

## Members' Library Service Request Form

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Originator's Ref (if any)	Team Manager - Housing Strategy
Document Title	Delivery of Private Sector Adaptations

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Additional information:

Authorised By	Wendy McGuire
Designation	Head of Housing
Date	26/09/23

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**REPORT TO:** Members' Library Service

**MEETING DATE:**

**BY:** Executive Director for Place

**SUBJECT:** Delivery of Private Sector Adaptations

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## **1 PURPOSE**

- 1.1 To update Members on the risks and ongoing challenges associated with the delivery of adaptations to owner-occupied and private rented properties.
- 1.2 To update Members on the risk based approach and actions being taken to inform and safeguard those in critical situations.
- 1.3 To note the actions taken to keep residents informed of how they may be affected by these challenges.

## **2 RECOMMENDATIONS**

- 2.1 Members are recommended to note the ongoing challenges as a result of the budget being committed for the remainder of the financial year.
- 2.2 Members are recommended to note the updated position and actions being taken to keep residents informed (letter attached).
- 2.3 Members are recommended to agree to the short, medium and longer term options set out in the report and to progress an all tenure review of adaptations. This will identify improvements and ensure good governance and effective management of resources with a focus on delivering the best possible outcomes for the public within the financial constraints.

## **3. BACKGROUND**

- 3.1 The purpose of an adaptation is to modify an environment in order to restore or enable independent living, privacy, confidence and dignity for individuals and their families. Adaptations to homes can have many benefits. They can help people live independently or with support from informal or formal carers; enable people to remain in their home for longer, preventing hospital or care home admissions and the need for an increased level of formal care at home.

3.2 Adaptations are split into three elements, equipment, minor and major. This update is specifically in relation to major adaptations which includes things like:

- Replacing a bath with a wet floor shower
- Supporting access in around the homes such as widening of door frames and installation of permanent ramps
- Lowering work surfaces in kitchens
- Carrying out structural changes to allow for certain types of equipment e.g. hoists and lifts

### 3.3 Legislative Overview

3.3.1 The legislative context in relation to the delivery of major adaptations is complex and has changed over recent years. It is *The Public Bodies (Joint Working) (Scotland) Act 2014 (the Joint Working Act)* that establishes the legal framework for integrating health and social care in Scotland. This Act requires each Health Board and Local Authority to delegate some of their statutory functions, and associated budgets, to their Integration Authority. The Regulations that underpin the Act set out which health and social care functions must be delegated and the provision of equipment and adaptations are functions which **must be delegated** to the Integration Authority (IA).

***Key responsibilities delegated to the Integration Authority are:***

- ***The duty to assess for an adaptation***
- ***Planning for and resourcing adaptations.***

***The duty to provide grants of 80% or 100% for those living in the private sector, who are assessed as needing adaptations.***

3.3.2 The 2014 Act provides the statutory framework for driving forward these changes and is supported by regulations and statutory guidance, including an [Adaptations, aids and equipment advice note](#) that prescribes the housing-related functions that must and may be delegated by a Local Authority.

The guidance defines equipment (aid) and adaptations as:

***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 continue to occupy, the accommodation as their sole or main residence.***

The guidance also states that:

***Where equipment and adaptations are provided, these services, along with the resources which fund this support must be included in the integration arrangements.***

- 3.3.2 Local authorities also have powers and duties under [the Housing \(Scotland\) Act 2006](#) to assist home owners in certain circumstances, including assistance to adapt the home for a disabled person.

This updates previous arrangements under the [Housing \(Scotland\) Act 1987](#), and includes a system of financial assistance with a wider range of structural adaptations attracting a mandatory grant of at least 80% of the cost of the work, and 100% for those applicants in receipt of certain income replacement benefits.

The Scottish Government provided guidance on this in the [Implementing the Housing \(Scotland\) Act 2006, Parts 1 and 2: Statutory Guidance for Local Authorities: Volume 6 Work to Meet the Needs of Disabled People](#).

### 3.4 **Care and Repair**

Care and Repair (C&R) services were first set up in Scotland in 1987 with East Lothian Housing Association setting up a local service in 1993. The service was set up to assist older home owners living in poor housing conditions who did not have the financial resources or technical expertise to manage repair issues. The service later evolved to include supporting older homeowners and private landlord tenants to adapt homes to enable people to remain living in their own home for as long as possible. The Council have an agreement in place with Care and Repair to support the delivery of major adaptations in the private sector. The Care & Repair service supports people to remain in their own home and communities while making a significant contribution to the Council's Local Housing Strategy objectives.

- 3.4.1 Care and Repair Services operate through out Scotland and offer homeowners who are aged over 60, or who have a disability, independent advice and assistance to help repair, improve or adapt their homes. They also offer practical assistance with applications for grant funding and co-ordinating repairs. East Lothian Council have a Service Level Agreement (SLA) in place with the agreement that the service will offer the following:

A major adaptations service for home owners and private tenants where there is a child or adult living in the property. The service supports the delivery of major adaptations through:

- Discussing what is required in terms of any adaptations recommended by the Community Occupational Therapist. An Occupational Therapist also advises throughout the Care & Repair process;

- Providing an indication of the costs involved and advise on the PSHG award and the process involved;
  - Providing an indication of the costs involved and advise on the Private Sector Housing Grant (PSHG) award, including the process for application
  - Explore charitable funding options if the person is unable to afford their financial contribution towards the adaptation;
  - Assist to complete all associated application and supporting paperwork for the PSHG and charitable funding;
  - Assist with the appointment of reputable architects and contractors;
  - Providing advice and support throughout the work, including liaising with the contractor and all others involved in the adaptation and assisting with directing to other sources of support that may be required.
- b) A small repairs service for people aged 60 or over; or persons in receipt of disability benefits aged 50 or over. The service includes electrical checks and repairs, home security and home safety.
- c) A trade referral service is also offered and regularly updated. This is an advice only service.

### 3.5 Funding

Financial support is available and, as outlined in the Housing (Scotland) Act 2006 and the Scheme of Assistance Regulations 2008, must be provided by local authorities for the installation of standard amenities or for essential structural adaptations to a property.

The capital grant East Lothian Council receive to meet the cost of essential major adaptations in the private sector is £464,000. East Lothian Council also contribute a further £256,212 from its General Services budget to support the delivery of Care & Repair services.

<b>Table 3: Budget for the co-ordination &amp; delivery of essential major adaptations in the private sector</b>	
<b>Funding</b>	
	<b>£ per annum</b>
Housing Services	£464,000
Council General Services	£256,212
Total	£720,212

<b>Allocation of Funding</b>	
Care & Repair	£329,890.00
PSHG	£363,710.00
Internal re-charge Housing Services*	£26,612.00
<b>Total</b>	<b>£720,212.00</b>

\*This was a contribution towards a post in the Housing team to deliver PSHG. This is currently being used to offset PSHG while the post is vacant. Long term, it is intended to redistribute this fund to a Private Sector Housing Officer post.

3.6 As of last month, 63 adaptations had been committed to the budget - totalling 80% of this year's budget allocation. Since then, a further 19 individuals have been assessed with the anticipated cost of the adaptations amounting to a further £210k. If committed to the budget this would result in an over spend. A further 12 people have been referred to C&R and are awaiting C&R support to commence. Demand is increasing and will continue to do so over the months ahead with insufficient funds to deliver the PSHG.

3.7 The key challenges we are experiencing are a result of a number of factors such as:

An increase in demand, which is likely to continue as a result of East Lothian's changing population with an increasing number of older people. In addition, the level of complexity of situations has increased and the effects of physical de-conditioning are more apparent.

- A backlog of works requiring to be progressed following the pandemic.
- An increase in construction costs due to materials and labour.
- Scottish Government PSHG award has not been increased for a number of years and does not reflect cost increases.
- Requirement for 80% minimum mandatory grant for specific adaptations.

### 3.8 **Short term steps being taken**

- A Risk Based approach with actions being taken to inform and safeguard those identified with a critical need. This has resulted in a review of the Occupational Therapy Practice Guidance. The Occupational Therapy service has implemented a prioritisation system based on clinical

decisions to support Housing with new requests for PSHG applications. Those assessed as having a lower priority will be added to a waiting list

- A panel has been created to discuss critical and complex cases to establish how adaptations can be progressed. The panel should consider budget constraints, but also whether funding an adaptation would offset spend in another area e.g. care at home provision; preventing homelessness or further pressure on the housing system.
- We have informed all those residents that have had an adaptation recommended in the private sector (which may not be able to be progressed at this time) by letter and have updated the website. We are working closely with H&SC partners to determine how best to communicate to all new clients being assessed.
- We are reviewing our agreement with C&R with an interim agreement in place until March 2023 until a longer-term solution has been developed

### 3.9 Next Steps

A letter will be written to the Scottish Government to outline the risk and challenges and request additional funding

An all tenure review of housing adaptations will commence, with a future report setting out the findings and recommendations for future delivery. A key emphasis is the importance of a corporate approach, with close collaboration between Health and Social Care and Housing.

## 4. POLICY IMPLICATIONS

- 4.1 As a result of budget constraints, policies and processes for the delivery of major adaptations have been revised to manage the delivery of adaptations.

### In the short term:

- A Red-Amber-Green system has been introduced to prioritise the delivery of adaptations for residents who are in critical need. Residents with lower priority will be put on a waiting list and receive grant funding when available. In the meantime, residents have the option to be supported by Care and Repair in delivering adaptations through private funds.
- A group has been convened to consider critical and complex cases and where the impact of funding an adaptation will resolve pressure on another area of service provision such as care at home or housing. Each adaptation request will be considered on a case by case basis.

- Discretionary 100% funding of private adaptations has been removed.

#### **In the long term**

- An all tenure review of housing adaptations will be carried out to identify improvements and ensure good governance and effective management of resources with a focus on delivering the best possible outcomes for the public within the financial constraints.
- A review and update to the Council's Scheme of Assistance Policy will also be carried out.

## **5. RESOURCE IMPLICATIONS**

### **5.1 Financial**

The current budget of £720k is 80% committed. The remaining 20% will be allocated based on prioritisation criteria (to be agreed by the IJB). Once fully committed, the panel will continue to assess and approve those critical cases which will result in an over spend of the allocated budget. This is in the context of ensuring safe living environment for residents to enable independence or safe support from formal and informal carers. It could also help to reduce further pressure on our housing system.

5.2 Personnel - None

5.3 Other - None

## **6. Background Papers**

6.1 [Statutory Responsibilities & Policy Context - Equipment and adaptations: guidance on provision - gov.scot \(www.gov.scot\)](http://www.gov.scot)

6.2 [Implementing the Housing \(Scotland\) Act 2006, Parts 1 and 2: Statutory Guidance for Local Authorities: Volume 6 Work to Meet the Needs of Disabled People.](#)

6.3 [Making Adaptations Work | Age Scotland \(ageuk.org.uk\)](http://ageuk.org.uk)

**Appendix 1** – Letter to Clients who have been assessed but not yet awarded a grant.



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<b>DATE</b>	28/09/2023

Date: 25/07/2023  
Telephone: 01620 827 827



To

Dear

**Major Adaptations – Private Sector Housing Grants**

We are contacting you because you have recently been assessed by an Occupational Therapist for a major adaptation. The next step in the process would be for a Private Sector Housing Grant to be approved.

Over the last number of years, there has been a significant increase in the number of referrals being received to progress adaptations to private sector properties for people with disabilities, funded by a Private Sector Housing Grant (PSHG), formerly known as the Home Improvement Grant. Coupled with a rise in cost for any building works being required, the level of committed expenditure for the period 2023/24 is extremely high.

Unfortunately, this has meant that emergency processes are being put in place to manage the situation and budget as effectively as possible for the remainder of the financial year. This means that:

- If adaptation works funded by an approved Private Sector Housing Grant have already commenced or you have a planned start date, works will continue as planned.
- In the following situations, it is unlikely that works will be carried out until after April 2024:
  - If you have been assessed by an OT and are in the initial stages of contact with Care & Repair.
  - If scoping work with an architect has commenced but you have not received confirmation from East Lothian Council that a Private Sector Housing Grant (Home Improvement Grant) has been approved.
  - Any new recommendations for major adaptations after August 2023.

If you have any enquires or worries about your grant funding please contact the Care & Repair team in the first instance.

If you are able to and wish to proceed with self-funding the adaptation to your property, the Care & Repair team can provide advice and support to you through this process. Care & Repair can arrange quotes from reputable contractors and advise on a range of funding streams that may be available to assist with the cost towards the work, if you have

insufficient funds. Care & Repair can be contacted on 01620 828445 or by email: enquiries@careandrepaireastlothian.co.uk.

Yours sincerely

Wendy McGuire  
Head of Housing

Fiona Wilson  
Chief Officer  
East Lothian Health &  
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Angela Brunton  
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