

Criteria and Procedure for Special Needs Rehousing

A person or household can apply for a priority move, on grounds of Special Needs Rehousing (SNR) if they have a disability or a long term medical condition that prevents them performing everyday tasks such as bathing and climbing stairs, and if a different property more suited to their needs will improve this problem.

Wakefield and District Housing (WDH) will work in partnership with Wakefield Council to ensure that consistent decision making procedures are applied when awarding or refusing additional priority on the grounds of SNR.

The Criteria

The definition of disability as outlined in the Equality Act 2010 is used to determine the SNR criteria and it will be updated on a regular basis as legislation changes.

The Equality Act 2010 defines disability as physical (including sensory) or mental impairment which has had a substantial or long term adverse effect upon a person's ability to perform normal day to day activities which may include:

- difficulty getting in and out of their home;
- difficulty going up and down stairs;
- difficulty reaching the toilet;
- difficulty maintaining personal hygiene; and
- problems with lighting or heating which affect their health.

WDH will consider persons for a SNR priority if their disability or illness has a substantial and long term effect and falls into at least one of the points below:

- has affected their ability to perform normal day to day activities for the last 12 months;
- is likely to have an effect for at least 12 months; or
- is likely to have an effect for the rest of the person's life.

A WDH Occupational Therapist (OT) will provide advice and guidance on medical conditions.

WDH do not assess persons applying for special needs rehousing due to mental illness. **If an application is received from a person applying for priority due to mental illness a referral will be made to Wakefield Council's Open Door Project** who has their own criteria which the applicant will be assessed against.

Wakefield Council will also assess applicants who are in the following areas:

- any person applying for SNR who are in hospital and unable to return home will be referred to Wakefield Council for assessment;
- all persons in rehabilitation or residential care;
- all persons with an assessed complex disability that requires specialist accommodation;
- children under the age of 18; and
- children and adults assessed as having a moderate to severe learning disability.

Awarding Priority

Once the application has been received at the Special Needs and Disability Unit (SNDU) it will be checked to make sure it meets the SNR criteria, this process is overseen by a Senior OT. Any applicant who does not meet the criteria at this stage will be sent a letter telling them why.

Any applicants with a terminal illness will be treated as a priority assessment.

WDH will aim to visit applicants that meet the criteria within 20 working days to complete an HM2 form. On assessment the applicant must sign the declaration form confirming the information they have given is correct and that they give WDH permission to obtain medical information about them if needed or to contact other agencies involved if necessary.

For applicants out of the Wakefield area an OT assessment will be required from the applicants local authority area before the case can be considered for SNR.

The application will then be referred to the SNR Panel within 14 calendar days for a decision on the priority status for a move. The panel is held weekly and is made up of an OT, a representative from a local service access point, and a member of the Homesearch Team. All decisions are recorded on a weekly sheet for audit purposes with details of who was present at the panel. **Minutes are recorded of the meeting and reasons supporting the decisions reached are also recorded electronically.**

The panel, after considering the application, can make the following decisions:

- award band A welfare/medical priority;
- award band B medical priority;
- not to award any priority;
- refer for consideration of adaptations or equipment;
- write to consultants or health professionals for more medical information;
- refer for an OT assessment - this may include an independent OT assessment and/or an out of area OT assessment;
- refer to the Independent Living Team for an independent living assessment;
- defer the decision whilst another agency or Wakefield Council is consulted for information, such as, Family Services;
- refer to the Open Door Project; and
- withdraw the application as it does not fit the criteria for special needs rehousing.

If the applicant is referred for an OT assessment this will be carried out within 20 calendar days if the applicant is a WDH tenant. If the applicant is not a WDH tenant a referral will be made to Wakefield Council Assessment Team.

Criteria for Band A – Welfare and Medical Need

Will be awarded:

- if, following assessment, the property is considered very unsuitable for the applicant's needs, such as wheelchair user **and** it is unable to be adapted or it is not possible to do so **and** this results in extreme personal hardship for the disabled person;
- or**
- the applicant has limited life expectancy **and** it is reasonable to consider rehousing **and** their current housing provision does not allow for the person to be accommodated on the ground floor of the property.

In some cases it may be considered more appropriate to adapt a property.

Criteria for Band B – Medical Priority

Will be awarded:

- if the applicant is housebound in their present home and would not be if rehoused;
- if the applicant is unable to access essential facilities in the property, such as, toilet, bathroom, kitchen facilities; and
- if the applicant is unable to use the facilities without excessive pain and/or difficulty/discomfort.

Applicants will be informed of the panel's decision in writing, within three working days by the Panel Chair.

In some urgent circumstances it may be appropriate to consider the award of priority outside of the SNR Panel. This will be determined by the Head OT, or someone acting on their behalf, who will liaise with panel members to reach a decision. If priority is subsequently awarded outside of the panel meeting, the case will be presented and ratified at the panel that follows immediately after. Minutes taken at the panel will recorded the decision reached.

If an application is awarded a Band A or B priority and the panel have specified that a person requires a disabled dwelling (purpose designed wheelchair accommodation or a fully adapted wheel chair property) the application will be referred to Wakefield Council for consideration of a direct let with WDH or a nomination to other housing providers. If a potential property becomes available a void inspection will be carried out to check its suitability.

If an applicant is awarded a Band A or B priority and the SNR Panel have specified that the property needed by the applicant requires two or more major adaptations to meet their needs, for example, a ramp and a shower, then the person will be considered for accommodation in line with the Choice Based Lettings Policy.

If an applicant is not awarded priority or is assessed as not meeting criteria for SNR, the applicant can reapply after six months. However, this can be sooner if the applicant is able to demonstrate that their condition or circumstances have significantly changed since their original application.

In line with Wakefield Council's Housing Needs Policy, where the Medical Panel has clear evidence that a service user has moved address and deliberately worsened their circumstances in an attempt to gain a priority banding, the priority can be deferred at the panel's discretion for an appropriate period.

Reviews

Members who are still seeking accommodation six months after priority is awarded will undergo a review to determine whether the medical priority should be removed, increased from a Band B to a Band A, decreased from a Band A to a Band B, or extended for a further six months. The review will take into account of individual circumstances, relating to and applicant's medical condition. The review will not take account of bidding history and offers made and refused, this will be considered separately under Homeseach policy.

All reviews at six months will be contacted by the SN DU, circumstances will be discussed and where it is felt appropriate a reassessment visit may take place. The Medical Panel will collectively review all information given when deciding whether or not the priority should be removed, increased or decreased.

All second reviews at 12 months will receive a re-assessment visit, unless one was completed on the first review at six months.

Appeals

Any applicant who is dissatisfied with any decision made by the panel has the right to appeal.

Appeals can be made over the phone, by email or in writing by the applicant, or someone elected on their behalf, within 28 days of the date of their decision letter. They must state why they are unhappy with the decision and if there is any new evidence they feel that the panel should consider. A GP letter or letter of support from another source may also be treated as an appeal.

The appeal will then go back to the panel with the appeal letter and any new evidence, for re-consideration.

If the panel upholds the original decision the applicant will be referred to the Specialist in Community Medicine (SCM) for an independent review of their case. The Head OT will refer all appeal cases on a monthly basis to the SCM and we will attempt to respond with the outcome within 28 days, however this is subject to the availability of the SCM. During times when the SCM is unavailable to hear cases the applications will be sent to an independent OT.

The applicant will be sent a letter of explanation advising them that their case has been referred to the SCM and that they will be notified of the decision in writing. The SCM may request further medical information or an OT assessment before a final decision can be made. The SCM is an independent medical consultant and their decision is final. There is no right of appeal against the decision.

If an applicant feels that they have been dealt with unfairly at any stage of the process they can complain using the WDH complaints procedure.

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