

LIFE MATTERS

**sia** spinal  
injuries  
association  
for life after spinal cord injury

# SOCIAL CARE AND HOUSING ADAPTATIONS

## FACTSHEET



[spinal.co.uk](http://spinal.co.uk)

Local councils have duties and powers to help disabled people to make necessary adaptations to their homes. These powers and duties are split between housing departments and social services departments. The NHS also has powers to fund (or jointly fund) adaptations to meet health needs, or to transfer funds to social services for housing adaptations (especially if this frees up beds). Government guidance says that housing and social services should cooperate, so that people with care needs get the most appropriate and cost-effective support, although this does not always happen effectively in practice.

### Disabled Facilities Grants (DFGs)

Disabled Facilities Grants or DFGs are means-tested grants from your local housing authority towards the cost of adaptations to your home, based on an assessment made by social services. The housing authority still has a duty to provide DFGs even if, for example, a landlord has promised to do some works, but has a waiting list and cannot actually carry them out for a couple of years.

There are guidelines about how long various stages of the DFG process should take in the current guidance on DFGs in England, “Delivering Housing Adaptations for Disabled People: A good practice guide June 2006 Edition” (in Chapter 9). The Local Government Ombudsman (LGO) has used these guidelines in investigating “maladministration” (mis-management) of DFGs by councils, often recommending substantial compensation. If you have made a complaint about the council, and you are not happy with their response, you can ask the LGO to investigate (although they only investigate some of the complaints brought to them).

### Social services duty

Although it is the housing authority that must process and deliver Disabled Facilities Grants, it is social services that must make the assessment of what adaptations are needed. If a DFG cannot be made (perhaps because the adaptations are not “reasonable and practical”, or they cost more than the maximum amount for DFGs), social services still have a duty to meet the need they have assessed, by providing either equipment or adaptations, or grants or loans towards costs. They can charge for these services.



## Direct payment for aids and adaptations

Direct payments for social care (provided by the council) can be used to pay for adaptations or “fixtures and fittings” - but only if the council have agreed that the adaptation/fixtures/fitting is needed to meet a social care need. This does not apply to services or equipment that the NHS provides (although this may be possible through personal health budgets and direct payment for health care under some circumstances). Government guidance also says that direct payments for social care should not be seen as a substitute for a Disabled Facilities Grant for major adaptations.

A direct payment might enable you to pay for adaptations or equipment of your choice, from suppliers that your council do not use. If this is more expensive than what the council would normally supply, you may well have to pay the difference as a top up to the direct payment - as long as what the council would normally supply would actually be adequate (if possibly not ideal) to meet your need. The council should consider your reasonable preference, as well as costs, when they are making decisions.

Direct payments for aids and adaptations are usually made as a one-off payment. However if your direct payments account has unused “contingency” money in it, which is not going to be needed for other expenses, and the adaptation in question will help to meet one or more of the eligible needs which are already included in your assessment and care plan, then it may be possible to get the council to agree to your spending some of this “contingency” money on adaptations.

## No charges for minor adaptations

Councils are not allowed to charge for equipment or “minor adaptations costing under £1000”, regardless of whether they are provided through direct payments or direct provision by the council

## Advice

Getting housing adaptations is made more complicated by the different powers of the different authorities involved. There are quite a lot of Local Government Ombudsman reports of serious maladministration of DFGs by councils. SIA’s advocacy team can give you information and advice around the social services side of councils’ responsibilities.

Please phone Simon Legg on 01908 014635 or email [s.legg@spinal.co.uk](mailto:s.legg@spinal.co.uk).



**For more information, contact us at:**

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## About SIA

Spinal Injuries Association (SIA) is the leading national charity for anyone affected by spinal cord injury. We have specialist support available, for free, to support you through the mental and physical challenges you may face, both now and for the rest of your life.

Our support network is coordinated by a team of people, across the UK, who can put you in touch with our network of experts and trusted partners, covering all aspects of mind, body and life, to help you move forward with life. Our partners specialise in services such as legal, care, housing, finance, mental health and much more.

We are the voice of spinal cord injured people, through our expertise and we can connect you to the services and organisations you need through our network for all.

You can join the SIA community by signing up for free online at [www.spinal.co.uk](http://www.spinal.co.uk).

## Disclaimer

This factsheet has been prepared by SIA and contains general advice that we hope will be useful. Nothing in this factsheet should be construed as giving specific advice, and it should not be relied on as a basis for any decision or action. SIA does not accept any liability arising from its use. We aim to ensure the information is as up-to-date and accurate as possible, but please be warned that certain areas are subject to change from time to time. Please note that the inclusion of named agencies, companies, products, services or publications in this factsheet does not constitute a recommendation or endorsement.

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