



Mansfield
District Council

Mansfield District Council

Mansfield District Council Council House Adaptation Policy

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1.0 Introduction

- 1.1 Mansfield District Council (MDC) Council House Adaptations Policy sets out clear parameters for MDC to review applications for assistance to enable individuals and their families to live independently with privacy, confidence and dignity through the provision of adaptations. This could be in their current home or rehousing to suitable accommodation that may already be adapted and would meet their housing need.
- 1.2 The policy reflects the principles set out in the Disabled Facilities Grant (DFG) delivery: Guidance for Local Authorities. The process for agreeing adaptations for council tenants is different, but the principles are the same as those set out in the Guidance, leading to a consistent approach across all tenures.
- 1.3 The Disabled Facilities Grant (DFG) framework and mandatory aspect applies across all tenures; however, the mandatory DFG budget cannot be used for the funding of adaptations to local authority properties. Mansfield District Council will continue to fund adaptations to their properties through resources allocated by the Housing Revenue Account.
- 1.4 This Policy covers the application and procedures for adaptations carried out to Council owned properties. Disabled adaptations for private sector residences is covered under the Disabled Facilities Grants Policy.

2.0 Aims

- 2.1 The aim of this policy is to assist tenants, where appropriate and feasible, to access adaptations that will help them to live as independently as possible, taking a holistic person-centred approach to identify suitable individualised solutions. We will work toward achieving this aim by:
 - Working in partnership with Nottinghamshire County Council (NCC) Adult Care and Children's Occupational Therapy Services.
 - Being fair and accessible.
 - Encouraging independent living.
 - Recognising the vital importance of adaptations in supporting disabled people and people with significant health related issues to remain living independently.
 - Ensuring that all adaptations are necessary and appropriate.
 - making reasonable adjustments where there may be vulnerabilities or the requirement for additional help and support.
 - Making best use of MDC's adapted housing stock.

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- Providing advice, assistance, and support to explore all other support options.
- Continuing to focus on providing a high-quality adaptation service.

3.0 Scope

- 3.1 The policy recognises housing's role in supporting the health and social care system. We will work in conjunction with a range of partners to deliver adaptations and assistance to MDC tenants or members of their household, who have a disability or chronic illness to help them to continue to live independently.
- 3.2 The policy will have due regard to local policies and procedures as well as national legislation and case law, which include, but not exhaustive,
- Regulatory Reform (Housing Assistance) (England and Wales) Order 2002.
 - Housing Grants, Construction and Regeneration Act 1996.
 - MDC Housing Allocations Policy.
 - Disabled Facilities Grant (DFG) delivery: guidance for local authorities in England.
- 3.3. In keeping with the aim of ensuring consistency across tenures, the purposes for which an adaptation will be considered are as prescribed within section 23(1) of the Housing Grants, Construction and Regeneration Act 1996 and have subsequently been added to by The Disabled Facilities Grants (Maximum Amounts and Additional Purposes)(England) Order 2008. This will ensure that the same offer of adaptation is available for all residents within the district irrespective of tenure.
- 3.4 The following is a summary of the categories for which an adaptation might be provided but more detailed information can be found in the Act and associated guidance – see the following link:
<https://www.legislation.gov.uk/ukpga/1996/53/contents>
- 3.5 The Council will have regard to the Act and associated guidance in determining the eligibility of any works for disabled adaptations. The categories can be broadly summarised as follows:
- Facilitating Access – disabled adaptations may be provided for works to remove or overcome any obstacles which prevent the disabled person from moving freely into and around the dwelling, access to the garden and enjoying use of the dwelling and facilities or amenities within it. This includes facilitating access to the principal family room.

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- Making a Dwelling or Building Safe – disabled adaptations may be given for certain works to the dwelling or building to make it safe for the disabled person and other persons residing with them. This may include the provision of lighting where safety is an issue or for adaptations designed to minimise the risk of danger where a disabled person has behavioural problems.
- Access to a room usable for sleeping – disabled adaptations may be provided for the provision of a room usable for sleeping where adaptation of an existing room in a dwelling (upstairs or downstairs) or the access to that room is unsuitable. Where the disabled person shares a bedroom with a spouse or partner an adaptation may be given to provide a room of sufficient size so that normal sleeping arrangements can be maintained.
- Access to a bathroom – an adaptation may be provided for the provision of, or access to, a WC, washing, bathing and/or showering facilities and includes facilitating the use of such facilities.
- Facilitating preparation and cooking of food – an adaptation may be undertaken to re-arrange or enlarge a kitchen to improve the manoeuvrability for a wheelchair and to provide specially modified or designed storage units, work top area etc. Where most of the cooking and preparation of meals is done by another household member, it would not normally be appropriate to carry out full adaptations to the kitchen. However, it might be appropriate to carry out certain adaptations that enable the disabled person to perform minor functions in the kitchen, such as preparing light meals or hot drinks.
- Heating, lighting and power – an adaptation may be undertaken to provide or improve the existing heating system in the dwelling to meet the disabled person's needs.
- Dependant Residents – an adaptation may be considered for works to enable a disabled occupant better access around the dwelling in order to care for another disabled person who normally resides there whether or not they are related to the disabled person. Such works could include adaptations to a part of the dwelling to which the disabled person would not normally need access but which is used by the person to whom they are providing care and therefore it is reasonable for such works to be carried out.
- Common parts – an adaptation may be undertaken for works to facilitate access to a dwelling through common parts of a building.

3.6 Before considering adaptation works as described above, a referral must have been received from Nottinghamshire County Council Occupational Therapy Team.

4.0 Adaptations

4.1 Identifying Need for Adaptations

- 4.1.1 MDC tenants of any age can apply for an adaptation through self-referral to Nottinghamshire County Council Occupational Therapist service. MDC will advise tenants to self-refer. To be eligible for an adaptation you are required to be a tenant or a member of the tenant's household of an MDC property using this as your principal home.
- 4.1.2 Other options other than adapting the property will be explored with the tenant including if the tenant or a member of their household's needs can be met by moving to alternative accommodation that is already adapted or is more suitable to receive the adaptation (move from a house to a ground floor flat if lift related equipment needs to be installed) as a suitable solution to any difficulties being experienced.
- 4.1.3 The Council can discharge its duties by any of the following means:
- Assessment and Issue of equipment by Nottinghamshire County Council.
 - Rehousing to alternative adapted accommodation with the agreement of the tenant.
 - Provision of adaptations that can be reasonably and practicably carried out. There is currently no requirement for a financial assessment (means test) for Council tenants.

4.2 Adaptation Eligibility

- 4.21 Eligibility for an adaptation is governed by legislation based on what is necessary and appropriate, and reasonable and practicable.
- 4.22 MDC must be satisfied that the applicant is a tenant or occupant registered at the property; therefore, the following checks will be undertaken upon the adaptation request.
- All applicants must show that the property requiring adaptations is their permanent main residence.
 - If an applicant has expressed any past interest in moving this will be explored with them.
- 4.23 There are circumstances where applicants may not meet the legal requirements:

If an applicant is not named on the tenancy, they may still be eligible if:

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- are married to the tenant
- They are not married, but are living together as man and wife
- They are of the same sex and registered as a civil partner
- They are of the same sex but are living together as if they are in a civil partnership
- Are a registered occupier.
- The applicant is an immediate family member (parent, grandparent, adult children, grandchildren, and sibling), who have lived with the tenant as their main permanent home prior to the application. Exceptions may be made where the applicant is unable to reside/move into the property due to the lack of adaptations.
- In the case of a split household where the disabled person is a child (less than 16 years and a child who is in full-time education under 19 years), adaptations will only be considered on one property.

4.24 The property where the parent resides who the child is dependent on will be given consideration for an adaptation. When deciding on which parent the child is dependent on, the following will be considered, but is not limited to:

- Who the child resides with primarily
- Any Court Orders in place
- Who Child Benefit is paid to
- Written Agreements between parents
- The individual facts of the case.

4.25 Cases outside the above may be reviewed by Housing Management and will be considered sensitively prior to a decision being made.

4.3 Circumstances where the Council may not undertake an adaptation

- Where the disability need could be met by moving to alternative (and available) accommodation and there is no reasonable justification for the tenant refusing to move to alternative accommodation.
- Where the property is not suitable for the size of the household. In exceptional circumstances, the Council may consider installing

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adaptations where the household is under-occupying their property according to the “Property Size Eligibility” rules set out in the Council’s Allocation Policy, which have been developed to enable the Council to make best use of its housing stock. The Homefinder Allocation Policy can be found at <https://www.mansfield.gov.uk/downloads/file/6715/homefinder-lettings-policy-2018>

- Where a Wet-Room is required in a family home or upper floor flat. However, in certain situations it may be appropriate to install a Wet Room or alternative facility. Each case will be given full consideration prior to a decision being made.
- Where a live housing application is in progress.
- Where MDC is seeking/taking possession proceedings against the tenant i.e., for rent arrears or anti-social behaviour.
- Condition of property – where such works would pose a significant health and safety risk to the tenant, staff or contractors
- Where the access to a property cannot be reasonably and practicably adapted.
- Where a household is in a situation of overcrowding.
- Where an applicant is seeking an adaptation, and this is not deemed to be their permanent full-time home.
- Where there are concerns about the age condition, and structure of the property
- where such works are not considered reasonable and practicable.
- Where it is not possible to adapt a property due to the architectural and/or structural design/characteristics of the property.
- Where it is not practicable to undertake an adaptation due to design or layout of property.
- Ramping for self-purchased wheelchairs or mobility scooters
- Where a stairlift or lift is required in a block of flats, whether this is in a communal area or a private staircase and it is not reasonable and practicable.
- Where works would require planning permission or Building Regulation approval, which has not been or would not be granted.

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- 4.3.1 All requests for major adaptations will be given full consideration on a case-by-case basis, considering the criteria set out above. It is accepted that there will be exceptions encountered.
- 4.3.2 Where there are extenuating circumstances, a full review will be undertaken in partnership with NCC Services, prior to a decision being made.

4.4 Funding of Adaptations through Mansfield District Council

- 4.4.1 Adaptation Funding Disabled Facilities Grants are available to people of all ages and in all housing tenures, however the Department for Levelling Up, Housing and Communities' Disabled Facilities Grants Delivery Guidance state "Government funding for the Disabled Facilities Grant is intended to fund adaptations for owner occupiers, private tenants, or tenants of private registered providers (housing associations). Eligible council tenants can apply for a DFG in the same way as any other applicant. However local housing authorities with a Housing Revenue Account (HRA) should self-fund home adaptations for council tenants through this account".
- 4.4.2 Disabled Facilities Grants are means tested and available for home owners, private tenants and housing association tenants. The Private Sector Housing team at Mansfield District Council deliver Disabled Facilities Grants which are funded through the Better Care Fund.
- 4.4.3 In line with the above, Council tenant applications for adaptations are also administered through Mansfield District Council Private Sector Housing and are funded from the Housing Revenue Account.

4.5 Exploring Options.

- 4.5.1 A tiered approach will be taken to identify options available.
- 4.5.2 Nottinghamshire County Council (NCC) provides a range of aids and equipment to assist tenants or a member of their household to maintain their independence. These are delivered directly to the home and the success of the use of these is monitored by NCC. The Occupational Therapy team will assess the tenant and recommend any equipment or whether an adaptation is appropriate.
- 4.5.3 Each request will be assessed on an individual need basis i.e., where handrails are requested, applicants should also consider contacting NCC for a mobility assessment.
- 4.5.4 Full consideration will be given to the provision of minor adaptations which would support the offer of a property through the housing allocations process. This would ensure that through the provision of a minor adaptation properties would meet the individual's housing needs.

4.6 Supported Move

- 4.6.1 Where an adaptation is declined applicants may have the opportunity of a supported move with a priority banding, so they can move to a property that will meet their housing need. Priority banding will be awarded in line with the Choice Based Lettings Policy and will be monitored and reviewed periodically with a downgrading of priority banding if applicants do not pro-actively seek alternative properties. Direct lets to a suitably adapted property may also be considered in extreme circumstances.

Officers will consider:

- what vacant properties are available that would meet the applicant's needs.
- what adaptations have already been undertaken to the available properties.
- the suitability of these adaptations to meet the needs of the applicant requesting an adaptation.

5 Adaptation Definitions and Categories.

5.1 Minor Adaptations

- 5.11 Minor Adaptations have a value of up to £1000.00. These can be self-referrals or professionally assessed. They are simple, cost-effective solutions to assist a person to live independently with or without carer support. They can be installed swiftly, promote wellbeing, and reduce the risk of accidents, consequently averting additional costs associated with hospital admissions, or residential care and support.
- 5.12 Minor adaptations include grabrails, additional stair rails, small external handrails, half steps, hard of hearing smoke alarms, sight impaired lighting, small low-level ramps.

5.2 Major Adaptations

- 5.21 Major Adaptations are valued over £1000.00, and are generally structural changes to a property e.g., wet room, ramping, hard-standing, extensions. Major Adaptations must be assessed by Nottinghamshire County Council Occupational Therapists (OT), Social Care Practitioner (SCP) or Paediatric Occupational Therapists.
- 5.22 Each case will be progressed in date order of referral being received.
- 5.23 Where a major adaptation will cost in excess of £50,000 the decision to proceed will be subject to a thorough review of the case and an Officer Decision Record, signed by the Assistant Director – Housing, will be required to approve the adaptation works.

6 Property Extensions

- 6.01 There is a lack of suitable properties across all tenures for families whose household contains one or more persons who have some form of disability and requires level access bedrooms and bathrooms. Therefore, people who require this type of accessible family accommodation would be waiting on the Housing Register for a long period of time to be rehoused.
- 6.02 To help current tenants and their household to remain in their homes and to increase the housing stock of adapted properties suitable for families, a single storey extension to the property may be considered if reasonable and practicable to do so and alternative options have been explored. Extensions can create a ground level bedroom and/or bathroom, however the property itself may require further adaptations/works to ensure the property is accessible where necessary, for example, widening internal doors or external access.
- 6.03 Before considering an extension the family must have been through the council house allocation team to determine if any suitable property is available which either meets their needs or can be adapted without extensive work or requiring an extension to meet their needs.
- 6.04 The adaptations eligibility and assessment criteria set within this policy will apply to all applicants.
- 6.05 An extension will not be accepted in the following circumstances:
- if it is not considered to be necessary and appropriate, and reasonable and practicable.
 - if the condition of the property requires extensive refurbishment or where such works would pose a significant health and safety risk to staff.
 - if an extension is not achievable on the property.
 - the extension would not alleviate the applicants housing need.
 - there is a Right to Buy application on the property.

6.1 Types of Extensions

- 6.11 MDC working in partnership with the relevant specialist organisations/contractors, will assess which method of construction would be appropriate for each eligible property. Examples of the types of construction can include.
- Traditional bricks and mortar
 - Modular - prefabricated modules that attach to the existing home and are manufactured before being installed.
- 6.12 Before any decision is made the costs of the extension and any other works will be taken into consideration and agreed jointly by MDC and NCC.

- 6.13 The extension will be carried out by a contractor working in partnership and appointed by MDC following the required financial regulations having due regard to NCC and MDC policies and procedures.

7 Referrals to Mansfield District Council

7.1 Referrals

- 7.11 A request for a Minor Adaptation can be accepted by Mansfield District Council. Major Adaptation requests must be referred to NCC.
- 7.12 The Occupational Therapy team will assess the case and will make a recommendation in the form of an OT referral, this will be processed and, feasibility, structural information, will be gathered for consideration, further information may be required.

7.2 Awarding Priority

- 7.21 In addressing housing need, the options will be discussed to consider moving to a property which has the appropriate adaptations to meet the needs of the disabled person.
- 7.22 In some circumstances this option may not be possible, including where:
- there is a lack of suitably adapted properties in the area that the applicant needs to live; or
 - there is a lack of turn-over of void properties with appropriate adaptations required by the applicant; or
 - it would mean that appropriate carer support would not be able to continue to provide on-going care and support.
- 7.23 On completion of the assessment, a recommendation will consider all the evidence presented relating to the applicant's needs and consider the following before a decision is reached:
- if the adaptation work is necessary and appropriate, and reasonable and practicable.
 - do they have regard to the age and character of the property.
 - the level of reasonably adapted stock in the support network locality in which the applicant lives; and the applicant's ability to secure independent living, if this is an option discussed with the applicant.
 - where any criteria laid out in the MDC procedures and guidance are met.

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7.24 Due regard will also be given to and taken account of:

- The applicants needs and any personal or other factors that the applicant forwards as demonstrating a need to remain in their existing accommodation.
- The medical prognosis and the usability of the proposed adaptation(s).
- The availability of more appropriate alternative adapted accommodation.
- The availability of the applicants existing support network and carers, that vital family support and other social roles and responsibilities cannot be undertaken in an alternative location.
- The property type and demand.
- The adaptability of the current property.
- The likelihood of achieving a mutual exchange with an end result meeting the needs of the applicant through liaison with the relevant members of staff in the Housing Support team and the Adaptations staff.

7.25 Any applicant that has been assessed and recommended for major adaptations who decide to consider a move can be given assistance in completing a housing application form to register with Homefinder at which point their adaptation request will be cancelled.

7.26 The housing application will be awarded a priority banding to support an early move. Any temporary work required whilst waiting for a move will be considered at this point.

7.27 This may include the use of such items as; suitable equipment for bathing, grab rails or implementing a Personal Emergency Evacuation Plan (PEEP).

7.28 In cases where rehousing is considered the most suitable and appropriate redress to meet the applicant's needs, MDC's approach will be to:

- proactively assist the applicant in identifying suitable alternative adapted accommodation that meets their needs now and in the long-term, based on the advice from the OT/SCP or information provided as part of the Housing Application, in line with the Homefinder and Allocations Policy.
- Offer practical support to co-ordinate and facilitate the move.

7.3 Further Works and Changes of Circumstances

7.31 Occasions may arise where work is pending and a change in circumstances requires a further assessment. Should this occur, then the Private Sector Housing team will need to be informed by the individual or occupational therapy team.

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7.32 If the work pending has not been started, then it will not commence until the OT has submitted their further report. The new work may then be added to the pending work to be completed as one job.

7.33 If it is believed further work may be required Adult Care and/or the OT will be notified to undertake a review of the case.

7.4 Under-Occupancy

7.41 Under-occupancy is defined within the Homefinder Policy. If an applicant's household is under-occupying a property then extensions and conversions will not be considered unless:

- there are no suitable adapted properties within MDC housing stock; or
- there are suitable adapted properties within MDC housing stock, but these are minimal and the likelihood of availability becoming apparent within a 12-month period is extremely low.

7.42 All other Major Adaptations may be considered.

7.43 Certain temporary adaptations can be offered to provide a short-term solution. However, such cases will be investigated on a case-by-case basis. Applicants who are under-occupying will be afforded reasonable preference to local accommodation as per the Homefinder Policy.

7.5 Condition of the Property

7.51 Prior to the installation of an adaptation, the condition of the property will be considered, this may impact on whether the adaptation is approved, refused, or placed on hold. If the condition of the property raises any health and safety concerns this will be passed to the Landlord Services team and the adaptations application will be put on hold.

7.52 Where it is not reasonable or practical to install an adaptation due to the condition of the property the request will be refused. The applicant will be informed of the reasons why the adaptation cannot go ahead, and alternative options will be discussed.

7.6 Regulatory Compliance

7.61 Where adherence to relevant legislation has not occurred, an adaptation will be put on hold until the requirements are met. Such paperwork may include but is not limited to:

- An individual assessment carried out to determine if an Asbestos refurbishment survey is required.
- A copy of the current Electrical Installation Condition Report and/or Gas Safe certificate.

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- All stairlift installations will be serviced annually and maintained either under manufacturer's warranty or through a local agreement with a competent contractor to comply with LOLER 1998 Lifting Operations and Lifting Equipment Regulations (LOLER) 1998.

7.7 Removal and Recycling of Adaptations

7.71 Where a void property already has an adaptation in-situ a full assessment will be undertaken to identify the age and condition of the adaptation, and whether it would be suitable for the adaptation to remain.

7.72 Where it is identified that:

- The adaptation is not economical it will be removed as part of the voids process. Consideration will be given to the suitability of re-siting the adaptation equipment (e.g., stairlift and/or storing for future use). This will be decided prior to removal.
- The adaptation is in good condition, the property type will be assessed for long term suitability and, where appropriate, adaptations will be kept in-situ to ensure best use of the property and the availability of housing stock that is suitable for future tenants in need of such facilities.
- There is no need for the adaptation which has been installed, consideration will be given to removing the adaptation and restoring the property to the current lettable standard for the property type.
- Consideration will be given to the property type i.e., family home and suitable level access.

7.8 Tenant Obligations

- It is the responsibility of the Tenant to ensure that any adaptations are not misused or abused.
- The Tenant must allow access for any servicing or repairs.
- Any repairs costs, as a result of misuse, will be charged to the Tenant.
- All adaptations are the property of MDC and must NOT be removed or resold.

7.9 Right to Buy Applications

7.9.1 Where a Right to Buy application is submitted, applications will be cancelled. Any removable adaptations i.e., stairlifts already in situ, will be offered to the Tenant as part of the Right to Buy purchase at a cost which will include depreciation. If the Tenant declines, the equipment will require removal prior to the completion of sale.

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8 Refusals

- 8.1 If an adaptation has been refused under the Council House Adaptations Policy, applicants are eligible to apply to NCC, for eligibility assessment of a Mandatory DFG.
- 8.2 If eligibility for mandatory DFG is approved, the adaptation installation will be managed by MDC who will be responsible for contracting and completing the works to the current specifications.

9 Appeals, Disputes and Complaints

- 9.1 If an applicant is dissatisfied with a decision made under this Policy they can appeal against the decision and request a review. In the first instance, a review will normally be conducted by an MDC Senior Officer not involved in the original decision.
- 9.2 Where a person is dissatisfied either with an aspect of this policy, how it has been implemented or the level of service they have received under the policy, they will have the right to complain. This will be managed in line with MDC's complaints procedure, however in the first instance any complaints should be raised informally with Private Sector Housing to try and resolve the issues.

Appendix 1: Council House Adaptation Process

**The below outlines the general procedure for the adaptation process.
The process may vary where an extension is required in which case the
process will be discussed with the tenant at the time.**

The tenant contacts Nottinghamshire County Council Occupational Therapy (OT) team to request an assessment in their home on 0300 500 80 80

The OT service may request a joint visit with MDC Technical Surveyors to determine if home is suitable for adaptation. If not suitable then the tenant will be referred to our Homefinder team.

Following the OT assessment, if an adaptation is required the OT will submit a referral to Mansfield District Council's Private Sector Housing Team.

The referral will be released to a Technical Surveyor to process the referral. The Technical Surveyor will contact the tenant and arrange to inspect the property and

A schedule of works will be produced along with a basic plan showing the proposed adaptation. The plan will be shared with the tenant.

The Technical Surveyor will issue a works order to the contractor and instruct the contractor to start work. The contractor will contact the tenant and arrange a suitable date and time to start the adaptation work which may be several weeks depending on availability of contractors.

The Technical Surveyor will meet the contractor at the property prior to works starting to discuss the adaptation

Contractors are asked to complete works within 5 working days. There may be occasions where it is not possible to achieve this due to the extent of work required or some unforeseen circumstances but the tenant will be kept informed.

Once the adaptation is completed the Technical Surveyor will carry out a completion inspection and ensure works are completed satisfactorily.