

HOUSING ADAPTATIONS SERVICES POLICY

Memorandum of Understanding

Between

The Department for Communities and the Department of Health

Background

The Department for Communities (DfC) has joint responsibility with the Department of Health (DoH) for overarching housing adaptations policy, while operational delivery in providing adaptations services to peoples' homes primarily lies with the Northern Ireland Housing Executive (NIHE), Housing Associations and Health and Social Care Trusts.

This Memorandum of Understanding (MOU) sets out the key DfC and DoH working arrangements and responsibilities relating to housing adaptations policy.

Key principles and definitions

The purpose of an adaptation is to modify disabling environments in order to restore or enable safe, independent living, privacy, confidence and dignity for individuals and their families.

Housing adaptations services support a number of Programme for Government policies contributing to accident prevention, independent living and social inclusion.

Housing adaptations make a significant contribution to the principles and values of the social model of disability. These services may be provided to people of all ages, where they meet eligibility criteria as a disabled person. The type of housing adaptations provision will depend on individually assessed needs and will also consider the needs of carers.

Definition of Disability - Part one of the Disability Discrimination Act 1995 shall apply. Disability is defined as: "A physical or mental impairment which has a substantial and long-term adverse effect on a person's ability to carry out normal day-to-day activities."

Further guidance on the interpretation of these terms is available in the Equality Commissions publication *Definition of Disability* available at:

<http://www.equalityni.org/ECNI/media/ECNI/Publications/Employers%20and%20Service%20Providers/DefinitionofDisability07.pdf>

Department for Communities (DfC)

Relevant Legislation

1. The Housing (Northern Ireland) Order 2003
2. The Housing Support Services (Northern Ireland) Order 2002
3. The Housing (Amendment) (Northern Ireland) Order 2006

DfC Functions

- DfC funds the NIHE to deliver housing adaptations to social housing tenants and a separate funding stream for private sector homes via the Disabled Facilities Grant (DFG).
- DfC will also monitor the value and volume of DFGs and other social housing adaptations delivered by NIHE.
- DoF Housing Advisory Unit (HAU) will provide as part of its remit:
- advice on design standards for social housing through the management of the Housing Association Guide.
- technical advice and participation in working groups and consultation exercises as and when required (for example, wheelchair users group, communications toolkit, etc.).
- manage the inspection process for social housing adaptations.

DfC Funding Arrangements

- DfC will provide annual funding to NIHE to deliver housing adaptations in the following areas:
- Adaptations for social housing tenants; and
- Disabled Facilities Grant for adaptations to private sector homes.

The amount of funding will be determined each year as part of the normal budget approval arrangements.

Department Of Health (DoH)

Relevant Legislation

1. The Health and Personal Social Services (Northern Ireland) Order 1972.
2. The Chronically Sick and Disabled Persons (Northern Ireland) Act 1978.
3. Disabled Person's (Northern Ireland) Act 1989.
4. Health and Social Care (Reform) Act (Northern Ireland) 2009

DoH Functions

Statutory duties in relation to needs assessment and agreed housing adaptations provision outlined in the legislation above, have been delegated to the Health and Social Care (HSC) Board and five HSC Trusts.

Governance and funding arrangements

The DoH will establish appropriate service standards, priorities and objectives.

Communications and reporting

The DoH require statutory duties reports from the HSC Board/PHA/HSC Trusts identifying progress in meeting statutory functions, resources, and evidence of unmet need.

Responsibilities of the HSC Board

The HSC Board is responsible for delegated statutory duties in relation to housing adaptations under the legislation listed above.

Responsibilities of Health and Social Care Trusts

HSC Trusts have delegated statutory responsibilities for housing adaptations services via the Chief Executive and each HSC Trust should have a nominated Occupational Therapy officer for these services. HSC Trusts are responsible for the provision of community occupational therapy assessments and a specific range of housing adaptations services outlined in Appendix 1.

DfC And DoH Joint Responsibilities

Policy Development

DfC and DoH will collaborate in the formulation, development, review and evaluation of policies which contain an element of housing adaptations.

Both departments will, as necessary, engage with stakeholders in consultation processes and formally respond to any consultation exercises.

Governance

DfC and DoH will maintain appropriate oversight and governance of adaptations services through participation on the Joint Housing Adaptations Steering Group (JHASG) or equivalent cross-sector body.

The JHASG will meet bi-annually and is an inclusive cross-sector stakeholder forum to include service user representation, which will maintain a framework for review, implementation of the action plan and ongoing service monitoring and improvement. DfC and DoH will also seek to coordinate and plan suitable resources where possible on adaptations issues.

Ministerial and Assembly Business

DfC and DoH have to adhere to strict guidelines relating to the provision of information to the Minister and, as appropriate, its onward transmission to the Executive and Assembly members. These include, but are not limited to, a wide range of Assembly Questions, Parliamentary Questions, Ministerial and Committee correspondence and briefings. To fulfil the policy role, and to meet challenging deadlines, both Departments will seek information from each other, and NIHE, that may contribute to the response or briefing on cross cutting matters.

Written requests (by email) will be made as soon as possible for the information required stating when a response is needed by. Standard timescales for responses are set out in the table below. Departments and NIHE will share the relevant information if it is held or is obtainable.

Business	Response time
Parliamentary Questions	Within 3 working days
Assembly Questions	Within 3 working days
Ministerial correspondence / invitations etc.	Within 3 working days
Ministerial briefings / submissions	Within 4 working days

There may be some flexibility on the response times depending on the individual query and the timescales for Ministerial clearance and the Departments will advise accordingly. Appropriate cover will be in place to respond to queries within the timescales.

Data Exchange and Research

All parties will agree to exchange relevant data subject to Data Protection Principles.

DfC and DoH will work collaboratively in considering research requirements and provide policy input or other information that will contribute to research on adaptation services.

Northern Ireland Housing Executive (NIHE)

Role: While this MOU is essentially between two Government departments (DfC and DoH), NIHE's Housing Adaptations Unit's role plays an important role in the cross sector co-ordination and implementation of the actions in the interdepartmental review of housing adaptations services:

- Adaptations policy for NIHE public sector housing adaptations is provided by NIHE Housing Adaptations Policy Unit.
- Private Sector Improvement Service is responsible for both the policy and the administration of grants for private sector adaptations.
- Funding for adaptations to Housing Association stock is made available via Housing Association Grant, which is administered by NIHE's Development Programme Group
- The delivery of housing adaptations services is provided by NIHE Asset Management (Programme Delivery) and Housing Associations.

General Operation of the MOU

Extent and Duration

This MOU will be effective from the date it is signed by both parties until 31 March 2019. It may be extended beyond this period subject to need and the agreement of both parties.

Accountability and Responsibility

Accountability for this MOU will lie with the Director of Housing Policy in DfC and the Director, Mental Health, Disability and Older People in DoH.

Responsibility for the day to day operation of the MOU will lie with the Grade 7, Head of Supported Housing in DfC Housing Division and with the Grade 7, Head of Physical and Sensory Disability Unit in DoH.

Review

Either party may ask for a review of any part of the MOU at any time during its duration. Reviews will be conducted and agreed by those responsible for the day to day operation of the review. Changes should be formally approved by those accountable for the MOU.

Disputes

In the event of a dispute in relation to any matter covered by this MOU resolution will be determined in the first instance by those responsible for the day to day operation. Should this fail to resolve the matter resolution will be determined by those accountable for the MOU.

Withdrawal from the MOU

Either party may withdraw from the MOU at any time subject to the approval of the respective Departmental Directors.

Signatories

Signed on behalf of the Department for Communities:



Name: Ian Snowden

Position: Director of Housing policy and Performance

Date: 26 September 2017

Signed on behalf of the Department of Health:



Name: Chris Matthews

Position: Director, Mental Health, Disability and Older People

Date: 14 September 2017

Appendix 1 - Summary of bodies responsible for housing adaptations provision

Organisation	Types of adaptations
NIHE Private Sector Improvement Service	Private Sector Disabled Facility Grants
NIHE Public Sector	Minor and major adaptations, including lifts to NIHE property
NIHE Development Programme Group/Housing Associations	Minor and major adaptations including lifts in Housing Association property
HSC Trusts	Minor adaptations and lifts in private sector properties and ceiling track hoists in all tenures. Portable assistive technology