairs and maintenance, the importance of title deeds and legislation on tenements, maintenance plans, and potential financial assistance option
- Local awareness campaigns
- Targeted information for house purchasers, estate agents, lenders and builders

11.2 A list of websites providing information is at Appendix 1 and will be updated by the Comhairle.

11.3 If you require this information to be translated or interpreted, or to be made available in alternative formats, such as audio, please contact the Development Department at the address shown in Paragraph 11 of this document. The Comhairle will endeavour to respond to such requests within 14 working days.

11.4 Advice includes:

- Locally available advice provided by the Comhairle or its partner agencies
- National advice sources

11.5 The Comhairle cannot give legal or financial advice to individuals but can signpost people to where this type of advice can be found.

## **12 PRACTICAL ASSISTANCE**

12.1 Practical assistance will be prioritised towards assisting older people with a disability..

## **13 FINANCIAL ASSISTANCE**

13.1 Financial assistance will be prioritised in accordance with the Priority Works for Assistance:

- 1) Essential adaptations for people with disabilities

## 14 LOANS

- 14.1 The Comhairle does not provide loans and does not currently intend to make loans available itself using the powers contained in the 2006 Act.
- 14.2 A range of commercial loans may be available to owners to help finance necessary works to their houses. In many circumstances these may provide a satisfactory solution. An owner's existing lender will often be prepared to make a further advance against home improvements or repairs, especially where these safeguard the value of the property which is the security for the original loan. Commercial loans may require interest to be paid as part of each monthly payment. In other cases, for example, an equity loan, payments are not required in regular amounts but the loan amount will become payable in full, plus a pre-agreed amount of interest accrued, on the sale of the property or the death of the house owner.
- 14.3 The assessment of loans, and their associated terms, conditions and suitability for the individual client, is a specialised process and should only be carried out by suitably qualified and licensed individuals. In particular, equity release products can be complex and specialist advice may be required before any such product is considered.
- 14.4 Comhairle staff will under no circumstances advise an owner directly on specific financial products which may be available to them on the financial market, nor will they recommend any type of loan product, but simply point out the various options which may be available and advise the customer to seek professional guidance from an **Independent Financial Adviser**. Information on how to find a financial adviser can be obtained from the Financial Conduct Authority (FCA) website <https://www.fca.org.uk/consumers> or the Money Advice Service <https://www.moneyadviceservice.org.uk/en> by web chat or by calling 0800 138 7777. These advisers should investigate and utilise the existing financial lending markets to assist individuals to fund their own works.

## 15 ENERGY EFFICIENCY

- 15.1 Improving the energy efficiency of the existing housing stock is a key national priority, which is linked to action to address fuel poverty. The Comhairle's Fuel Poverty Strategy and Action Plan 2015-2025 identified a number of objectives to reduce fuel poverty in the islands. The Comhairle will therefore continue to work actively to identify areas and buildings which are least energy efficient and/or most at risk of fuel poverty.

### **Advice and Assistance**

- 15.2 The Energy Savings Trust provides free, independent and impartial energy advice to households and businesses throughout the Outer Hebrides drawing on government funding and a variety of other sources. Home owners who are only seeking to improve their energy efficiency will be advised to contact the Energy Savings Trust in the first instance and their contact details are shown in Appendix 1.

## 16 WORK NOTICES

- 16.1 The Comhairle may issue Work Notices where necessary to ensure that:
- Below Tolerable Standard (BTS) failures or houses in Serious disrepair are being addressed or
  - Where property or its immediate environment has come to the Comhairle's attention as being in poor condition and following inspection is considered to be sub-standard or by reason of adversely is affecting the amenity of an area.
- 16.2 In connection with work required by a Work Notice, the Comhairle may provide a form of assistance. Financial assistance will be provided in accordance with the provisions set out in this Statement and subject to the resources which are available.

## **17 REVIEW AND APPEAL**

- 17.1 Where an applicant for assistance is dissatisfied with the decision they receive, they may request a review within 21 days of the decision being issued. The request should be addressed to the Housing Services Manager, Development Department. A review will then be carried out by a person senior to the person who made the decision and who had no involvement in the decision. The applicant will be notified of the decision in writing within 28 days of receipt of the request for the review.
- 17.2 If the applicant remains dissatisfied then they may appeal the decision to the Communities and Housing Panel. The decision of the Communities and Housing Panel is final.

## **18 CONDITIONS OF FINANCIAL ASSISTANCE**

- 18.1 The grant for medical adaptations will be paid subject to the following mandatory conditions which will apply to the house for **ten** years from the date on which, in the Comhairle's opinion, the work has been completed satisfactorily:
- Condition A is that the house must be used as a private dwelling: but that does not prevent the use of part of the house as a shop or office or for business, trade or professional purposes.
  - Condition B is that the house must not be occupied by the owner or a member of the owner's family (within the meaning of Section 83 of the 1987 Act) except as that person's only or main residence.
  - Condition C is that the owner of the land or premises must take all practicable steps to keep it in a good state of repair.
  - Condition D is that the owner of the land or premises must, if required to do so by the local authority, certify that the Conditions A to C are, in so far as they apply, being observed.
- 18.2 Breach of any of these conditions may result in the grant having to be repaid with interest in accordance with Section 86 and 87 of the Housing (Scotland) Act 2006.
- 18.3 The owner of the house may at any time within the period of ten years be required to certify that these conditions are being observed.
- 18.4 When the grant has been paid, the Comhairle will arrange for a Notice to that effect to be recorded in the Register of Property Deeds. The Comhairle is required to pay a standard charge to record the grant in the Register and therefore this amount is deducted from the final payment of each grant.

## **19 REVISING THIS STATEMENT OF ASSISTANCE**

- 19.1 This Statement of Assistance was reviewed in September 2018 and the outcomes reported to the Comhairle. The amendments were approved and are incorporated into this document. If you have views on the Statement, please make them known to:

**Housing Services  
Development Department  
Comhairle nan Eilean Siar  
Council Offices  
Sandwick Road  
Stornoway  
Isle of Lewis  
HS1 2BW  
Telephone 01851 822691**

**CONTACT DETAILS OF PARTNER ORGANISATIONS AND USEFUL WEBSITES**

<b><u>WESTERN ISLES HEALTH BOARD</u></b>	NHS Western Isles, 37 South Beach Street, Stornoway, Isle of Lewis, HS1 2BB General Enquiries, Tel - 01851 702997 <a href="http://www.wihb.scot.nhs.uk/">http://www.wihb.scot.nhs.uk/</a> <a href="http://www.wihb.scot.nhs.uk/ot-home">http://www.wihb.scot.nhs.uk/ot-home</a>
Occupational Therapy Department	
<b><u>TIGHEAN INNSE GALL</u></b>	41a Point Street, Stornoway, Isle of Lewis, HS1 2XF Tel - 01851 706121 or Freephone 0800 888 60400 <a href="https://www.tighean.co.uk/">https://www.tighean.co.uk/</a>
<b><u>Western Isles Care And Repair</u></b>	
Lewis and Harris	41a Point Street, Stornoway, Isle of Lewis, HS1 2XF Tel - 01851 704347
Uist and Barra	Cothrom Offices, Ormiclate, South Uist, HS8 5SB Tel - 01878 710200
<b><u>Taigh Blath</u></b>	41a Point Street, Stornoway, Isle of Lewis, HS1 2XF Tel - 01851 701060
<b><u>TEAS</u></b>	41a Point Street, Stornoway, Isle of Lewis, HS1 2XF Tel - 01851 706121
<b><u>Home Safety Project</u></b>	41a Point Street, Stornoway, Isle of Lewis, HS1 2XF Tel - 01851 706121
<b><u>HEBRIDEAN HOUSING PARTNERSHIP</u></b>	Creed Court, Gleann Seileach Business Park, Willowglen Road, Stornoway, HS1 2QP Tel - 0300 123 0773 <a href="http://www.hebrideanhousing.co.uk/">http://www.hebrideanhousing.co.uk/</a>
<b><u>ENERGY SAVING TRUST</u></b>	2 <sup>nd</sup> Floor, Ocean Point, 94 Ocean Drive, Edinburgh, EH6 6J Tel - 0131 555 7900 or Freephone - 0800 512012 <a href="http://www.energysavingtrust.org.uk/scotland">http://www.energysavingtrust.org.uk/scotland</a>
<b><u>WARMWORKS</u></b>	1 Carmichael Place, Suite 2, Edinburgh, EH6 5PH Tel - 0808 156 9568 <a href="https://www.warmworks.co.uk/">https://www.warmworks.co.uk/</a>
<b><u>CHANGWORKS</u></b>	Fairways House, Fairways Business Park, Inverness, IV2 6AA Tel - 01463 259730 <a href="https://www.changeworks.org.uk/">https://www.changeworks.org.uk/</a>
<b><u>CROFTING COMMISSION</u></b>	Great Glen House, Leachkin Road, Inverness, IV3 8NW Tel - 01463 663 439 <a href="http://www.crofting.scotland.gov.uk/">http://www.crofting.scotland.gov.uk/</a>

## **CITIZENS ADVICE BUREAU**

### **Lewis**

41-43 Westview Terrace, Stornoway, Isle of Lewis,  
HS1 2HP  
Tel - 01851 705727

### **Harris**

Pier Road, Tarbert, Isle of Harris, HS3 3BG  
Tel - 01859 502 431

### **Uist**

45 Winfield Way, Balivanich, Benbecula, HS7 5LH  
Tel - 01870 602421

### **Barra**

Castlebay, Isle of Barra, HS9 5XD  
Tel - 01871 810608  
<https://www.citizensadvice.org.uk/scotland/>

## **HI-SCOT CREDIT UNION**

7 James Street, Stornoway, Isle of Lewis, HS1 2QN  
Tel - 01851 701865  
<https://www.hi-scot.com/>

## **MONEY ADVICE SERVICE**

Tel - 0800 138 7777  
<https://www.moneyadviceservice.org.uk/en>

## **LANDLORD ACCREDITATION SCOTLAND**

Hopetoun Gate, 8b McDonald Road, Edinburgh, EH7 4LZ  
Tel – 0131 553 2211  
[info@landlordaccreditationscotland.com](mailto:info@landlordaccreditationscotland.com)



## Scheme Of Assistance

### Works To Meet The Needs Of Disabled People

In April 2009 the Scottish Government introduced new legislation to assist people with disabilities living in private housing.

Section 73(2) of the Housing (Scotland) Act 2006 and the Housing (Scotland) Act 2006 (Scheme of Assistance) Regulations 2008 (SSI 2008/406 – the Regulations) set out the duties of a local authority in relation to works required to meet the needs of a disabled person.

These duties are supported by Volume 6 of 'Implementing the Housing (Scotland) Act 2006: Statutory Guidance for Local Authorities', published by the Scottish Government on 29 January 2009.

The new duties came into effect on 1 April 2009 and the Comhairle comprehensively reviewed its policies and procedures to enable the best delivery of the service whilst ensuring the needs of disabled people living in private sector housing are met as far as practicably possible.

Traditionally, assistance was given through the award of discretionary Disabled or Adaptation Grants for adaptation works, both major and minor, to be carried out in the disabled person's home which enabled them to remain within their own community. However the Housing (Scotland) Act 2006 introduced a number of significant changes to the way grants are administered, some of which are mandatory and others which enable local authorities to exercise their discretion.

The following document outlines the 'Joint Policy for Provision of Adaptations' which supersedes the 'Policy and Practice on Provision of Equipment and Adaptations' and provides guidance to applicants on the eligibility criteria for the different types of assistance which may be available from the Comhairle.

### Request for Adaptations

A request for adaptations to be carried out to a house may be made in a number of ways. The most common methods of enquiry are:

- from the person requesting adaptations to their home or a member of their family;
- from healthcare professionals (including GP's and Hospital staff requests);
- from Department of Social and Community Services or home carer;

and can be made:

- direct to the **Department of Occupational Therapy**: (01851 708287 for Lewis & Harris) or (01870 602425 for North & South Uist / Benbecula / Barra);
- through **Western Isles Care and Repair**: (01851 704347, for Lewis & Harris) or (01878 710200 for North & South Uist / Benbecula) or (01871 810323, for Barra) or


- through the **Comhairle**: (01851 709489 for Lewis & Harris) or (01870 602425 for North & South Uist / Benbecula / Barra);

and may be made:

- in person; by telephone; in writing; or by e-mail.

Therefore there are a number of possible routes for an enquiry to be received for adaptations but in all cases they must ultimately be directed to the Department of Occupational Therapy for a thorough assessment of need to be carried out.

**Please note that once an enquiry has been made it does not mean that this constitutes an application. Every case must be supported by a detailed, written referral from the OT Department before any financial or other assistance can be given by the Comhairle.**

Department: Occupational Therapy	Title: Joint Policy for Provision of Adaptations	
Refer to Other Documents:	Supersedes: Policy And Practice On Provision Of Equipment And Adaptations September 2013	
Warning -Uncontrolled When Printed The Current Version is Held in The Document Management System		

# NHS Western Isles


## Occupational Therapy Department

### Policy

### Joint Policy for Provision of Adaptations

Date Approved: 30.06.17	Review Date: (max 2 yrs) June 2019	Version: 4 Draft:	Author: Sonja Smit
Content Approval By & Date: Integrated Joint Board Senior Management Team 06.03.17 NHS Western Isles Policy and Review Group 31.05.17 Care Governance Committee, CnES 30.06.17 CnES Corporate Management Team 28.07.2017		<b>Page</b> 1 of 22	Owner: Ron Culley
Approval for Use within NHS Western Isles Health and Social Care Department			Reviewers: Sonja Smit, Janet Gordon, John Maciver, Ian Watson




Department: Occupational Therapy	Title: Joint Policy for Provision of Adaptations	
Refer to Other Documents:	Supersedes: Policy And Practice On Provision Of Equipment And Adaptations September 2013	
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## 1 Introduction

- 1.1 Scottish Government Guidance on the provision of equipment and adaptations to local authorities and NHS Boards in 2009 states that “The purpose of an adaptation is to modify a disabling environment in order to restore or enable independent living, privacy, confidence and dignity for individuals and their families. Adaptations can also improve confidence, skills and mobility and reduce symptoms. They can form part of a range of options available to people experiencing a disabling environment.
- 1.2 The definition of an “aid or adaptation” means any alteration or addition to the structure, access, layout or fixtures of accommodation, and any equipment or fittings installed or provided for use in accommodation, for the purpose of allowing a person to occupy, or to continue to occupy, the accommodation as their sole or main residence.

## 2 Policy Statement


- 2.1 Access to assessment and provision should be fair and consistent, be focused on individual outcomes and enablement, have service users listened to, have a say, be respected and responded to, and be reliable. There should be no discrimination on the grounds of race, disability, gender, age, sexual orientation, religion or belief. Health boards and local authorities have responsibilities under equality legislation for ensuring that discrimination does not occur and for promoting equality of opportunity. They are also subject to a proactive duty to promote race, disability and gender equality.

## 3 Policy

### Legislative Framework

- 3.1 The National Health Service (Scotland) Act 1978 (“the 1978 Act”) requires Scottish Ministers to promote a comprehensive and integral health service to improve the physical and mental health of the people of Scotland and to provide or secure services for the prevention, diagnosis and treatment of illness. There is also a general duty to promote the improvement of physical and mental health. The discharge of these functions is essentially delegated to health boards. Their duties under the 1978 Act includes duties to provide medical, nursing and other services.

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- 3.2 The Social Work (Scotland) Act 1968 (“the 1968 Act”) places a general duty on local authorities to promote social welfare (Section 12 of the 1968 Act) by making available advice, guidance and assistance. There are also specific duties to assess needs and decide whether those needs call for the provision of services, which essentially means services under Part II of the 1968 Act. Local authorities have the lead responsibility for co-ordinating the assessment of all community care needs, on an inter-agency basis.
- 3.3 Section 2 of the Chronically Sick and Disabled Persons Act 1970 is effective in Scotland through the Chronically Sick and Disabled Persons (Scotland) Act 1972. It applies to any chronically sick and disabled person, to whom section 12 of the 1968 Act applies, or if the person is under 18 years of age, to any disabled child to whom section 2 of the Children (Scotland) Act 1995 applies.
- 3.4 Sections 22 and 29 of the Children (Scotland) Act 1995 also places a duty on local authorities to provide services that promote and safeguard the welfare of children.
- 3.5 The Education (Additional Support for Learning) (Scotland) Act 2004 introduced a single structure for meeting the needs of children who require additional support to ensure they can make the most of their education.
- 3.6 Local authorities have a duty to assess the needs of any person for whom they may have a duty or power to provide community care services and, under the Housing (Scotland) Act 2006, mandatory assistance may be available to adapt their home, depending on the assessment of need.
- 3.7 The Data Protection Act 1998 is the legislation that governs the release of personal information to individuals. The purpose of this Act is to protect individuals from unauthorised disclosure, or misuse, of the information held about them by organisations. The Act concerns itself with individual privacy and with ensuring that information held about individuals remains confidential and is not released to the public. It is not a ‘freedom of information act’ nor can it be used to force disclosure of material relevant to legal claims against a social care authority.

### **Housing (Scotland) Act 2006**

- 3.8 The main purpose of the Act is to address problems of condition and quality in private sector housing, as well as setting out the requirements for delivering disabled adaptations. The ‘Scheme of Assistance’ replaced what was previously known as the Home Improvement Grants.

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3.9 Part 2 of this Act sets out the detail of the Scheme of Assistance for housing purposes. This allows local authorities to provide assistance to home owners to undertake adaptations to the property.

3.9.1 Section 72 requires a local authority to publish a statement of the criteria it has set to decide whether to provide assistance and in what form. The statement must also include any circumstances in capping the costs of any works undertaken via the grant.

3.9.2 Section 73 states that the local authority must provide assistance to the owner of a house in relation to works required to make a house suitable for a disabled person. In relation to the provision of standard amenities (toilet, bath or shower, wash hand basin or sink) this assistance must be in the form of a grant.

3.9.3 Section 75 states that the grant cannot be given retrospectively after works have started.

3.9.4 Section 76 states that the local authority may not limit the approved expense available in the case of grant funding for adaptations for a disabled person.

3.9.6 Section 77 relates to the means testing of grants. Everyone will get 80% of the costs covered by a mandatory grant. If an owner is in receipt of certain benefits they will receive 100% grant to cover the costs of work undertaken.

3.9.7 Section 84 states that the local authority must record the provision of the grant in the appropriate land register – General Register of Sasines or Land Register of Scotland.

3.9.8 Section 88 prevents the local authority from awarding a further grant for the same work for which a grant was previously approved (for example, a replacement stairlift).


3.10 Local authorities have their own local policies on the assistance they provide so the help available will vary depending on where you live.

### **Public Bodies (Joint Working) (Scotland) Act 2014**

3.11 Following the introduction of the Public Bodies (Joint Working) (Scotland) Act 2014, there has been a change in the way private sector housing adaptation grants are administered by the local authority, however, this does not change the way they are accessed by the public.

3.12 A tenant in the social rented sector (either local authority or housing association) can apply for grant in the same way as an owner or private sector tenant. However, the Government has made it clear that such applications should be the exception.

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3.13 Finally, it is important to be aware that the local authority has a duty to meet the needs of a disabled person where these needs have been assessed as being above the local eligibility threshold. This means that if other funding is not available, the local authority is still required to meet the individual's needs, whether through an adaptation or some other solution.

3.14 Each year, housing associations receive funding from the Scottish Government's housing agency to pay for adaptations to their properties to make them more suitable for disabled people. Most housing associations will request an occupational therapist report from the local Social Services department.

3.15 Health boards and local authorities should bear in mind that a carer providing regular and substantial care has the right to an assessment of their own needs as a carer. Under the Community Care and Health (Scotland) Act 2002, NHS Boards have developed Carer Information Strategies. These strategies, in place since May 2007, should improve carer identification, information and training to help carers continue in their caring role.

#### 4. **Assessment**

4.1 The person must be resident in the Outer Hebrides.

4.2 The adaptation must be at that person's only or main residence.

4.3 The adaptation/equipment must be necessary and appropriate to the person based on assessment of need and risk.

4.4 Maintenance and repairs of adaptations in private property are the responsibility of the home owner – exceptions are stairlifts, step lifts, and through floor lifts and ceiling track hoists.


4.5 Assessment of individual circumstances underpins provision.

4.6 Assessment should reflect the comprehensive needs of the individual and the needs of carers and take into account both current and long term needs.

4.7 Prior to recommendation of an adaptation or equipment provision the following points should be borne in mind:-


4.7.1 Therapeutic intervention – the process of normal recovery, ongoing rehabilitation, teaching of new methods or compensatory techniques may eliminate the need for adaptation or equipment.

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- 4.7.2 Unless the assessor considers it clearly inappropriate to do so, all adaptations, particularly major, should be preceded by trial of removable, re-useable equipment, where such equipment is available, technically feasible, and offers a cost-effective solution.
- 4.7.3 The possibility of a “move” to more suitable housing will be discussed with all applicants at an early stage. Where this is readily available and no other factors contra-indicate a move, such as the disruption of established support networks, or increased isolation of the disabled person, major permanent adaptations to property may not be recommended.
- 4.7.4 The assessor will consult with other professionals, such as GP or consultant, to ensure that sufficient background information informs recommendations. Permission will be sought from the client prior to consulting their GP.
- 4.7.5 Where there is a suitable room which is used as a second sitting/dining room or bedroom for a non-permanent family member, adaptations will not be considered.
- 4.7.6 Where a client declines to consider any of the options (i) to (v) above, it is unlikely that the adaptation request can be progressed.
- 4.7.7 Adaptations should only be considered where the applicant can reasonably be expected to enjoy increased independence and an improved quality of life, for a significant period (at least six months) following completion of the work.
- 4.7.8 In the case of people with deteriorating conditions, often where prognosis is uncertain, care should be taken to be as honest in decision making as possible, bearing in mind the unfortunate possibility of the assessor holding more information about condition and prognosis than the applicant. It may be necessary, in some circumstances, to make a judgement to proceed rapidly with an alteration in order to afford the applicant as much use of it as possible. Likewise, it may be necessary to delay work where it is clear that the applicant will be unable to make use of the adaptation. (see ii).
- 4.8 Adaptations and equipment may be provided where they increase or maintain safety and functional independence, dignity and self-esteem, and assist in protecting existing relationships.
- 4.9 A consensus over the type of assistance to be provided will be sought with the client, carer, other members of the household and other appropriate agencies.

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- 4.10 Where the client or their representative wish to have an alternative adaptation other than the assessor's recommendation then assistance may be offered provided:
- The adaptation will meet the client's current and long-term needs.
  - The difference in cost will be met by the client (e.g. the lowest estimated cost of providing a stairlift being offset against the cost of a ground floor extension).


## 5. Decision Making

- 5.1 Assessment and recommendations may be discussed with other Occupational Therapists/ Department of Social and Community Services/ Development Department/ Care and Repair/ Hebridean Housing Partnership/ Registered Social Landlord (RSL) staff. Joint visits may be carried out. Technical advice will be sought.
- 5.2 In complex cases where a Single Shared Assessment has been completed, the assessment and recommendations may be discussed with the other professionals involved. **The decision to provide adaptations or equipment rests with the OT service. No commitment can be given by another agency.**
- 5.3 The client will be provided with a written assessment if requested.
- 5.4 The Occupational Therapist will include clear advice as to the specific requirements of the client and will continue to provide advice throughout the planning process and completion of the work.

## 6. Confidentiality

- 6.1 It may be necessary to share relevant information regarding a client's health or social circumstances with other staff, departments or agencies. All such information will be treated with respect and will be imparted only on a 'need to know' basis. There may be occasions when it is not appropriate to share information in which case the funding agency may not be aware of the reasons behind recommendations. All personal data will be processed in line with the principles of the Data Protection Act 1998.

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## 7. **Finance**

7.1 Financial assistance may be obtained from the following sources:-

- 7.1.2 Adaptations Grant assistance available from Housing Services, Development Department (CnES) for adaptations to private property.
- 7.1.3 Hebridean Housing Partnership/Registered Social Landlords.
- 7.1.4 OT budget for minor adaptations to private property.
- 7.1.5 Community Care Grants through the Social Welfare Fund. Initial contact is through the Citizens Advice Bureau.
- 7.1.6 The client's own resources (including funds received from compensation payouts).
- 7.1.7 Charitable bodies.
- 7.1.8 NHS Western Isles (for specific cases only).

## 8. **PROCEDURES**

### **MAJOR ADAPTATIONS**


The procedure for the major adaptation of a property is as follows:-

#### **For housing rented from a Registered Social Landlord (RSL):**

- 8.1 Assessment by the Occupational Therapy Service and recommendations based on the criteria.
- 8.2 Where necessary, medical information is requested from the General Practitioner with client consent.
- 8.3 Investigation of alternatives to adaptations is carried out i.e. provision of equipment, move to more suitable accommodation.
- 8.4 Recommendations for adaptations are made to the Registered Social Landlord in writing.
- 8.5 Regular meetings are held between the Occupational Therapy Service and Registered Social Landlord to discuss adaptations and monitor progress.

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**For privately owned property:-**

- 8.6 Assessment by the Occupational Therapy Service and recommendations based on the criteria.
- 8.7 Where necessary, medical information is requested from the General Practitioner with client consent.
- 8.8 Investigation of alternatives to adaptations is carried out i.e. provision of equipment, move to more suitable accommodation.
- 8.9 Recommendations for provision of an Adaptations Grant may be made through Western Isles Care and Repair. Care and Repair can act on an applicant's behalf as their agent and they will obtain quotations for the recommended works and submit the completed grant application paperwork to the Comhairle. It should be noted that applicant are responsible for meeting any shortfall between the cost of works and the grant award themselves. Care and Repair may also assist in making applications for funding requests to charitable bodies when necessary. The person can opt to progress the application themselves without support from Care and Repair.
- 8.10 The Occupational Therapist will liaise with the client, CnES, Care and Repair and builders as required.

**For privately rented houses**

- 8.11 Assessment by the Occupational Therapy Service and recommendations based on the criteria subject to funding being available.
- 8.12 Where necessary, medical information is requested from the General Practitioner with client consent.
- 8.13 Investigation of alternatives to adaptations is carried out i.e. provision of equipment, move to more suitable accommodation.
- 8.14 Written permission to carry out the adaptation must be obtained from the property owner/landlord, including any agreement for the landlord to restore the property to its original state should the person later vacate the property, should the landlord wish to do so.
- 8.15 Proof of tenancy must be provided.
- 8.16 Responsibility for any shortfall will be clarified and agreed i.e. will the landlord or tenant meet funding shortfall between grant amount and actual cost. Charitable funding can also be considered.

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## 9. **MINOR ADAPTATIONS**

9.1 Minor adaptations can be recommended by the Occupational Therapy Service. All cases will be prioritised and subject to funding availability.

The procedure for minor adaptation of a property is as follows:-

### **For housing rented from a Registered Social Landlord:**

- 9.2 Assessment by the Occupational Therapy Service and recommendations based on the criteria
- 9.3 Where necessary, medical information is requested from the General Practitioner with client consent.
- 9.4 Written requests are made from the OT service to the registered social landlord in line with criteria.
- 9.5 The RSL will then instruct the work subject to funding being available.


### **For privately owned property:-**

- 9.6 Assessment by the Occupational Therapy Service and recommendations based on the criteria, subject to funding being available and a maximum cost of £900.
- 9.7 Where necessary, medical information is requested from the General Practitioner with client consent.
- 9.8 Funding is available annually through the Minor Adaptations budget provided by CnES. A letter is sent from the Occupational Therapy Service to a local builder/joiner specifying the work to be carried out and instructing them to proceed if the work can be done within the specified costs. Alternatively, the family can take responsibility for the work, but in these circumstances material costs only will be reimbursed.

### **For privately rented houses**

- 9.9 Assessment by the Occupational Therapy Service and recommendations based on the criteria, subject to the funding being available and at the maximum cost of £900.
- 9.10 Where necessary, medical information is requested from the General Practitioner with client consent.
- 9.11 Written permission to carry out the adaptation must be obtained from the property's owner/landlord.
- 9.12 Funding is available annually through the Minor Adaptations budget provided by CnES.

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9.13 A letter is sent from the Occupational Therapy Service to a local builder/joiner specifying the work to be carried out and instructing them to proceed if the work can be done within the specified costs.

## **SECTION 2 : CRITERIA FOR ADAPTATIONS/EQUIPMENT**

### **10. ACCESS**

#### **10.1 Intercom and Door Unlock Systems**

The client has severely restricted mobility and is unable to open/close the main access door and is alone for significant periods of time.

#### **10.2. Disabled Parking**

Where a reserved parking space is essential for a disabled vehicle a recommendation may be made to the Technical Services Department to mark out a space where appropriate. In cases where off street parking is provided in the development of a Registered Social Landlord it is the responsibility of the RSL to provide an appropriately located reserved parking space.

#### **10.3. Ramps**

For self - propelling wheelchair users and those unable to negotiate the steps a ramp will be provided where feasible.

Temporary ramps may be provided where the use is expected to be short-term or where the inside of the house is not suitable for a wheelchair, subject to annual review.

Only one entrance will normally be ramped.


In some circumstances provision of a ramp may be contra-indicated.

Where the client is able to walk short distances and negotiate steps with assistance, a ramp will only be provided in exceptional circumstances.

#### **10.4. Steps and Rails**

- Rails can be provided to assist with external or internal steps/stairs to assist the client to climb them safely where there is a high risk of falls and where an alternative option of completing the essential task is not available.

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- Grab rails will be provided indoors in the following circumstances: Rails at toilets, showers or baths to ensure independence and safety in activities of daily living where there is a high risk of injury to self or carers.
- Steps can be altered to reduce the rise or extend the tread to ease safe access.
- Normally only one access to the home will be altered.
- Rails in corridors will not normally be provided.

#### 10.5. Access Paths

Access Paths may be provided in the following circumstance:

- Where the client is a wheelchair user and a path is required to facilitate access to the vehicular access.
- The maximum length of eligible path is 30 metres long x 1.50m wide.

#### 10.6. Other access/external issues


Assistance may be available in the following circumstances:

- Safe play fencing for disabled children may be considered where a high risk has been identified and the proposals meet the child's identified needs e.g. non-climb fencing. The maximum area of fencing will not exceed the existing footprint of the house and the surfacing of the play area is not eligible for grant assistance.
- Assistance with outdoor sheds for NHS provided powered wheelchairs may be supplied, where appropriate storage and power supply are inadequate within the accommodation or outside in a garage.

#### 10.7. Items which cannot be supported:

- Repairs to broken or uneven surfaces of paths and steps.
- Paths and steps around the property.
- Improved external lighting.
- Driveways or access roads.
- Cattle grids/external gates.
- Storage for mobility scooters.

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## 11 BATHING

11.1 The aim of any provision will be to enable the client to remain or become independent in personal care or to assist carers to manage more easily and safely.

### Bath Lifts

11.2 Powered bath lifts may be considered for a client if the following criteria apply:-

11.3 Ordinary bath aids have been tried and proved to be unsuitable for the client's degree of functional loss.

11.4 The provision will enable the client to remain independent in personal care or make it easier for carers to assist with personal care.

11.5 The client or carer is able to take responsibility for charging the equipment following the manufacturer's instructions.

11.6 The client must be able to transfer on to the bath lift safely.

11.7 The powered bath lift is preferred to an over bath shower if the client requires to soak in the bath e.g. incontinence.

11.8 A powered bath lift will be issued on temporary loan if the client is receiving palliative care.

## 12. Overbath Showers

12.1 The provision and installation of a shower over the bath to be used either seated or standing. The shower will be thermostatically controlled and meet BSI standards. The use of mixer shower taps is not recommended but where these are in use by a client and function satisfactorily they will not be replaced.


12.1.1 Bath equipment has been considered/tried and is inappropriate due to the client's degree of functional loss.

12.1.2 Client preference alone cannot be the only factor for this provision.

12.1.3 The bath may be retained because:-

- The client is able to transfer on to a bath board/swivel bather.
- It is impractical to remove the bath due to the physical layout and size

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- of the bathroom and the client can manage the transfer for the foreseeable future.
- Medical management problems exist e.g. double incontinence, stoma care.
- Where the prognosis indicates an urgent need, overbath showers are generally quicker to install and cause less disturbance.
- Other family members wish to retain the bath.
- Where a bath lift would be suitable but other occupants are unable to remove/store the lift.

### 13. Level Access Shower / Wetroom

13.1 Level access shower to include half height doors, curtain, seating for shower will be provided according to assessed need, grab rails and thermostatically controlled shower unit,

or

13.2 Wetroom with appropriate accessories as above.

13.2.1. The provision will enable the client to remain/become independent in personal care.

13.2.2 The provision will enable the carer to deliver personal care.

13.2.3 Bath equipment has been considered/tried and is inappropriate due to the client's degree of functional loss.

13.2.4 Client has been assessed as being unable to access existing facilities.

13.2.5 Client preference alone cannot be the only factor in this provision.

13.2.6 A shower would not normally be removed and replaced with a bath.


### 14 TOILETING

#### 14.1 Additional Standard Toilet

14.1.1 The client's functional ability to reach the existing toilet is severely restricted due to the nature of their disability.

14.1.2 Where access to existing toilet cannot be provided by stair rails, stairlift or ramp.

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14.1.3 There is a permanent medical condition which severely affects frequency/urgency of need and the client's mobility is impaired.

14.1.4 Where the client's need is urgent/frequent and there are several other occupants of the home.

14.1.5 A commode or chemical toilet has been considered and is inappropriate due to problems emptying or lack of privacy.

### Considerations

- Functional limitation of carer to assist client in reaching existing facilities.
- Family considerations.
- Safety and dignity of client.

### 14.2 Special Toilet with integral Bidet and Drier

14.2.1 The client is unable to maintain proper hygiene after toileting due to degree of functional loss.

14.2.2 The provision would give the client an appreciable degree of independence and privacy in toileting.

14.2.3 Where the client finds it unacceptable for carers to assist with personal cleaning.

14.2.4 The client has tried a special toilet and finds it an acceptable solution.


14.2.5 A portable bidet does not meet the need.

### 14.3 Combined Toilet/Shower Unit

14.3.1 The criteria for a level access shower and an additional toilet are met but limitations of the accommodation and/or family considerations preclude the provision of separate facility.

14.3.2 The client's prognosis requires a short term solution and subsequent removal.

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## 15. LIFTS

### 15.1 Types of Lift

- 15.1.1 Stairlift - for use standing; with seat for use sitting.
- 15.1.2 Vertical through floor home lift - with seat; for wheelchair use.
- 15.1.3 Short rise lift (platform lift) - internal; external.

## 16 Criteria for Lifts

### 16.1 Stairlifts

- 16.1.1 The client's functional ability to climb the stairs is severely restricted due to the nature of their disability.
- 16.1.2 It is medically contra-indicated for the client to climb the stairs, even with additional stair rails.

### 16.2 Vertical through floor home lift

- 16.2.1 Provided for those for whom stairlifts are contra-indicated.
- 16.2.2 Provided where it is not technically possible to fit a stairlift.
- 16.2.3 Provided where it will reduce the need for transfers for the wheelchair user and increases their independence.

### 16.3 Short rise lift (Platform lift): Internal + External


- 16.3.1 Provided where there is insufficient space to provide a ramp of appropriate gradient to reach essential areas of the home e.g. toilet.
- 16.3.2 Provided it is a cheaper option than ramp provision.

### Considerations

- Re-housing to more suitable accommodation should always be considered as an alternative to installing any form of lift.
- Health and Safety/Building Standards/Fire regulations affecting the proposed installation e.g. minimum stair widths must be achieved.
- A coin operated meter or swipe card meter on the electricity supply presents a hazard and will preclude installation of a lift until an alternative payment method has been provided / installed.

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Contra-indications for stairlifts:

- Progressive conditions which will affect transfer to stairlift.
- Poor sitting/standing balance.
- Quickly deteriorating conditions.
- Client is confused, or spatial orientation problems are present.
- Severe epilepsy.
- Children with multiple disabilities.
- Cognitive impairment that is likely to deteriorate.

**17. CEILING TRACK HOISTS**

- 17.1 The client is unable to weight bear and has severely limited function making transfers a problem.
- 17.2 Mobile hoists, mobility poles, and other lifting equipment have been considered and are inappropriate due to the degree of functional loss, capacity of carers, or lack of space.
- 17.3 The provision will reduce the risk of injury to carers.
- 17.4 Stairlifts and ceiling track hoists in private sector housing will be serviced and maintained via the CnES Servicing Contract. The Development Department, CnES will inform the Technical Sevices Department of new stairlift and ceiling track hoists installations.


**Considerations**

- 11.1 The provision is dependent on structural feasibility.

**18. GENERAL ALTERATIONS OR EXTENSIONS TO LIVING SPACE**

**Note:** For application for general alterations or extensions particular attention must be paid to the criteria outlined in the first section of this report. Any alteration must be essential to meet the needs of a disabled person and not just a desirable improvement. The contents of any alteration or extension will be confined to that section of the property principally used by the disabled person and will not be provided as a general house improvement.

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### 18.1 **Washing and Toilet Facilities**

- The client meets the criteria for the facility (see criteria for toilet and showers).
- The client has extreme difficulty in negotiating stairs and the prognosis indicates that there will be deterioration of function in the future.
- It is not technically feasible to install a stairlift or vertical lift, or it is not appropriate due to the client's functional ability or a safety hazard for other household members.
- The existing facilities are not accessible and cannot be reasonably adapted to make them suitable for the disabled person.

### 18.2 **Additional Space in Kitchens**

- The client is a permanent wheelchair user or a user of one of the larger types of walking equipment and would need to use the kitchen routinely to prepare and cook food and can no longer access the facilities.
- Alternative kitchen facilities need to be provided because the kitchen space is compromised as a result of encroachment by additional adaptations.


### 18.3 **Redesign/Adaptation of Facilities in an Existing Kitchen**

The extent of adaptations will depend on whether the client is the predominant kitchen user. Access should be available to an appropriate height work surface and the facilities to use a kettle and the sink. Any adaptation will take into account the needs of other users of the kitchen, e.g. family or carers.

### 18.4 **Additional Living Accommodation**

Grants to provide additional living accommodation may be supported but there is no mandatory requirement for assistance for this type of work in the Housing (Scotland) Act 2006. Grant to provide extensions will only be considered where a case meets the required criteria set out below and cannot otherwise be provided or contained within the existing house or an alternative, more cost effective solution cannot be achieved.

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18.5 This should include investigating a move to more suitable, alternative accommodation. Otherwise, the following will apply:


- 18.5.1 Consideration has been given to the possibility of installing a stairlift or vertical lift (see relevant criteria).
- 18.5.2 There is only one reception room (living or dining room) on the ground floor and there is more than one person in the household or a single bedsitting room is not appropriate due to care or private needs. If two separate rooms have previously been converted into a "through" room it is reasonable to expect the adaptation to involve restoring the property to provide two rooms again (to achieve a separate bedroom).
- 18.5.3 Where there are two reception rooms one would generally be expected to be used as a bedroom, unless there is sufficient provision with the remaining living room.
- 18.5.4 For provision of additional bedroom/living space the individual would usually have multiple disabilities and complex management/care needs.
- 18.5.5 Where the request is for an additional bedroom to meet the care of someone who has not previously lived in the household, work would only usually proceed where provision of an additional bedroom is the only solution to the person remaining in the community. The house to be adapted must be the sole residence of the person for whom the adaptation is to be carried out.
- 18.5.6 Where a client's family wish to make more complex adaptations a proportion of the cost will be given for the essential works required due to Disability.
- 18.5.7 The amount of eligible expense for additional living accommodation will be calculated in strict accordance with the Comhairle's policies on cost limited works and may not necessarily cover the whole cost of the works.

## 19 Safe Spaces

19.5 Assessment and advice will be given on the provision of safe spaces. Criteria for the provision of a safe space are the following:

- 19.5.1 Challenging behaviour – self harm, harm to others, smearing/soiling.

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- 19.5.2 Disturbed sleep patterns.
- 19.5.3 Psychological features e.g. severe anxiety.
- 19.5.4 Family stress.
- 19.5.5 Known to Social Communication Team.
- 19.5.6 Predictable routine and visual strategies already established.
- 19.5.7 Indication that sensory strategies such as weighted blanket, deep pressure, heavy work are helpful.
- 19.5.8 Environmental adjustments e.g. calm colours, distraction free already in place.
- 19.5.9 Where quiet area has worked and is used in school, evidence that this strategy can be transferred in another environment e.g. home.

## 20 Accountability and Responsibilities

- 20.1 It is the responsibility of all Partners to ensure the aims and arrangements developed through the Adaptation Policy are communicated to staff and managers to ensure effective implementation.
- 20.2 Decision making on aspects of the policy must be agreed by the Partners and proactively managed to ensure an equitable service.

## 21 Implementation, Education, Training, Monitoring and Reviewing


### 21.1 Implementation

This is a review of an existing policy which supports practice across a range of agencies including NHS Western Isles Health Board, Comhairle nan Eilean Siar, Hebridean Housing Partnership and Care and Repair. All partners were involved in the review and wider consultation took place before approval of the policy.

### 21.2 Education and Training

There is a requirement that the staff in all of the Partnership agencies involved in the implementation of the policy fully understand its implications for their working practices, including joint working practice.

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### 21.3 Monitoring and Reviewing

The Occupational Therapy Services Manager in collaboration with the Partner agencies will monitor and review the policy.

### 22 References

Scottish Government: Guidance on the Provision of Equipment and Adaptations  
<http://www.jitscotland.org.uk/action-areas/equipment-and-adaptations/>  
Scottish Government: Adaptations, Aids and Equipment Advice Note:  
[www.gov.scot/Resource/0047/00476043.pdf](http://www.gov.scot/Resource/0047/00476043.pdf)

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