



REPORT TO: East Lothian Integration Joint Board

MEETING DATE: 14 December 2023

BY: Head of Housing, East Lothian Council

SUBJECT: Delivery of Medical Adaptations in the Private Sector

1 PURPOSE

- 1.1 To update the IJB on the risks and ongoing challenges associated with the delivery of adaptations.
- 1.2 To update IJB on the risk-based approach and actions being taken to inform and safeguard critical cases.
- 1.3 To note the actions taken to keep residents informed.

2 RECOMMENDATIONS

- 2.1 The IJB are recommended to note the ongoing challenges as a result of the budget being committed for the remainder of the financial year.
- 2.2 The IJB are asked to note the legal position and responsibility of where adaptations sit
- 2.3 The IJB are recommended to note the updated position and actions being taken to keep residents informed (letter attached).
- 2.4 The IJB are recommended to agree to the short, medium and longer term options set out in the report and lead a best value review of the service 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.

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; enable people to remain in their home for longer, prevent hospital admissions or allow for early discharge from hospital.

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 walk in shower
- Supporting access in around the homes such as widening of door frames and install 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

The Council have an agreement in place with Care and Repair who currently support the delivery of major adaptations in the private sector. Care and Repair 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 owners living in poor housing conditions who did not have the financial resources or technical expertise to manage repair issues but 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.

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

- a) A major adaptations service for all disabled children and adults who are home owners or private tenants. The service supports the delivery of major adaptations through
- Discussing what is required in terms of any adaptations, alongside the Community Occupational Therapist;
 - Providing an indication of the costs involved and advise on the PSHG award and the process involved;
 - Explore charitable funding if the person is unable to afford their financial contribution towards the adaptation;
 - Assist to complete all associated paperwork with 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, home safety, hospital discharge, hospital prevention and joinery works.
- 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 we 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.

Table 3: Budget for the co-ordination & delivery of essential major adaptations in the private sector	
Funding	
	£ per annum
Housing Services	£464,000
Council General Services	£256,212
Total	£720,212
Allocation of Funding	
Care & Repair	£329,890.00
PSHG	£363,710.00
Internal re-charge Housing Services*	£26,612.00
Total	£720,212.00

*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, C&R had committed to 63 adaptations totalling 80% of this year's budget allocation. However a further 19 individuals have been assessed amounting to a further £210k. If committed this would result in an over spend. We also have a further 12 who have been referred and are awaiting C&R support. So we can already see that demand is increasing and will continue to do so over the months ahead and we do not have the funds to deliver.

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

A backlog from the pandemic

An increase in construction costs due to materials and labour

Scottish Government PSHG has not been increased for a number of years to 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 critical cases. This has resulted in a review of tightening prioritisation based on a risk based approach. Those assessed as having a lower priority (prioritisation to be approved by the IJB) will be added to a waiting list.
- A panel will be created to assess those critical and complex cases. This assessment will consider the risk to all parties, the impact and the potential cost of not providing the adaptation i.e. hospital admission, reducing delayed discharge, preventing homelessness / further pressure on the housing system.
- We have informed all those residents affected in the private sector by letter and have also updated the website. We are working closely with H&SC partners to determine how best to communicate to all new clients being assessed.
- 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 ask for additional funding.

A best value review of the adaptations service 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 ENGAGEMENT

- 4.1 Engagement has taken place with key stakeholders both internal and external. The Housing Strategy & Development team have engaged on this issue through the Local Housing Strategy Consultation process and have met with Carers of East Lothian to discuss the situation and understand the impact on carers. Other stakeholders have included Dementia Friendly East Lothian and Citizens Advice.

5 POLICY IMPLICATIONS

- 5.1 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.

6 INTEGRATED IMPACT ASSESSMENT

- 6.1 The subject of this report has not been through the Integrated Impact Assessment process. This exercise will be carried out as part of the wider review.

7 DIRECTIONS

- 7.1 This report relates to the IJB's directions as detailed in section 3.3. It however recommended that a group is convened to look at critical and complex cases where a 'spend to save' approach may be more appropriate. Adaptations are taken by a case by case basis

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

In the long term, it is recommended that:

- H&SC carry out a best value review of the service 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.

- Housing carry out a review and update to the Council's Scheme of Assistance Policy will also be carried out.

8 RESOURCE IMPLICATIONS

- 8.1 Financial: The current budget of £720k is 80% committed. The remaining 20% will be allocated based on a risk-based approach (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 overspend of the allocated budget. This is in the context of ensure a safe living environment for residents, preventing hospital admissions and reducing delayed discharges from hospital. It could also help to reduce further pressure on our housing system.
- 8.2 Personnel – None
- 8.3 Other – None

9 BACKGROUND PAPERS

- 9.1 [Statutory Responsibilities & Policy Context - Equipment and adaptations: guidance on provision - gov.scot \(www.gov.scot\)](http://www.gov.scot)
- 9.2 [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](#)
- 9.3 [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

AUTHOR'S NAME	Wendy McGuire
DESIGNATION	Head of Housing
CONTACT INFO	wmcguire@eastlothian.gov.uk
DATE	6 th December 2023

Date: 22nd August 2023
Telephone: 01620 827 827

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



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