

1.0 CONTEXT

- 1.1 Stage III Medical Adaptations assist tenants to live independently within their home for as long as possible.
- 1.2 An occupational therapist provides a recommendation for adaptation (a CL1 form) on behalf of their client.
- 1.3 Glasgow City Council, through the Annual Programme Agreement, provides a budget to GWHHA at the start of the financial year to fund Stage III Medical Adaptations to traditional GWHHA stock.
- 1.4 Funding provision for Stage III Medical Adaptations to Hyndland and Argyle 2nd Stage Transfer was incorporated to the stock transfer agreement.
- 1.5 This policy should be read in conjunction with the GWHHA Procurement Guide

2.0 AIMS

- 2.1 To provide clear policy guidelines for the approval of temporary or permanent adaptations to GWHHA housing stock.
- 2.2 To ensure a systematic and objective response to all adaptation requests.
- 2.3 To ensure compliance with regulations, best practice and mitigate risk.

3.0 DEFINITIONS

- 3.1 *Stage III* Works to adapt a property to suit the needs of existing or new tenant where these could not reasonably have been identified when the property was originally allocated, as defined by the Scottish Government.
- 3.2 *Major Adaptations* Structural or substantial adaptations such as property extensions, the amalgamation of rooms and the installation of wheelchair ramps/lifts/hoists.

4.0 POLICY

4.1 General

- 4.1.1 GWHHA is aware of the importance of providing a range of accommodation to meet changing needs and actively works in partnership with other agencies to identify solutions that enable tenants to maintain independent living for as long as is possible and practical.
- 4.1.2 Requests for adaptations will be considered sympathetically and objectively, within budgetary and other constraints.
- 4.1.3 GWHHA will promote the existence of Stage III Medical Adaptation scheme via its Newsletter, house visits and welfare rights services, and at other appropriate events.
- 4.1.4 Tenants will be encouraged to approach an occupational therapist for assessment and referral to GWHHA.
- 4.1.5 This policy applies to GWHHA tenants. Home owners should visit <https://www.gov.scot/publications/funding-adaptations-home-guide-homeowners/> for information on adaptations.

4.2 Responsibilities

- 4.2.1 GWHHA is responsible for carrying out adaptations of a 'permanent' nature, subject to Occupational Therapist referral/budget review and tenancy sustainment consideration, which are designed to meet the needs of a particular person who lives in accommodation owned by GWHHA. Examples include permanent concrete ramps, external handrails, widening doors, fitting special doors and windows, special kitchen units, lever taps, special bath or shower units, high level power points and other adaptations to the building fabric.
- 4.2.2 Equipment installed to meet the needs of a particular disabled person, which is "removable" and "re-deployable" when no longer required, is the responsibility of Social Work Services. Examples include additional internal grab rails, bath and toilet aids, telephone aids, special furniture, temporary ramps, door answering intercoms, individual emergency call facilities, removable stair lifts, laundry and cleaning equipment.

- 4.2.3 From 2019, Glasgow City Council confirmed hand/grab rails may be installed and funding claimed by RSLs¹ without the need for an Occupational Therapist assessment if requested by a tenant.

4.3 Stage III Funding

- 4.3.1 The current system for the funding of adaptations is tenure-based. For Registered Social Landlords, Glasgow City Council provides the annual allocation via the Housing Association Grant (HAG) Programme.
- 4.3.2 GWHA will make a bid for Stage III adaptations funding each year as part of the Strategy and Development Funding Plan. The bid will take account of historical expenditure, current and anticipated future applications and ability to resource the programme.
- 4.3.3 Responsibility for the administration and management of the Stage III budget rests with the Repairs & Factoring Manager. Where it is anticipated that the budget will be depleted before all adaptations are carried out, a formal approach will be made to GCC for additional funding.
- 4.3.4 Authority to instruct works that exceed the available budget is required from the Services Director.
- 4.3.5 The Corporate Director will be responsible for the submission of grant claims. GCC preference is within one month of receiving an invoice for completed works, though will accept up to financial year end. The claim will include a 10% administration charge to reflect the cost incurred by GWHA in managing the process.

4.4 Referrals

- 4.4.1 Requests for permanent Stage III Medical Adaptations (with the exception of hand/grab rails – see 4.2.3) must be received from an Occupational Therapist in the prescribed format to satisfy GWHA that the adaptation is suitable to meet the Tenant's needs, and also to enable the cost of the works to be reclaimed for GCC.
- 4.4.2 Where a referral states that the Adaptation will not meet the Tenant's long term needs, GWHA will make contact with the tenant with a view to completing a wider housing needs analysis to explore options to address long term needs.
- 4.4.3 In some exceptional cases, referrals are received from GPs for adaptations of an "incidental" nature (e.g. grab rail in close). In such cases, where the cost is less than £100, the works will be funded from GWHA's Reactive Maintenance budget and, where appropriate, subject to consultation with other residents².
- 4.4.4 Each referral will be recorded on the Stage III register by the Property Services Officer and within 5 working days a meeting will be arranged with the Tenant for the purposes of completing an Options Appraisal Form.
- 4.4.5 The Stage III register will record summary details of the adaptation and the Repairs Team will monitor progress and update upon completion. Housing database software will also be updated to reflect changes.

4.5 Options Appraisal

- 4.5.1 The Options Appraisal Form will be completed in consultation with the Tenant to optimise potential for the best long-term and sustainable solution.
- 4.5.2 Opportunities for involving family members, Carers, the OT, GP or other relevant parties in the Options Appraisal will be explored and, where appropriate, a key contact will be established (e.g. where the tenant has a learning disability/mental health problem or is hospitalised). Interpretation/translation services will be employed where required.
- 4.5.3 The Options Appraisal will concentrate primarily on physical factors such as space and accessibility, but may also take account of social, psychological and support factors that are important to the Tenant.
- 4.5.4 Where the Options Appraisal suggests that rehousing of the Tenant to more suitable accommodation is the ideal solution, GWHA will seek to make contact with the tenant with a view to exploring options to address long term needs.

¹ Registered Social Landlords

² Including Tenants and owners

4.5.5 Caution will be exercised in the Options Appraisal process where there is a referral for works to be carried out within family accommodation (i.e. 3 apt+) that is under-occupied by the existing household. This is to ensure GWA are utilising housing stock and funding to full capacity.

4.6 Major Adaptations

4.6.1 Substantial and/or structural adaptations to GWA properties will be considered in exceptional circumstances only and when all other attempts to identify more suitable alternative accommodation (either within, or outwith GWA housing stock) have been unsuccessful.

4.6.2 Where substantial adaptation is the only feasible option, the authority of the Services Director must be obtained prior to progressing statutory and/or other consents.

4.6.3 Where the adaptation cannot be progressed, for whatever reason, the Tenant will be assessed as a priority for rehousing in accordance with the terms of the Housing Allocation Policy.

4.7 Adaptations to Common Areas

4.7.1 In properties wholly owned by GWA, the association will notify, and where appropriate, consult, all residents prior to instructing adaptations that impact on the common areas of the property (e.g. wheelchair ramps).

4.7.2 Where the property is mixed tenure, an application for consent will be sent in the prescribed form³ to all owners affected by the proposed works. This will be sent by personal or recorded delivery. It will only be sent by email or other electronic mail if the recipient has previously agreed in writing to accept service in that way⁴.

4.7.3 The owners must respond to the initial notice within 1 month, by issuing a written reply in the prescribed form⁵ indicating their acceptance or refusal of the proposals made. If an owner does not respond within the timescales it is taken as a refusal. If an owner refuses consent they must identify the reason for that refusal. If giving consent to the alteration an owner is entitled to introduce reasonable conditions and a list of possible conditions are supplied in the Regulations. If the condition proposed is not accepted by the disabled person, the owner's response will count as a refusal.

4.7.4 All votes will be counted and a further notice will be sent to all owners in the prescribed form⁶ identifying the outcome. Work must only commence with the consent of the majority of the owner-occupiers affected by the proposed works.

4.7.5 A majority is taken to mean either:

- a) A person who owns more than one half of the share in the common parts; OR
- b) The combined consent of those who together own more than one half of the share in the common parts.

4.7.6 Unless the applicant has entered into an agreement with the other owners of the common parts in relation to sharing costs of the adaptation, the applicant will be solely liable for the costs. The costs of the adaptation include the costs of maintenance and reinstatement works.

4.7.7 Where adaptation works are required for the benefit of an owner-occupier, GWA, in its capacity as an owner occupier factored by GWEn, will consider the request sympathetically and within the same policy principles that apply to GWA properties. Responsibility for the initial installation costs and for the future maintenance, repair, replacement and/or removal of the adaptation will be clearly outlined in a formal agreement with the owner in question, prior to commencement of works.

4.8 Adaptation Priorities

4.8.1 Stage III Referrals are assessed on a gradient of 1-4 with P1 being the highest priority. The Occupational Therapist will determine the level of priority awarded to each referral.

³ SCHEDULE Part 1: Form of application for consent to relevant adjustments, Regulation 5(2) [The Relevant Adjustments to Common Parts (Disabled Persons) (Scotland) Regulations 2020]

⁴ [T.C. Young](#) [February 2021]

⁵ SCHEDULE Part 2: Notice of decision of owner of a property with a share in the common parts of the premises, Regulation 5(4) [The Relevant Adjustments to Common Parts (Disabled Persons) (Scotland) Regulations 2020]

⁶ SCHEDULE Part 3: Notice of Majority Decision, Regulation 7(1) [The Relevant Adjustments to Common Parts (Disabled Persons) (Scotland) Regulations 2020]

4.8.2 GWHA will utilise the OT priority system as the basis for its own priority “points system” which has been introduced as a means of ensuring there are opportunities for all adaptations to be carried out within a reasonable timescale.

4.8.3 The points system will operate as follows:

Priority 1 (P1)	40 points
Priority 2 (P2)	30 points
Priority 3 (P3)	20 points
Priority 4 (P4)	10 points

In addition to the priority points, 5 “time in need” points will be allocated at the end of each full quarter that the Referral has been on the database. In practice, this will operate as follows:

A P3 application received on 01/04/20 would receive 20 points (+) an additional 5 points on 01/07, 01/10 and 01/01, making a total of 35 points at the beginning of January 2021. In the event of funding and/or resource constraints, the P3 referral would then take priority over a P2 application received in December 2020.

4.9 Works Instruction & Procurement

4.9.1 Approved Stage III works will be instructed at the earliest opportunity, with a clear specification, to an Approved Contractor who specialises in the works required. The appointed contractor must be sufficiently resourced to carry out the works within a reasonable timescale to be determined by GWHA.

4.9.2 Works will be instructed in accordance with delegated authority levels detailed within the GWHA Procurement Guide.

4.9.3 Stage III works are “zero rated” for VAT. Accordingly, works are VAT taxable by the contractor but the rate of VAT GWHA are charged must be 0%. To be zero rated for VAT, works must be for someone with a physical or mental impairment that has a long-term effect on their ability to do everyday activities.

4.10 Tenant Liaison

4.10.1 GWHA Staff will maintain regular contact with the tenant throughout the course of the work, where appropriate, and concerns by, or on behalf of the Tenant, will be addressed as a matter of urgency.

4.10.2 The Tenant’s satisfaction with the process, the contractor, and with the completed works will be assessed within 10 working days of the completed installation, with responses informing future policy reviews and the annual review of contractors.

4.11 Maintenance & Life Cycle Costings

4.11.1 GWHA is responsible for the future maintenance and repair of permanent Stage III Medical Adaptations. Expenditure is met through the reactive maintenance budget and will be closely monitored via a cost centre established for this purpose.

4.11.2 Repairs to Stage III Adaptations will be treated as priority for response and where possible, will be completed under the category of “emergency”.

4.11.3 The expectation is that the future replacement of Stage III Adaptations will be carried out through planned replacement works if the adaptation has reached the end of its life cycle.

4.12 Stock Management

4.12.1 GWHA will monitor the number and type of adaptations carried out to avoid saturation within the stock and future void management and maintenance issues.

4.12.2 The following guidelines will apply:

Level access/wet floor showers	10% of stock
Structural alterations	0.5% of stock
Adapted properties as % of all stock	20%

These guidelines will be reviewed by the Management Committee to take account of the Housing Needs Analysis and to reflect demonstrable demand expressed in the Housing List and Stage III Adaptations register.

4.13 Future Allocation of Adapted Properties

- 4.13.1 GWHA will aim to re-cycle adaptations as far as possible and will resist requests from future Tenants to remove them from the property.
- 4.13.2 Where a “temporary/removable” adaptation is no longer required by an existing Tenant, Social Work Services will be contacted and given the opportunity to uplift it.
- 4.13.3 Where major/substantial “permanent” adaptations have been carried out to a property (e.g. wheelchair/stair lifts, ramps, kitchens, wet floor showers) every effort will be made to ensure future allocation to an applicant who requires adaptations of the nature provided.
- 4.13.4 Where a suitable applicant is not readily identifiable from GWHA’s sources, a referral from a specialist agency/RSL/S5 Referral will be sought by the Tenancy Services Team.
- 4.13.5 The prospective Tenant will be expected to visit the property and confirmation will be required that the adaptation is appropriate and that no further adaptations (other than those of a minor nature) will be necessary to make the property suitable for the applicant’s needs. GWHA will invite the OT/Carer or other representative and their assessment as to whether the allocation would satisfy the applicant’s needs will be requested.

4.14 Recovery of Adapted Properties

- 4.14.1 Under the terms of the Housing (Scotland) Act 2014, GWHA may seek to recover possession of an adapted property where it has been allocated to persons who do not need adaptations and rehouse any such persons in suitable alternative accommodation.

5.0 FEEDBACK & COMPLAINTS

- 5.1 Any Tenant who is aggrieved by a decision made in the context of this policy has a right of Appeal via GWHA’s Comments and Complaints Policy.
- 5.2 Once the Association’s Comments and Complaints Policy is exhausted, there is a right of appeal to the Scottish Public Services Ombudsman (SPSO). As the SPSO is unlikely to comment on matters of a legal nature, a review will focus on the proper application of the Association’s policy, rather than the specifics, or legalities, of the Stage III adaptation.
- 5.3 In the event consent for an adaptation is refused, or given subject to a condition, the Tenant has the right to refer the refusal to the sheriff court.
- 5.4 If the appeal pertains to a refused adaptation to a common part, the appellant must give notice of the appeal to all owners affected by the proposed works. Appeals to be managed in compliance with specifications of The Relevant Adjustments to Common Parts (Disabled Persons) (Scotland) Regulations 2020, Section 10: Appeals and must be lodged within 21 days of the decision.
- 5.5 In the event funding for the stage III adaptation is not available, GWHA will consider any request for the tenant to carry out and self-fund works in line with the Alterations and Improvements policy.

6.0 REVIEW

- 6.1 This Policy will be reviewed every 5 year, or sooner, subject to a change in legislation or circumstance.
- 6.2 The policy, in parts, attempts to summarise current legislation. In any case of conflict between the two, legislation will preside.

7.0 DELEGATED AUTHORITY

- 7.1 Delegated authority is granted by the Management Committee to the Chief Executive and Staff to implement this Policy.

Date

Name

Address

Address 2

Town

Postcode

Dear XXX



RE: APPLICATION FOR CONSENT TO COMMON ADAPTATIONS

This application for consent is given by a disabled owner, tenant or occupier who is or will be living in the premises and who proposes to alter or add to common parts of the premises for the purpose of avoiding disadvantage which would otherwise arise in using the common parts. The costs of the alteration are to be met by the applicant.

1. Alteration or addition being proposed:
Provide as much information as possible concerning the nature of the alteration or addition.
2. To the owner(s) of the other properties with a share in the common parts of the premises affected by the proposed works:
This application must be sent to each owner of the other properties with a share in the common parts of the premises whose share of the common parts will be affected by the proposed works. You must insert the full name and address of the owner, if known.
3. Name and address of the owner, tenant or occupier making the application:
You must insert your full name and address.
4. Property to which the application relates (if different from the above):
This is only applicable if you do not currently reside at the above address e.g. you may be the guardian of a disabled person requiring the proposed alteration or addition. Otherwise put "not applicable".
5. The timetable for carrying out the work, including the proposed dates of commencement and completion:
Provide a propose timetable for the duration of the work.
6. Consent or any objections or other representations relating to the relevant adjustments must be sent using the prescribed form by not later than one month after this application is received by an owner of a share of the common parts to:
Specify the address to which any objections or other representations are to be sent. The deadline for such objections or representations is not later than one month after this application is received by ab owner of a share of the common parts.
7. Date:
Provide the date on which you are posting the application; or if you are transmitting it by electronic means, the date of transmission.



Date

Name
Address
Address 2
Town
Postcode

Dear XXX

RE: NOTICE OF MAJORITY DECISION

This application for consent is given by a disabled owner, tenant or occupier who is or will be living in the premises and who proposes to alter or add to common parts of the premises for the purpose of avoiding disadvantage which would otherwise arise in using the common parts. The costs of the alteration are to be met by the applicant.

1. Total number of responses received:
Include in the total number of responses received the owners who have not sent a notice of their decision.
2. Total number of respondents consenting to the proposal:
Include only those consenting without conditions.
3. Total number of respondents withholding consent:
Include those who have failed to respond by the deadline in the total number of respondents withholding consent.
4. Total number of respondents consenting with conditions:
Include only those consenting with conditions.
5. Statement of outcome:
Insert a statement of the majority decision.
6. Reasons given for withholding consent:
Insert any reasons given for why consent is being withheld.
7. Details of conditions to be applied
Provide details of the conditions to be applied to the decision.

The majority decision may be appealed by the disabled person by way of summary application in the sheriff court.

Date

Name
Address
Address 2
Town
Postcode



Dear XXX

RE: NOTICE OF DECISION OF OWNER OF A PROPERTY WITH A SHARE IN THE COMMON PARTS OF THE PREMISES

This application for consent is given by a disabled owner, tenant or occupier who is or will be living in the premises and who proposes to alter or add to common parts of the premises for the purpose of avoiding disadvantage which would otherwise arise in using the common parts. The costs of the alteration are to be met by the applicant.

1. Alteration or addition being proposed:
Provide as much information as possible concerning the nature of the alteration or addition.
2. To the owner, tenant or occupier making the application:
Insert the full name and address of the owner, tenant or occupier applying for consent for relevant adjustments.
3. From the owner of a property with a share in the common parts of the premises:
Insert your full name and address.
4. Address of owner if different from above:
This only applies if you do not reside at the address above e.g. you may be the landlord of the property. Otherwise put "not applicable".
5. Consent, consent subject to conditions, or withhold consent:
State whether you consent, consent subject to conditions, or withhold consent to the application.
6. Reason for withholding consent:
Provide the reasons for why you are withholding consent, giving as much detail as possible. Consent cannot be unreasonably withheld. If you have not withheld consent, put "not applicable".
7. Description of conditions to which consent is subject:
Detail the nature of the condition(s) to be applied and the reasons why you consider them necessary. If you do not request conditions to be applied, put "not applicable".
8. Date:
Provide the date on which you are posting your decision, or if you are replying by electronic means, the date of transmission.

The majority decision may be appealed by the disabled person by way of summary application in the sheriff court.