

## **REVIEW OF ADAPTATIONS**

### **EXECUTIVE SUMMARY AND RECOMMENDATIONS**

#### **1. Executive Summary**

##### **1.1 Background and Scope of the Review**

It is a main aim of Government, County Council and district council policies that, if possible care and support be made available to enable people to live in their own homes. This is a key aim in the County Council's Council Plan and this is also reflected in the Social Services Plan. These aims are supported through government legislation.

The Improvement and Scrutiny Committee for Health and Community Safety has undertaken a review of the provision of adaptations to the disabled and the elderly which enable them to live as independently in their own homes for as long as possible.

The process of providing major adaptations is often lengthy and complex, involving several different agencies and organisations. It is clear that there are no easy solutions to the problems and complexities of the current system. This report does not recommend a total change in the way assistance with adaptations is provided. This would be a matter for the Government. Instead however, the report concentrates on the current system and makes recommendations which it believes will improve the process.

It is recognised that there may be problems in improving the service to clients receiving adaptations. For instance, speeding up the processes may cause district councils to exhaust Disabled Facilities Grant even earlier in the financial year.

In general, the review found that there was a close professional working relationship between all those involved in the process which is welcomed as this can only be of benefit to recipients of the service.

The report does highlight however, some aspects of adaptations which it is felt could be improved. These are set out in the recommendations below.

## **1.2 Conclusions and Recommendations**

The review recognises the complexity of the adaptations process and notes that this varies between districts. The County Council has to work with these differing practices in eight districts.

### **Recommendation 1.**

It is recommended that a Countywide Working Party comprising representatives of both the County Council and district councils, be established to look at examples of good practice and to develop proposals for standard procedures for dealing with adaptations. There may well be opportunities for joint working arrangements and joint training initiatives which can be pursued through the Working Party.

The report highlights that in some areas Occupational Therapists are not meeting the timescales laid down for undertaking initial assessments. In some exceptional non-urgent cases, service users may have to wait up to 20 weeks for the initial assessment to be undertaken. The timescale for initial assessments to be carried out in Derbyshire is 6 weeks.

### **Recommendation 2.**

That the Director of Social Services be recommended to review waiting times to ensure that initial assessments for people requiring adaptations meet agreed timescales, taking in to consideration any workload issues.

The review found that in some areas, there was a difference in specification in the work carried out in public sector housing and private sector housing. The result is that adaptations which do not meet the service users needs have been provided. This is largely due to the lack of involvement of Occupational Therapists in the provision of public housing sector adaptations after the initial assessment.

### **Recommendation 3.**

The Countywide Working Party on adaptations examine issues relating to variances in the provision of adaptations with a view to, wherever possible, ensuring that the adaptation meets the needs of the service user as identified in the initial assessment.

The Disability Design Team comprises 7.5 whole time equivalent staff. In recent months, up to four agency staff have been employed to undertake work on adaptations. In addition, members of the Team are taken off adaptations work to cope with peaks in workload in other areas of the Division.

In 43% of cases work on adaptations does not proceed beyond the initial feasibility phase. Effectively this means that the valuable time of the Design Team staff is wasted. At present no figures are available to determine whether or not there are any variations between districts.

**Recommendation 4.**

The County Property Officer monitor the number of permanent employees within the Disability Design Team and review future requirements.

The County Property Officer seek to give priority to adaptations wherever possible and reduce the number of occasions on which Disability Design Team members are allocated other duties.

The Working Party examine ways by which the number of cases not proceeding beyond the initial feasibility stage can be minimised.

One of the main delays in the process is caused by need to obtain three competitive tenders for adaptations work. Disabled Facilities Grant rules and internal district council procedures make the tender process inflexible and cause delays. Many builders also find adaptations work unattractive and therefore are not prepared to tender for it.

**Recommendation 5.**

The County Property Officer continue to monitor the tender process to address the problems identified.

Through the Countywide Working Group, efforts be made to introduce flexible and practical tendering arrangements to make adaptations work more commercially attractive to builders.

The rules governing the administration of Disabled Facilities Grants are contained within Department of the Environment Circular 17/96. At present, the rules do not allow for the retrospective payment of the grant.

Consequently, terminally ill clients may die before the adaptation is provided because their application has not been processed.

**Recommendation 6.**

The County Council seek the support of the district councils and the Cabinet Member for External Affairs in lobbying the Government to bring about a change in the Disabled Facilities Grant rules to simplify the process.

Generally, the level of funding for adaptations is insufficient to meet demand. Funding is determined by a mixture of a formulaic calculation and an assessment of performance. Uncertainties regarding the levels of funding from year to year make long term planning and the commitment of resources difficult. Funding of adaptations is a complex matter. Changes of policies and priorities on adaptations either by central Government, district councils or the County Council can have implications across the board.

**Recommendation 7.**

The County Council seek the support of the district councils and the Cabinet Member for External Affairs in lobbying the Government to:

- (a) introduce a more consistent means of funding Disabled Facilities Grants.
- (b) increase the level of Disabled Facilities Grant funding

A joint review involving both the County Council and district councils, possibly co-ordinated through the County Adaptations Working Party, be undertaken in to the potential impact of changes to the policies governing the way in which the adaptations process in Derbyshire is funded as a whole. This should include the implications for service providers and clients of:-

- The Government increasing the mandatory Disabled Facilities Grant limit to £25,000
- The County Council increasing the limit for minor adaptations, currently set at £300
- The County Council ceasing to pay or reducing the levels of “top-up” payments where service users have been assessed to contribute as part of their Disabled Facilities Grant application
- Introducing a service user contribution for minor adaptations

As the adaptations process is complex and involves several agencies it is important that service users are able to access information regarding their adaptation easily. Information currently provided to service users varies between areas and may be provided by any or all of the agencies involved in the process.

**Recommendation 8.**

On a pilot basis, the Countywide Disabled Adaptations Co-ordinator be the contact officer for service users with queries relating to adaptations.

The Countywide Working Party produce standard information on the process to be provided to service users.

The review found that the data collected from the questionnaire sent to all clients on completion of their adaptation was used to provide only a limited amount of information on performance. Similarly, there is no co-ordination of the complaints received by either the County Council or district councils relating to the adaptations process.

**Recommendation 9.**

Advice be sought regarding the production of a revised questionnaire which will produce consistent and usable data on adaptations to identify potential areas of weakness and comparative information.

That the Countywide Working Party seek to establish a mechanism to analyse and report back complaints relating to the adaptations as a whole

### **1.3 The Next Stage**

The report will be referred to the Cabinet for consideration. It is recommended that:-

- (1) the Chair of the Improvement and Scrutiny Committee presents the report to the Cabinet.
- (2) following consideration of this report it is suggested that should the Cabinet agree to implement the recommendations, the Improvement and Scrutiny Committee receives a report after six months to outline progress made.

Health and NHS Improvement and Scrutiny Committee  
Review of Adaptations For People With Disabilities

## **2. Introduction**

It is a fundamental principle of both Government, County Council and district council policies that, if possible, care and support be made available to enable people to live in their own homes. This is a key aim in the County Council's Council Plan and this is also reflected in the Social Services Plan. Included within the Governments principles for modernising social care are:-

- Organising services around people rather than people around services
- Empowering people and supporting them to live in the way they choose
- Delivering services in a seamless way between agencies

For many disabled people, the ability to live independently in their own homes relies on the provision of equipment and adaptations provided with the assistance of local authorities. The provision of effective adaptations can have a profound effect on a disabled person's quality of life and also their families and carers. Ineffective adaptations however, which do not meet clients needs are wasteful of resources and can lead to considerable frustration on the part of the recipient and, again, carers and other family members.

Local authorities have in recent years been faced with an increasing demand for adaptations coupled at the same time with higher costs of provision. Advances in medical science and health care have meant that people are living longer with the majority of adaptations being provided to those aged over 60. Patients are also being discharged from hospitals earlier. Similarly, technological advances have increased the costs of provision of adaptations. According to research by Heywood and Smart, in 1995, a total of £210m of public money was spent on adapting properties in England and Wales.

At the meeting of the Improvement and Scrutiny Committee for Health and Community Safety held on 4 October 2001, the scope and terms of reference for the review of the process of providing adaptations to disabled persons' homes was agreed. A copy of the report is attached as Appendix 1.

The initial scope of the review was to look at the effectiveness of the major adaptations process in Derbyshire. The provision of minor and major adaptations by the County Council and district councils is linked. This

report whilst concentrating on major adaptations in the private sector, also covers aspects of the adaptations process as a whole.

In undertaking the review, the Committee has received evidence from:

- The Director of Property Services
- Disability Design Manager – County Property Division
- Planning and Project Manager – Social Services Department
- Occupational Therapists
- District Council employees involved in the process
- County Councillors
- Members of Parliament
- Other local authorities
- A survey of building contractors involved in the process

It would be an easy conclusion to reach that the whole adaptations process should be re-thought on the basis that there must be a simpler way of doing it. In terms of an outcome to this review, this is considered to be unachievable and is not therefore, a recommendation. The review instead concentrates on improvements to existing policies and procedures.

### 3. Background to the Review

#### 3.1 Legal Position

Various pieces of legislation govern the provision of services to the elderly and people with disabilities to enable them to live in their existing homes for as long as possible, the main ones being:-

- **The National Assistance Act 1948** – permits local authorities to make arrangements to promote the welfare of persons over the age of 18, ordinarily resident in the local authority area who are permanently disabled.
- **The Chronically Sick and Disabled Persons Act 1970** – places a duty on local authorities to inform themselves of the number and needs of substantially and permanently disabled persons in their area and to ensure that people are aware of the services available to meet their needs. This Act also gives authorities a duty to arrange for a wide range of services to be available where they are satisfied that they are necessary to meet the needs of permanently disabled persons. Specifically, the Act includes assistance with the “carrying out of any works of adaptation in his/her home or the provision of additional facilities designed to secure his/her greater safety, comfort or convenience”.
- **The National Health Service and Community Care Act 1990** – places a duty on local authorities to assess the care needs of people who may require community care services. Where need is confirmed, arrangements must be put in hand to meet it.
- **The Local Government and Housing Act 1989** – established Disabled Facilities Grants the provisions of which were updated by the **Housing Grants, Construction and Housing Act 1996**.
- Other legislation includes:-
  - Housing Act 1985
  - Disabled Persons Act 1986
  - Housing Associations Act 1988
  - Children Act 1989



### 3.2 Why carry out adaptations?

It is important to look at the impact of providing (or not providing) adaptations. The provision of adaptations should not be considered purely in terms of the monetary costs of introducing them.

Adaptations will provide benefits, not only to individual recipients, but also to other family members and carers, as well as social services and health providers, which put the often large capital costs of adaptations in to perspective. Benefits include:-

- Recipients – Improved dignity, privacy, independence, health (physical and mental), social inclusion. Opportunities for education and employment
- Family Carers – Reduced physical and mental strain. More freedom and peace of mind
- Other family members – Improved social inclusion. Improved educational chances.
- Health providers – Fewer accidents to treat. Fewer hospital admissions. Reduced costs of drug and GP time for depression and physical illness
- Social care providers – Fewer demands on carers – either reduced hours or reduced risk of injury to carers. Prevention of admission to residential care
- Department of Social Security – Prevention of injuries leading to short or long term sickness and unemployment benefits to carers. Increased likelihood of employment for disabled people – and for carers when disabled people are made more independent

(Source: Money Well Spent – Frances Heywood)

Research undertaken by Frances Heywood, Money Well Spent, looks at the measurement of the costs and benefits of adaptations provision. Taking in to account the average length the adaptation is in place and the average cost of adaptations, it is possible to calculate a cost of adaptations. In the example quoted, which does not relate to Derbyshire, the average cost of providing an adaptation which significantly improved the quality of life of the recipient and reduced the burden on others, was £4.74 per week.

To not provide adaptations as an option will increase the burden on both the individual, carers and the Health and Social Services. Money spent on

good adaptations is cost effective and money well spent, producing wide-ranging benefits. Money spent on ineffective adaptations which do not meet the needs of clients, is public money wasted.

### **3.3 Disabled Facilities Grants**

Disabled Facilities Grants were established under the provisions of the Local Government and Housing Act 1989. The grant is designed to financially assist people who need adaptations in order that they may gain better access to and move around their home freely, or use essential facilities to enable them to live as independently as possible. Department of the Environment Circular 17/96, sets out guidance on the operation of the Disabled Facilities Grant process. Disabled Facilities Grants are used mainly in private sector housing. Whilst public sector housing tenants are eligible to receive a Disabled Facilities Grant, district councils use housing revenue budgets to pay for adaptations.

There are two types of Disabled Facilities Grants, mandatory and discretionary. Mandatory Disabled Facilities Grants are in the main given for the purposes of access and provision. Circular 17/96 states that this provision includes “access into and around the dwelling, to essential facilities and amenities within the dwelling and the provision of certain facilities within the dwelling, such as making the building safe”.

Discretionary Disabled Facilities Grants relate to those adaptations which “make the dwelling suitable for the accommodation, welfare or employment of the disabled person”. In addition, discretionary Disabled Facilities Grants may be awarded “where a local authority decides to meet the cost of works, which are mandatory in nature, but in excess of the grant limit for mandatory assistance”. This level has recently been increased to £25,000.

In Derbyshire, no district councils make any discretionary awards. Under the Chronically Sick and Disabled Persons Act however, the County Council has a duty to ensure that the assessed needs of disabled persons are met. In cases where the service user is unable to meet their assessed contribution or where the person is eligible for Disabled Facilities Grant, but the cost of the adaptation exceeds £25,000, the County Council has a duty to assist.

Responsibility for processing and approving Disabled Facilities Grants lies with district councils. The Housing Grants, Construction and Regeneration Act 1996 places a duty on housing authorities to consult Social Services

on the adaptations needs of people with disabilities. Social Services authorities determine which agencies should be involved in the assessment process which provides advice to the district council. It is the district council however, who ultimately determines whether or not a Disabled Facilities Grants application should be approved or not. In doing so they should have regard as to whether it is reasonable and practicable to carry out the adaptation.

In processing Disabled Facilities Grants applications, district councils are bound by strict rules which making it difficult to streamline the process. For instance, the law does not allow work on adaptations to take place until the Disabled Facilities Grant process has been completed. The Improvement and Scrutiny Committee, when it met those involved in the process from the Derbyshire Dales, heard evidence that it is not uncommon for terminally ill clients to die before the adaptation work is undertaken.

District Councils have, under the legislation, up to 6 months to determine the application and a further 12 months in which to make the payment. The reasoning behind this is to allow district councils to prioritise cases and consequently, to manage their resources more effectively.

The previous mandatory limit of £20,000 had been in place since 1996 and the numbers of adaptations where cost was above this figure are increasing. Top-up payments are made in many cases from the Social Services Major Adaptations Budget. Some major adaptations cost as much as £50,000. Considerable pressure is therefore placed on this budget by the more expensive adaptations.

Disabled Facilities Grant is a means tested grant. The idea of means testing is to ensure that “the available resources are effectively targeted on those in the greatest need of help in paying for adaptations and that those who are better able to contribute to the cost of works should do so”. District councils apply a standard test of resources to all Disabled Facilities Grant applicants to determine the level of contribution to be paid by the client for the adaptation up to the maximum of £25,000. The test of resources is applied only to the disabled occupant and their spouse/partner and not to other household members. However, the test is based on income and not on outgoings.

Where a client has been assessed to contribute to some or all of the costs of the adaptation, the County Council automatically meets the first £1,000

of this contribution. If the clients contribution is in excess of £1,000, a sliding scale contribution is made up to a maximum of £2,000. This is a discretionary system which does not involve a means test which is designed to support the policy of assisting people to remain in their own homes. The top-up system is particularly useful in providing assistance to those people whose assessed contribution marginally exceeds the Disabled Facilities Grant limit.

If a service user still feels unable to meet their assessed contribution, they may ask the Social Services for additional assistance. This is considered on a discretionary basis with each case being treated on its merits. Cases where individuals have been assessed to contribute but refuse to do so, are also treated in the same manner.

### **3.3.1 Disabled Facilities Grant Funding**

Disabled Facilities Grant allocations are determined by the Department for the Environment, Food and Rural Affairs. 80% of the allocation to authorities is made using a complex formula, which takes in to account a number of local factors including population and deprivation. The remaining 20% is made on an assessment by the Government Office for the East Midlands, based on their assessment of the performance of each local authority in managing the Disabled Facilities Grant programme. 60% of mandatory Disabled Facilities Grant funding is reclaimed from the Government with the remaining 40% being funded by district councils. Table 1 below details the allocation of Disabled Facilities Grant over the last three years. The table shows that the allocation of Disabled Facilities Grant fluctuates from year to year, in some districts quite significantly.

**Table 1**

Authority	Total Disabled Facilities Grants			Dist Co Contribution (40%)	% Change
	2000/01 (£000)	2001/02 (£000)	2002/03 (£000)	2002/03 (£000)	2000-2003
Amber Valley	273	401	341	140	24
Bolsover	275	325	262	104	-5
Chest'field BC	298	N/a	N/a	N/a	N/a
Derbys Dales	140	140	140	56	0
Erewash	450	375	390	156	-13
High Peak	156	233	213	85	+36
N.E Derbys.	130	165	217	87	+66
Sth Derbys	335	263	209	82	-37

Nationally, resources allocated to Disabled Facilities Grant programmes have increased by 57% over the last six years. Table 2 sets out the annual allocations nationally since 1997.

**Table 2**

Year	Disabled Facilities Grant Allocations £m
1997/98	56
1998/99	59
1999/00	65
2000/01	72
2001/02	87
2002/03	88

### 3.4 Types of Adaptations

Table 3 below identifies the different types of adaptations, the responsibility for providing them and how they are funded.

**Table 3**

<b>Type of Adaptation</b>	<b>Responsibility</b>	<b>Funding</b>
Major adaptation – public sector housing (eg stair lifts, toilets, showers and home extensions)	District Councils	District Councils from housing revenue budgets with possible “top –up “ by the County Council from the major adaptations budget (work over £25k)
Minor adaptation – public sector housing (eg grab rails and stair rails)	District Councils	District Councils through housing revenue budgets
Major adaptation – private housing	County and District Councils	District Councils through Disabled Facilities Grant with possible “top –up “ by the County Council from the major adaptations budget (work over £25k) Budget £335k
Minor adaptation – private housing	County Council	County Co. from the Minor Adaptations budget (work up to £300) Budget £190k

The review concentrates on the provision of major adaptations in the private sector. Detailed below is a brief outline of the provision of the other types of adaptation.

### **3.4.1 Major Adaptations in Public Sector Housing**

The process of major adaptations undertaken in public sector housing by district councils follows largely the same process as for those in the private sector, save for the need for the tenant to apply for Disabled Facilities Grant. Although Disabled Facilities Grant is available to council tenants, no district councils in Derbyshire use it. Instead, housing revenue budgets are used to pay for adaptations.

Three district councils in Derbyshire, namely Amber Valley, Derbyshire Dales and High Peak, means test their council tenants in one form or another, all setting a £20,000 ceiling. Under the Chronically Sick and

Disabled Persons Act, responsibility for costs over £25,000 is that of the County Council. Evidence was presented of two top-up payments of £20,000 and £15,000 being made by the County Council relating to council owned property.

The involvement of Occupational Therapists in this type of adaptation is often limited to the initial assessment stage (see 3.22). District council architects undertake the design work relating to the adaptation and also the tendering process. The County Property Division is not involved.

### **3.4.2 Minor Adaptations in Public Sector Housing**

As with major adaptations, funding for these adaptations is from district council housing revenue budgets. District councils set their own limits on what is considered to be a minor adaptation and these vary across the County.

### **3.4.3 Minor Adaptations in Private Sector Housing**

The County Council, use a single provider contractor, Notts Rehab for minor adaptations. Once assessed, the target is to have the equipment adaptation completed within 14 days. This process, from assessment to completion of the work, is quick and for the most part problem free.

Any adaptation costing in excess of £300 is funded through Disabled Facilities Grant and is therefore, subject to the complex procedures and delays referred to in more detail later in the report. The £300 limit was set by the County Council in 1998. A comparison with other local authorities is set out in Table 4 below.

**Table 4**

<b>Authority</b>	<b>Minor Adaptations limit</b>
Leicestershire	£200
Cheshire	£500
Rotherham	£50
Nottinghamshire	£250
Nottingham City	£500
Northamptonshire	£1,000

Details of expenditure by the County Council on minor adaptations over the last three years is set out below in Table 5 along with the budget for 2002/2003.

**Table 5**

1999/2000	2000/2001	2001/2002*	2002/2003 Budget
£204,235	£203,704	£208,119	£189,409

\* a number of invoices are still outstanding.

### 3.5 The Major Adaptations Process in Private Sector Dwellings

Major adaptations in Derbyshire are those which cost in excess of £300. Common examples of major adaptations are stair lifts, toilets, showers and home extensions. The main method of funding major adaptations in privately owned dwellings is through Disabled Facilities Grants.

Time standards to be met by the agencies involved in the process have been established. This includes a fast-track system for those clients in most urgent need. Copies of the timescales are attached at Appendix 2. Non urgent cases take between 45 and 55 weeks to complete. Fast-track cases take between 39 and 49 weeks. It should be stressed that the majority of fast-track cases will be completed well within these timescales.

Using funding secured from a Public Service Agreement, a Countywide Disabled Facilities Grants Co-ordinator has recently been appointed to assist in improving quality, public access and management information relating to adaptations.

Table 6 details expenditure by Derbyshire County Council on major adaptations since 1999 along with service user contributions.

**Table 6**

	1999/2000	2000/2001	2001/2002*	2002/2003 Budget
	£	£	£	£
Expenditure	967,003	1,232,236	1,123,167	425,000
Service user Contribution	(651,371)	(857,649)	(727,530)	
Net cost to DCC	<b>315,632</b>	<b>374,587</b>	<b>395,637</b>	<b>425,000</b>

\* a number of invoices are still outstanding.



### **3.5.1 Assessment**

Money Well Spent by Frances Heywood stresses that “Assessment is the foundation on which all adaptations rest. ... the most common reason for unhappiness with adaptations related to the original assessment and specification.”

The initial assessment of a client's needs is carried out by a Social Services Occupational Therapist or, in less complex cases, by Community Care Workers. In private housing sector cases, the assessment is undertaken jointly with the Disability Design Manager.

Department of the Environment Circular 17/96 makes provision for client assessment to be carried out by suitably qualified professionals, other than Occupational Therapists employed within the Social Services Department. District Councils may, for instance, in urgent cases and where there are delays in the system, use the clients GP or private sector Occupational Therapists to undertake assessments. In these cases, a housing authority would still have a duty to consult Social Services authorities.

The established timescales for undertaking both non-urgent and fast track adaptations in Derbyshire, allows six weeks for the initial assessment to be carried out. Occupational Therapists have indicated that in some exceptional non-urgent cases, the waiting time for an initial assessment may be as high as 20 weeks in some areas. There is a danger that Occupational Therapists who are under pressure perform reduced quality assessments which can lead to problems and additional costs later in the process. Appendix 3 sets out the current Occupational Therapists establishment in Derbyshire. Overall, the number of Occupational Therapists is 2.15 whole time equivalent below the funded establishment.

In less complex cases the technical assessment is undertaken by a Community Care Worker in order to reduce the pressures on Occupational Therapists. This is seen as a practical step to alleviate delays in the system. However, in some non-urgent cases, if the Community Care Worker is unable to deal with the assessment and requires the input of an Occupational Therapist, the client is in effect placed at the bottom of the waiting list and may be the subject of additional delay.

### **3.5.2 Detailed Design of Adaptations**

The County Property Officer attended the meeting of the Health and Community Services Improvement and Scrutiny Committee on 29 November 2001. A copy of the notes of the meeting are attached at Appendix 4. The County Property Division undertakes the majority of the feasibility and design work for adaptations in private sector housing as well as dealing with planning permission and building regulation issues. Around 5% of clients choose to use their own architects. Architects are employed as the client's agent and receive a fee as such. The 7.5% fee charged by the Disability Design Team is more than competitive with the standard 12-15% charged in the private sector.

Appendix 5 shows the uptake of adaptations following the initial feasibility visit varies considerably and currently stands at 57%. A considerable amount of the Disability Team Manager's is spent on feasibility visits that for one reason or another, proceed no further. The main reasons for not proceeding being:-

- The client dies
- Client unwilling to meet financial costs
- Client moves home

The Disability Design Team based at County Hall currently comprises 7.5 whole time equivalent staff. Over the last 18 months this establishment has included up to 4 agency staff. These agency staff have been employed on this basis, owing to uncertainty of the continuation of Disabled Facilities Grant funding and fluctuations in demand.

The established timescale for this work is 12 weeks for non-urgent cases and 10 weeks for fast track cases. In the majority of cases these time limits are met. Officers who would usually work on adaptations are on occasions moved on to other work to cope with fluctuations in workload in the Property Services Division.

The evidence received as part of the review indicates that the work undertaken by the Disability Design Team is very professional and that they maintain a very close and effective working relationship with Occupational Therapists and Disabled Facilities Grant Officers. Occupational Therapists value the expertise of the Disability Team

Manager, and it was highlighted that the Team were continually looking to improve the service.

### **3.5.3 Tender Stage and Carrying Out the Work**

Once approval has been given to proceed with the adaptation, the County Property Division tender for the work. In fast track cases, planning and building control risk is taken before approval is received from the service user. The tender process is conducted by the Property Division, but it is the district council who has the authority to decide on whether the work should be carried out. The established timescales for the tender process is 8 weeks in non-urgent cases and 5 weeks for fast track cases.

Disabled Facilities Grant regulations normally require three competitive quotes for work to be obtained. If three tenders are not returned, the Disability Design Manager has to try to convince the district council that the price is a fair price. If this is not possible, re-tendering takes place. Either way, the adaptations process is delayed.

The County Council pay the contractor for undertaking the adaptation and reclaim the cost from the District Council. The County Council pays 75% of costs as interim payments for jobs of over £30,000 in value, with jobs over £3,000 this falls to 50%. The County Council ultimately stand the risk if the adaptation is sub-standard. The majority of district councils do not make interim payments to the County Council.

### **3.5.4 Applying for Disabled Facilities Grants**

The Disabled Facilities Grant application is administered by district councils. Grants are administered in line with the regulations laid down in Circular 17/96 and also internal audit requirements of district councils which vary across the County. The established timescales for the application where 100% Disabled Facilities Grant is approved is 10 weeks and 8 weeks for non-urgent and fast track cases respectively. Where the service user is expected to contribute this period rises to 12 and 10 weeks respectively.

The application form and explanatory notes runs to 49 pages. Assistance is given to service users to complete the application although this assistance varies from area to area. In some districts this is undertaken by the Disabled Facilities Grants Officers but in other areas the Occupational Therapist assists. The Test of Resources is very robust and requires

detailed information from clients. For instance, clients are required to provide proof of ownership of the property and financial details. Both may require confirmation from external organisations such as the Land Registry and banks/building societies.

Once the Disabled Facility Grant application process has been completed, work on the adaptation can go ahead. The work is supervised throughout the process by the County Property Division.

### **3.6 Service Users**

It is important that the service user is involved in all stages of the process. The review sought to take account of the views of service users who had recently received adaptations. A letter from the Chair of the Improvement and Scrutiny Committee was sent to service users whose adaptations were completed between October and December 2001 asking if they would be prepared to be interviewed regarding their experiences of the process. Unfortunately, no service users came forward.

Information provided to service users on the adaptations process varies from area to area. This information may be provided by the Occupational Therapist, the architect, or the Disabled Facilities Grant Officer.

### **3.7 Monitoring and Complaints**

On completion of all adaptations (except stairlifts) service users are asked to complete a questionnaire on the process, a copy of which is attached at Appendix 6. Only a limited amount of analysis is undertaken despite a considerable amount of data being collected. The questionnaires are analysed and an average percentage score is determined for the performance in general of the Property Division, Occupational Therapists and district councils. The results of the latest survey which show the levels of satisfaction of the service areas involved in the process is set out below:-

Property Division	84%
Occupational Therapists	88%
District Councils	95%

There is no set procedure for dealing with complaints relating to adaptations. Service users may complain to any of the agencies involved and there is no joint analysis of the complaints received. Social Services

do produce an annual report on complaints received by the Department as a whole, as required by the NHS and Community Care Act. Specific complaints relating to adaptations provision cannot be determined easily however, from the report.

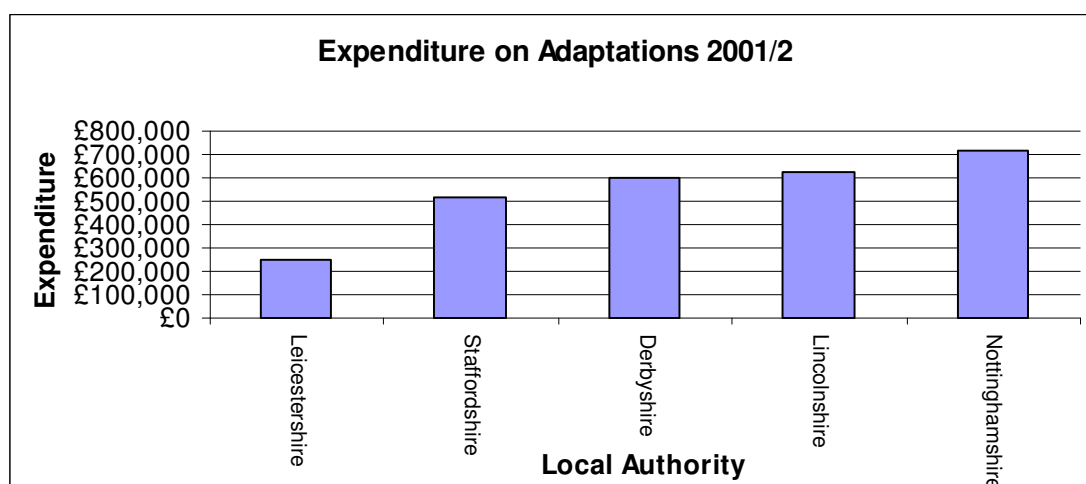
### 3.8 Consultation

#### 3.8.1 Other Local Authorities

The review contacted 14 other local authorities regarding their policies and practices regarding adaptations. In total, seven responses have been received. On examination, the practices adopted in Derbyshire would appear to be consistent with those in other authorities as would the target timescales.

A comparison of expenditure on both major and minor adaptations by other local authorities of a similar size and population to Derbyshire both relating to minor and major adaptations, shows that expenditure by the County Council is in line with other county authorities. Further detail is attached in Table 7 below.

**Table 7**



#### County Councillors

All County Councillors were afforded the opportunity to comment on the adaptations process. Five responded and a summary of their comments is set out below:-

- The County Council should be solely responsible for the provision of adaptations (1 response)
- The means of funding and the level of funding adaptations should be revised (2 responses)
- The present process is too complicated and lengthy and service users do not know who is responsible (2 responses)
- Adaptations have been provided which do not meet the needs of service users. Closer liaison between Occupational Therapists and district councils required to ensure maximum effectiveness of adaptations (2 responses)
- Inadequate and negative information given to clients (1 response)
- Discretionary County Council grants are not available to service users in public sector housing (1 response)

### **3.8.2 Survey of Building Contractors**

As part of the review, a survey of builders throughout the County has been undertaken. A cross-section of 32 contractors were contacted who always, sometimes or never tender for adaptations work. The contractors were asked to complete a questionnaire, a copy of which is attached at Appendix 7.

In all 21 responses were received. Of the 7 contractors who sometimes tendered for the work, the reasons given for the occasions when they did not do so are:-

- Too much work (3 responses)
- The tender process (3 responses)
- Other reasons (1 response) Not relevant to the review

All respondents were asked for their comments on the process as a whole. The main themes identified are set out below:-

- Problems relating to the inspection both during the work and after completion. This is also related to poor communication (5 responses)
- Poor communication particularly relating to the tender process – in particular, lack of feedback from the County Council on the awarding of contracts leading to problems of scheduling work commitments (4 responses)
- The payment process was felt to be protracted (3 responses)

- Excessive "red tape" particularly for the relatively small size of many of the jobs (4 responses)
- Difficulties in dealing with clients (2 responses)
- Skills shortages (2 responses)
- Low profit margins on this type of work – suggested grouping of contracts or guaranteeing minimum levels of work as an incentive to overcome this (2 responses)

It should be noted that the law does not currently permit the County or district DLOs to tender for work on private housing.

### **3.8.3 Members of Parliament**

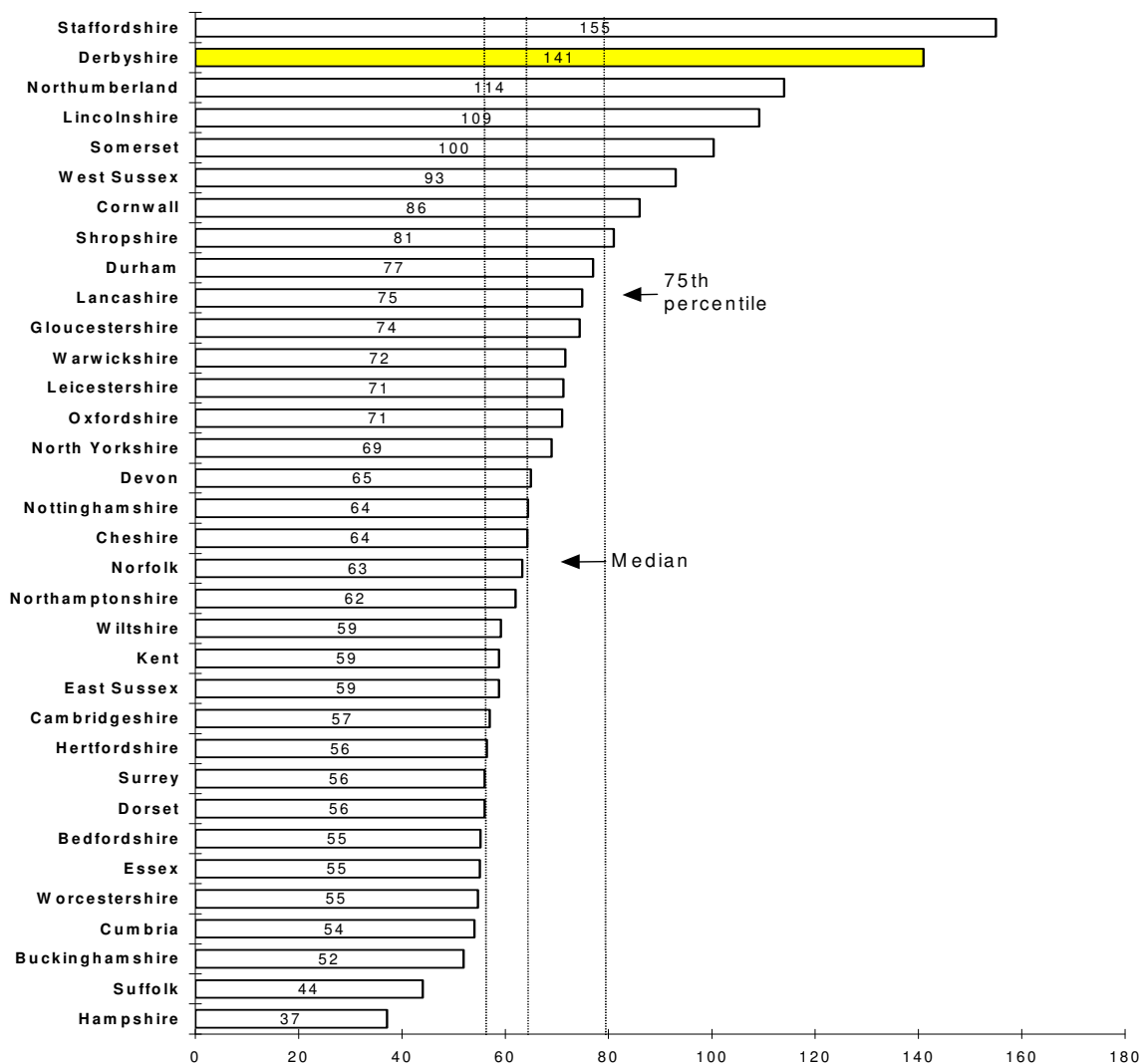
All Derbyshire Members of Parliament were asked for their comments on the adaptations process. One response from Tom Levitt was received. In summary he feels that many of the problems experienced by disabled people are caused by a lack of understanding and awareness by those providing services. Awareness training should therefore be provided and disabled people should be greatly involved in the process.

### **3.8.4 District Councils**

The comments received mentioned in the report from district councils are attached as Appendices 8, 9 and 10.

### 3.9 Performance Indicators

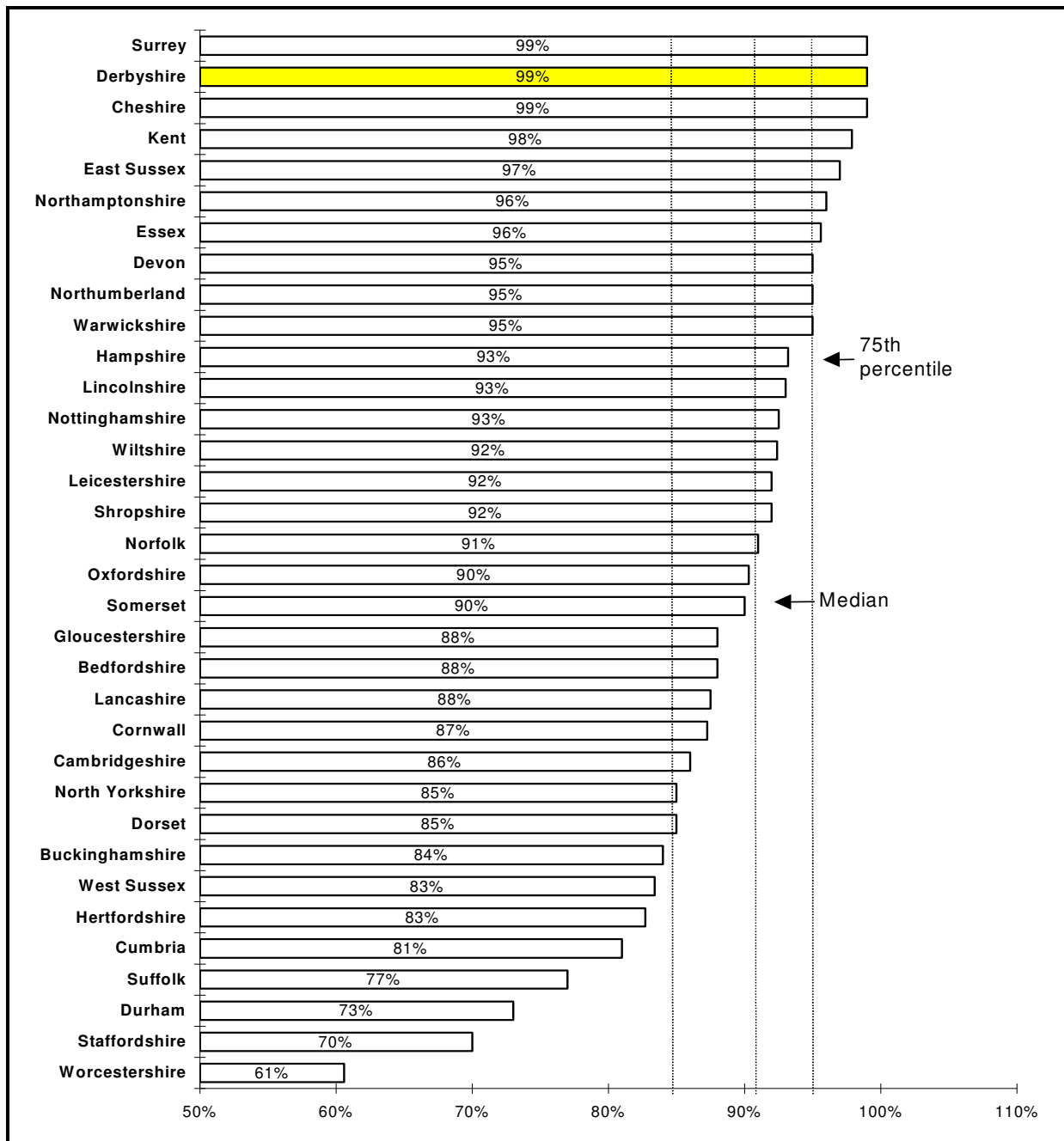
It is a key aim of County Council and Government policy to ensure that people can live independently within their own homes for as long as possible. The performance of the County Council policies to achieve this can be measured against a number of indicators. Chart 1 below shows the County Councils performance against Best Value Indicator 54 which is the number of older people (aged 65 or over) helped to live at home per 1,000 older people.



Derbyshire is the joint highest performing County Council in respect of this indicator.



A second indicator relative to performance is BV 56 which is the percentage of items of equipment costing less than £1,000 delivered within three weeks. Chart 2 below shows the County Council performance against this indicator. Again the County Council is performing well in respect of this indicator.



Identified within the County Council's 53 key performance indicator targets, are the following two targets which relate to the provision of adaptations:-

- Performance Assessment Framework target to increase the number of people with physical disabilities helped to live at home (per 1,000 of adult population) from 4.1% in March 2001 to 5.7% by 2002. Current performance against this indicator is 5.0%
- Public Service Agreement and Performance Assessment Framework target to reduce admissions of supported older people over the age of 65 to residential/nursing care (per 10,000 of population aged 65 and over) from 107 in 2000 to 95 in 2003 and to 94 by end of March 2004. This target is on course to be met. Included is a section which states that the Government/Secretary of State will use their best endeavours to work with the County Council to reduce the complexity of the current Disabled Facilities Grant process and funding arrangements. The County Council has appointed the Countywide Disabled Facilities Grants Co-ordinator as part of a two-year trial with funding received as part of this target. The Government is also due to produce guidance on possible measures to simplify the process, but to date these have not been issued.

## **4.0 Conclusions and Recommendations**

### **4.1 The Adaptations Process in General**

It is vitally important if the process is to be effective, that the agencies involved co-operate fully at all stages of the process. It is clear from the evidence gathered, that whilst the process is administered in much the same way across all the eight districts in Derbyshire, there are some local variations in practice. Many of these differing practices are historical, arising from internal procedures within district councils. Whilst this report does not comment on the individual processes in detail, these variations in practice include examples which may both speed up and delay the process.

The Social Services Department and the County Property Officer, both of whom have to deal with the eight district authorities, expressed a wish to see the adaptations process be as uniform as possible across the County. Derbyshire Dales District Council has with effect from 1 April 2002, devolved responsibility for its housing stock to the Dales Housing Association. This emphasises still further the need for the close co-operation of all those involved in the process.

There is already close liaison between the County Council and the district councils. A small Working Group currently meets to co-ordinate the work of the Countywide Disabled Facilities Grant Co-ordinator. In addition, during the period of the review, meetings involving the County Council, Bolsover, Chesterfield and North East Derbyshire were held to look at co-ordinating services in those areas.

#### **Recommendation 1.**

It is recommended that a County-wide Working Party comprising representatives of both the County Council and district councils, be established to look at examples of good practice and to develop proposals for standard procedures for dealing with adaptations. There may well be opportunities for joint working arrangements, joint training initiatives and other partnerships, which can be developed through the Working Party.

## **4.2 Assessment**

### **4.2.1 Occupational Therapists Establishment**

Appendix 3 shows that there is a shortfall in establishment of Occupational Therapists in two Districts, Bolsover and Amber Valley. The Social Services Occupational Therapist Manager and Occupational Therapists have pointed to the following factors as having a major impact on the current delays in carrying out non-urgent assessments in particular:-

- The recent increases in lifting and handling duties required to be undertaken by Occupational Therapists, meaning that Occupational Therapists have less time to spend on assessment work.
- Linked to the above, the higher number of caseloads currently being held by Occupational Therapists. The average number of cases per full-time OT is 95 but in some cases, caseloads are well above 100. It should also be noted that cases are on going, with the average period between opening and closing a case being 466 days.

#### **Recommendation 2.**

That the Director of Social Services be recommended to review waiting times to ensure that initial assessments for people requiring adaptations meet agreed timescales, taking in to consideration any workload issues.

### **4.2.2 Work Specification**

Specifically relating to major adaptations in the public sector, it is apparent that in some districts, the specification of work undertaken differs from adaptations in private sector housing. The problems referred to related mainly to the provision of bathrooms and showers in council owned housing which has resulted in some cases of appliances being fitted that do not meet the needs of the client. Occupational Therapists, who may have had minimal involvement in these cases once the initial assessment has been carried out, then become involved in often time consuming work to find a compromise solution (which may have the knock-on effect of delaying other assessments). In many instances, the compromise reached is still to the service user's detriment.

The review recommends that there should be dialogue and consultation between the Occupational Therapist and those designing the adaptation at

the initial assessment in order agree the specification and the equipment to be used. This will inevitably involve Occupational Therapists in more work on public sector adaptations, which may lead to greater pressure on the service as a whole. It should however, mean that they save time in dealing with unsatisfactory adaptations later in the process. The development of agreed common specifications for both public sector and private sector adaptations will benefit all concerned. The service user will benefit from an adaptation which better meets their needs and the districts councils in that, whilst costs may have increased, the cost effectiveness of the adaptation is greater.

### **Recommendation 3.**

The Countywide Working Party on adaptations examine issues relating to variances in the provision of adaptations with a view to, wherever possible, ensuring that the adaptation meets the needs of the service user as identified in the initial assessment.

## **4.3 Detailed Design of Adaptation**

### **4.3.1 Use of Private Architects**

Both Occupational Therapists and Disabled Facilities Grant Officers reported difficulties in dealing with the minority of cases where private architects are used. The main problems were highlighted as being:-

- Lack of expertise in the provision of disabled facilities
- A tendency to exaggerate the amount of work required
- Related to the above, problems with funding and consequential delays when excessive work is identified

The Best Value Review of Property Services recommends Design Services working in partnership with external partners. It is important that the County Property Officer ensure that external partners used in the provision of adaptations have the necessary expertise and experience, otherwise delays in the provision of adaptations may be increased and their quality in terms of meeting clients needs reduced.

### 4.3.2 Disability Design Team Establishment

The use of agency staff within the Design Team has been on-going for a number of years to cope with peaks in demand and owing to uncertainties regarding the level of work, factors which are outside the control of the County Council. Whilst employing agency staff gives the Team flexibility, variations in the quality of work and higher unit costs have been disadvantages. Design Team staff are on occasions taken off adaptations work to cover peaks in workload elsewhere in the Division. This is to the detriment of service users waiting for adaptations and it is considered that this should happen only in extreme circumstances.

The number of requests to produce working drawings has increased over the last 5 years as detailed in Appendix 5. Similarly, the number of initial assessments undertaken has increased over the same period. The County Property Officer has indicated that consideration is being given to permanently employing 1 or 2 staff or to employing them on 2-year contracts. It is recommended that this course of action be agreed.

It is a matter of concern that in 43% of cases, the process does not proceed beyond the initial feasibility stage for the reasons set out on page 18. Effectively this means that the valuable time of the Design Team staff is wasted. At present no figures are available to determine whether or not there are any variations between districts. It is recommended therefore, that the Countywide Working Party look at trends across districts to identify differences and to recommend where appropriate best practice to reduce the number of wasted feasibility cases.

#### **Recommendation 4.**

The County Property Officer to monitor the number of permanent employees within the Disability Design Team and review future requirements.

The County Property Officer seek to give priority to adaptations wherever possible and reduce the number of occasions on which Disability Design Team members are allocated other duties.

The Countywide Working Party examine ways by which the number of cases not proceeding beyond the initial feasibility stage can be minimised.

#### 4.4 Tender Stage

There is a County-wide problem in attracting contractors to undertake adaptations work. The County Property Officer reported that out of 124 competitive tenders sought, over half had to be re-tendered. In some cases, no tenders at all were returned.

The tender process relating to adaptations is governed by a mixture of Disabled Facilities Grant rules and regulations, and internal district council procedures. The result is that both time and resources are wasted in satisfying these procedures to the detriment of service users. Both are restrictive and do not encourage innovation and flexibility in the tender process and are not in line with the Governments re-thinking construction agenda.

It was noted that various initiatives have been created to help solve these problems but have had only limited success, including:-

- Increasing the percentage interim payments to builders to make it more financially viable for small builders in particular, to undertake the work. The County Council has increased these payments to 75% for jobs of over £30,000 in value, with jobs over £3,000 this falls to 50%. The problem being, that the County Council pay for the work and then reclaim payment off district councils. The majority of district councils do not make interim payments to the County Council. If there are even minor faults with the work, district councils will not reimburse the County Council until these have been sorted out. The County Property Officer indicated that to pay 90% interim payments made it difficult to get contractors to correct problems. The County Council ultimately stand the risk.
- Grouping tenders together to make them more attractive to contractors.
- The County Property Officer is aware of the problems relating to the supervision of adaptations work. A full time Clerk of Works dedicated to adaptations work has recently been appointed.

**Recommendation 5.**

The County Property Officer continue to monitor the tender process and where possible address the problems and concerns identified in the survey of contractors.

Through the Countywide Working Group, efforts be made to introduce flexible and practical tendering arrangements to make adaptations work more commercially attractive to contractors.

**4.5 Disabled Facilities Grant Application**

The Disabled Facilities Grant application process is very complex and lengthy. Assistance is given where possible, to the applicant. It should be noted however, that the review heard evidence that in many cases, the delays are caused by service users failing to produce the necessary documentation required as part of the application. Not all delays therefore, can be attributed to the process itself.

The rules governing the administration of Disabled Facilities Grants do not allow work to be undertaken prior to the application process being completed. Clients in some cases die before the application process has been completed. Delays cause distress to the client and their families and carers. It is also wasteful of the finite resources of both the County Council and the district councils.

A change in the rules governing Disabled Facilities Grants to allow retrospective payments in such cases, albeit strictly monitored, could lead to significant improvements in the quality of life of those in most urgent need of home adaptations. As part of the PSA target to reduce admissions to residential care, the Government is looking to reduce the complexity of the Disabled Facilities Grant process.

**Recommendation 6.**

The County Council seek the support of the district councils and the Cabinet Member for External Affairs in lobbying the Government to bring about a change in the Disabled Facilities Grant rules to simplify the process.



## **4.6 Disabled Facilities Grants**

The level of funding allocated to district councils in Derbyshire is insufficient to meet demand. Some district council budgets in Derbyshire are exhausted well before the end of the financial year end. South Derbyshire District Council for example, was 4% overspent on its Disabled Facilities Grant budget in December with an additional £140,000 of works outstanding. Where such shortfalls occur, responsibility for providing adaptations in urgent cases lays with the County Council. The County has worked with district councils to attract additional funding. Additional funding may be available from Central Government but this cannot be guaranteed.

It is clear that unless there is a change in the funding of Disabled Facilities Grants by Central Government, there will be no significant improvement in the provision of adaptations for disabled people in the years to come. The system as it currently operates, does not encourage those agencies involved to expedite procedures. To do so would only lead to budgets running out even sooner. The in-built time scales in which district councils have to pay Disabled Facilities Grant are designed to enable cases to be prioritised.

The method of allocating Disabled Facilities Grant by the Government based on a formulaic approach and performance assessment gives rise to uncertainty on the part of the agencies concerned who cannot be certain of the level of funding they will receive from year to year. Table 1 on page 7 demonstrates the fluctuations in funding which makes it difficult for authorities to plan on a long-term basis to commit resources to adaptations work. It is recommended that the Government be lobbied to introduce a more consistent means of funding Disabled Facilities Grants.

It is difficult to assess the impact on the funding of adaptations arising from possible changes in policy and/or the rules governing the process. For example, changing policies relating to the provision of minor and major adaptations and the mandatory limit for Disabled Facilities Grant has a potentially significant impact on both County Council and district council budgets. Table 7 below sets out the potential effects of increasing the minor adaptation limit set by the County Council and also increasing the mandatory Disabled Facilities Grant limit.

**Table 7**

<b>Action</b>	<b>Effect</b>	
Increase minor adaptations limit	<ul style="list-style-type: none"> <li>• May reduce pressure on the Disabled Facilities Grant administered by districts.</li> <li>• Reduces pressure on the Social Services major adaptations budget</li> </ul>	<ul style="list-style-type: none"> <li>• May increase pressure on the Social Services minor adaptations budget</li> </ul>
Increase the mandatory Disabled Facilities Grant limit	<ul style="list-style-type: none"> <li>• May reduce pressure on the Social Services major adaptations budget</li> </ul>	<ul style="list-style-type: none"> <li>• May increase pressure on the Disabled Facilities Grant administered by districts</li> </ul>
Stop or reduce level of automatic top-up by DCC.	<ul style="list-style-type: none"> <li>• May reduce pressure on the Social Services major/minor adaptations budgets.</li> </ul>	<ul style="list-style-type: none"> <li>• Potential added bureaucracy caused by Appeals mechanism.</li> </ul>
Introduce Service user contribution for minor adaptations	<ul style="list-style-type: none"> <li>• May reduce pressure on the Social Services major/minor adaptations budgets.</li> </ul>	<ul style="list-style-type: none"> <li>• Potential added bureaucracy caused by Appeals mechanism.</li> </ul>

The Social Services Department do not monitor the numbers of cases where automatic top-up payments are made where service users have been assessed to contribute towards the costs of the Disabled Facilities Grant. It is estimated that expenditure in 2001/2 on top-ups was in the region of £150-200,000. Consideration could be given to ceasing or reducing the automatic payment and replacing them with a system where clients apply for 'top-up' payments. An appropriate procedure with a built in appeals mechanism would need to be established. On the assumption that the level of top-up payments would be reduced, it would be possible for the savings to be re-invested to provide a greater number of adaptations in general.

The County Council do not ask service users to contribute to the costs of providing minor adaptations. In Leicestershire, service users may be

asked to contribute up to £35 towards the cost of their minor adaptation, depending on their income and circumstances. Whilst introducing a contribution by service users for minor adaptations is not put forward as a recommendation, it is another area which should be looked at in more detail. A disadvantage may be delays in the provision of the adaptation caused by increased administration service user. Conversely however, the imposition of a charge on service users may mean that a greater number of minor and major adaptations can be carried out benefiting more service users.

This review does not make any positive recommendations as to which, if any, possible options regarding the funding of adaptations should be followed. Before any such recommendations are made, further analysis of the impact on both County Council and district council budgets, the service providers and clients alike, is required. The review should include an assessment the numbers of potential recipients who may benefit from any changes.

#### **Recommendation 7.**

The County Council seek the support of the district councils and the Cabinet Member for External Affairs in lobbying the Government to:

- (a) Introduce a more consistent means of funding Disabled Facilities Grants.
- (b) Increase the level of Disabled Facilities Grant funding

A joint review involving both the County Council and district councils, possibly co-ordinated through the County-wide Adaptations Working Party, be undertaken in to the potential impact of changes to the policies governing the way in which the adaptations process in Derbyshire is funded as a whole. This should include the implications for service providers and clients of:-

- The Government increasing the mandatory Disabled Facilities Grant limit to £25,000
- The County Council increasing the limit for minor adaptations, currently set at £300
- The County Council ceasing to pay or reducing the levels of “top-up” payments where service users have been assessed to contribute as part of their Disabled Facilities Grant application
- Introducing a service user contribution for minor adaptations

## 4.7 Service Users

The review did not hear evidence directly from any service users who had been through the adaptations process. Evidence was received however, from Occupational Therapists regarding service users' views on adaptations. Occupational Therapists reported that service users, already experiencing stress as a result of their personal circumstances, often felt frustration at the complexity of the process and the number of agencies involved.

Service users seeking information regarding the progress of their adaptation were often unsure as to whom to contact. It is recommended that the County Adaptations Co-ordinator be the "one stop shop" for enquiries relating to adaptations. The information service users receive varies from area to area. It is recommended that the Working Party look to produce standard information covering the whole process to be provided to service users.

### **Recommendation 8.**

On a pilot basis, the Countywide Disabled Adaptations Co-ordinator be the contact officer for service users with queries regarding adaptations.

The Countywide Working Party produce standard information on the process to be provided to service users.

## 4.7 Monitoring and complaints

The current questionnaire is inconsistent in the way in which it seeks to collect data. Some questions are "scored" on the basis of for instance, very easy, easy, average and difficult. (ie. 3 positives and 1 negative). Others are "scored" on the basis of 1 to 5.

There is no analysis of performance relating to the individual questions and there is also no comparison between district council areas. Trends and potential areas of weakness are not identified as a result. Information received on some questions, namely 9,10, 14 and 15 do not appear to be analysed or used in any way. Using this data in this limited manner does not provide a full and clear picture of how the adaptations process is performing.

The information received should be analysed in more depth to detail performance relating to individual aspects of the process and also to provide for comparison between different areas of the County.

It is important that all complaints relating to the adaptations process should be considered, recorded and dealt with in a consistent way, including those received by district councils relating to the Disabled Facilities Grant process. The recording of complaints should be considered as part of the monitoring process as a whole. At present this does not happen. The Countywide Working Group should seek to introduce a system which monitors of all complaints relating to adaptations and the way in which they are processed, along with an appropriate reporting mechanism.

**Recommendation 9.**

Advice be sought regarding the production of a revised questionnaire which will produce consistent and usable data on adaptations to identify potential areas of weakness and comparative information.

That the Countywide Working Party seek to establish a mechanism to analyse and report back complaints relating to the adaptations as a whole

## **5. The Next Stage**

The report will be referred to the Cabinet for consideration. It is recommended that:-

- (3) the Chair of the Improvement and Scrutiny Committee presents the report to the Cabinet.
- (4) following consideration of this report it is suggested that, should the Cabinet agree to implement the recommendations, the Improvement and Scrutiny Committee receives a report after six months to outline progress made.

4 July 2002