



## Health and Medical Rehousing Policy

### Overall purpose of policy

This policy sets out the qualifying criteria for Health and Medical Rehousing (HMR), and our rights and responsibilities for supporting customers with a physical disability (as defined by the Equality Act 2010) or long-term medical condition that prevents them accessing essential facilities in their home, where there is evidence that moving to a different property type will significantly improve their situation.

### How the policy will be implemented

This policy will be implemented in line with the procedures and criteria detailed in our Health and Medical Rehousing Framework, to fulfil our obligations under the Equality Act 2010, Care Act 2014 and other relevant legislation.

### Performance measures, targets and triggers

We will monitor performance through quality assurance checks and the following targets, to achieve continuous improvement.

In line with industry standards and best practice we will aim to:

- carry out HMR assessments within 28 calendar days from a customer meeting the criteria; and
- carry out accompanied viewings within seven days of receiving the request from Homesearch.

An early review will be triggered where a complaint about our application of this policy is escalated to the Housing Ombudsman.

**Date Approved by CMT:**

12 December 2023

**Date Due for Review:**

12 December 2026

**Responsible Officer:**

Care and Health Manager

# Health and Medical Rehousing Policy

## 1 Statement of intent

- 1.1 This document sets out the responsibilities of our Adaptations Team when supporting qualifying HMR customers, who cannot access essential facilities in their home, to move to a different property type that will significantly and substantially improve their situation.

### Equality Act 2010

- 1.2 The definition of disability, as outlined in the Equality Act 2010, is used to determine the HMR criteria for assessment and will be updated in accordance with any changes in legislation.

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, examples 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.

### Responsibilities

Requirement	Responsible for assessment
Children under 18 Mental Health Homelessness Social reasons Physical reasons - Combination of any of the above	<b>Wakefield Council Housing Needs Service</b> Phone: 01924 304359 Email: housingneedsservice@wakefield.gov.uk.
Physical reasons (Adults over 18)	<b>WDH Adaptations Team</b> Phone: 01977 724420 Email: adaptations@wdh.co.uk

## 2 Outline of service

### HMR customers qualifying criteria

- 2.1 Customers can apply for priority to be rehoused on health and medical grounds (HMR). To qualify as a customer for HMR they must:

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- have a physical disability as defined by the Equality Act 2010 that prevents them from accessing essential facilities within their home;
- have a long-term medical condition that prevents them from accessing essential facilities within their home;
- there must be evidence that a move to a different property type will significantly and substantially improve their situation; and
- be a member of our Homesearch Scheme

They must also:

- be a permanent tenant / identified as a permanent member of the household at their current home;
- have resided in their current home for longer than six months; and
- have a local connection (or be exempt) as defined in our Choice Based Lettings Policy.

### **HMR assessment qualifying criteria**

2.2 We will consider customers for HMR priority if their physical disability or illness has a significant and substantial effect on their functional ability and:

- 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; and / or
- is likely to have an effect for the rest of the customer's life.

Where a customer has fluctuating and / or progressive conditions, we will refer to the Equality Act 2010 for further guidance.

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

**Please see the HMR application and assessment procedure detailed in the Health and Medical Rehousing Framework.**

### **Exclusions**

2.3 The following will be signposted to the local Authority as we do not assess customers who:

- are in hospital and unable to return home;
- are in residential rehabilitation or care;
- have an assessed complex disability that requires specialist accommodation, such as disabled dwelling or purpose-built accommodation;
- are children under the age of 18;
- are assessed as having a moderate to severe learning disability; and / or

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- apply on the grounds of mental health (including where they have both physical and mental health conditions).

HMR applications from customers living outside of the Wakefield district will only be considered if a 'Local Connection' has been established by the Homesearch Team as defined in the Choice Based Lettings Policy. Please see the Health and Medical Rehousing Framework.

- 2.4 Customers whose current home is suitable to their needs, will not meet the criteria for assessment. Their case will be referred to the Health and Medical Rehousing Panel (HMRP) for medical restrictions to be considered, and the type of property required to be added to their Homesearch application.
- 2.5 We will write to customers who do not meet the criteria for assessment, within seven calendar days from receipt of the HM1 form, advising them of the reasons for our decision.

### **Appeals – application and assessment decisions**

- 2.6 Customers who disagree with our decision can appeal in writing or by email within 28 calendar days of the decision letter. Appeals can be made by the customer or a nominated advocate. Where the customer is unable to appeal, due to their disability or vulnerability, assistance will be given. The appeal must detail why the customer feels the HMR criteria has not been followed correctly and provide any new evidence for consideration. A letter from a GP, consultant or other relevant source may be included if appropriate.
- 2.7 Appeals will be reviewed by the Clinical Lead OT, or Adaptations and Wellbeing Manager where required. The customer will be informed of the outcome in writing within eight weeks from receipt of their appeal. Customers who are dissatisfied with the outcome of their appeal, will be advised to seek independent advice.
- 2.8 Where a customer's appeal is unsuccessful, they can reapply for HMR six months after the appeal decision date, or sooner if they can provide medical evidence their medical condition or circumstances have significantly changed since their original application.

### **Health and Medical Rehousing Panel (HMRP) / awarding priority**

- 2.9 Qualifying applications will be referred to the next available HMRP for a HMR priority status determination. In urgent circumstances, we may consider awarding priority banding outside the HMRP but this will be presented, ratified and recorded at the next HMRP meeting. Please see the Health and Medical Rehousing Framework for details.
- 2.10 The HMRP can make the following decisions:
- award Band A - welfare / medical priority (see below);
  - award Band B - medical priority (see below);
  - recommend that any property is offered subject to a void or accompanied viewing with an OT prior to the property being allocated;

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- not award any priority;
- refer for consideration of adaptations or equipment;
- write to consultants or health professionals for more information;
- refer for an OT assessment (this may be an independent OT);
- award medical restrictions or recommendations;
- defer the decision while another agency is consulted for information, for example Wakefield Council Family Services;
- refer to Wakefield Council Housing Needs Service; or
- withdraw the application, where it does not fit the criteria for HMR.

The customer will be informed in writing of the HMRPs decision within seven calendar days.

### **Band A criteria – welfare and medical need**

2.11 Band A will be awarded where the customer has a local connection (or WDH tenants) and if:

- Following assessment, the property is considered very unsuitable for the customer's needs and cannot be adapted, and this results in extreme personal hardship for the customer.
- The customer limited life expectancy and it is reasonable to consider rehousing or their current housing provision does not allow for the customer to be accommodated on the ground floor of the property.
- If it is not reasonable and practicable to adapt the current property, all alternatives have been explored and deemed unsuitable and the customer is unable to access essential facilities such as the toilet, bathroom or bedroom facilities (even with the support of carers and / or equipment).
- We will award additional priority to serving or former members of the regular armed or reserve forces who have a local connection and need to move because of a serious injury, illness or disability which is attributable (wholly or partly) to their service. Please refer to our Choice Based Lettings Policy.

### **Band B criteria – medical priority**

2.12 Band B will be awarded where the customer has a local connection (or WDH tenants) and if:

- the customer is unable to access or use essential facilities, for example toilet and bathroom, (even with the support of carers and / or equipment) without excessive pain and / or substantial difficulty or discomfort; or
- the customer is housebound in their present home and would not be if rehoused.

Please note, we will award additional priority to serving or former members of the regular armed or reserve forces who **do not** have a local connection and need to move because of a serious injury, illness or disability which is attributable (wholly or partly) to their service. Please refer to our Choice Based Lettings Policy.

### **Extenuating circumstances**

- 2.13 In extenuating circumstances recommendations determined by HMRP can be amended by the Adaptations Team, in consultation with Homesearch, Estates and Clinical Lead OT, without the case being referred to HMRP for review. For example, if HMRP recommend a level access property but the customer advises a property with one step to access would meet their needs and the Clinical Lead OT assesses this as appropriate, we can amend the recommendation to allow more choice of suitable properties, enabling rehousing.

### **Periodic checks**

- 2.14 Customers awarded medical priority will be contacted in writing annually, requesting they contact us so a periodic check can be completed, until they are rehoused. Customers who do not respond to the periodic check letter, will have their case returned to the HMRP and this may result in the removal of their medical priority. Please see the Health and Medical Rehousing Framework for further information.

### **HMRP reviews**

- 2.15 Customers who are dissatisfied with a HMRP decision, can request a review. Review requests must be made in writing or by email, by the customer or nominated advocate, within 21 calendar days from the date of the decision letter. Where the customer is unable to appeal, due to their disability or vulnerability, assistance will be given. The customer must detail why they believe the decision reached by HMRP is incorrect and they should provide any new or additional medical evidence they want to be considered. This could include a letter from a GP, consultant or other relevant source.
- 2.16 Review requests received outside the 28 calendar day timescale will only be considered if there are exceptional circumstances, and each case will be decided on its merits.
- 2.17 Customers can ask us to defer the review request deadline for a maximum of 28 calendar days, to allow them to provide any further supporting medical information / evidence not already known to the HMRP.
- 2.18 Review requests will be referred to the next available HMRP along with any supporting evidence provided. HMRP will review the original decision and decide what action to take. The customer will be sent a review decision letter advising of the HMRPs outcome and this will detail the next steps.

- 2.19 If the HMRP uphold their original decision, the case will be referred to the Independent Medical Consultant (IMC) for an independent review. Cases are referred to the IMC on a monthly basis and, once we receive their decision, we will write to the customer within seven calendar days to notify them of the outcome. If the IMC is unavailable to hear cases, the review will be sent to an independent, external OT for consideration. The IMCs decision may be delayed when they are awaiting information being provided to them.
- 2.20 The decision of the IMC is final. The customer will be advised to seek independent advice if they remain dissatisfied with the decision about their application for rehousing on health and medical grounds.
- 2.21 The customer is eligible to reapply for HMR six months after the IMC decision date, or sooner if they can provide supporting medical evidence that demonstrates their medical condition or circumstances have significantly changed.
- 2.22 Where a customer is dissatisfied with the outcome of their review, they should seek independent advice. We are unable to consider complaints about the outcome of a review, in line with Section 2.6 of our Complaints Policy. Customers can complain about our failure to apply this policy. Further information can be found in our Complaints Policy.

### **Complex cases**

- 2.23 Our priority is to maintain the health and safety of our customers and employees. Where extenuating circumstances exist, we may operate outside this policy and supporting framework to meet the needs of our customers, for example, when:
- risk to the patient or caregiver is extreme; or
  - operating during a pandemic, crisis or emergency.

Any decision to work outside this policy and supporting framework must be authorised by the relevant service manager/s and partner agencies, for example, Wakefield Council. Please see the Health and Medical Rehousing Framework – Complex Cases form.

## **3 Specific needs**

- 3.1 We will take into account the specific needs of all employees, customers and other stakeholders which may arise in line with this policy. These needs relate to taking account of all differences, whatever they maybe. We will particularly promote equality and inclusiveness, in line with our Equality, Diversity and Inclusion Policy, based on the nine protected characteristics. During the review and development of this policy an equality assessment has been completed to consider those with protected characteristic and mitigate any impact on them from delivery of this policy.

## 4 Consultation

### Internal

- 4.1 This policy has been circulated to relevant WDH3 managers and teams for comment, during development.

### External

- 4.2 Wakefield Council Housing Needs Service have been consulted on this policy.

## 5 Responsibility for implementation

- 5.1 Our Board and Chief Executive are responsible for ensuring that this policy is implemented.
- 5.2 Under the delegated authority contained within our [Standing Orders](#) it is the responsibility of all employees and those working on our behalf to ensure that their work is carried out in line with this policy and any related procedures.
- 5.3 We are committed to the highest standards of customer care and will apply this policy in line with the standards published in our Customer Charter Standards. If customers are dissatisfied with the service they have received or with the application of this policy, they should refer to our Complaints Policy.

## 6 Monitoring

- 6.1 Monitoring will be achieved through the corporate planning cycle.
- 6.2 Where relevant information is available, we will benchmark our performance against other organisations to ensure the highest standards of service delivery.

## 7 Review

- 7.1 We will undertake a review of this policy whenever there are any relevant changes to legislation, regulatory requirements, case law or good practice that would impact on this policy or in the light of any required service improvements identified through internal audits, service reviews, learning from complaints or regulatory judgements. Considerations will also be made where performance against the policy's measures and targets meet or are forecasted to hit the triggers identified.
- 7.2 We will regularly review service provision and will undertake reviews, when appropriate, to ensure continuous improvements and value for money in the delivery of our services.
- 7.3 Our Board and / or the Corporate Management Team will be responsible for ensuring that reviews of this policy are carried out and that the policy contributes to, and complements, our strategic objectives.

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- 7.4 In carrying out any such review account will be taken of our commitment to diversity and inclusion. For further information please refer to our Equality, Diversity and Inclusion Policy.

## **8 Risk**

- 8.1 The potential risks relating to this policy have been identified and are being managed in line with our Risk Management Policy.

CS3 - Increased tenancy failure as a result of inadequate support arrangements for tenants.

CS4 - Not having homes of the right quality in the right location to meet customer expectations.

## **9 Legislation and other documents**

- 9.1 We will ensure that this policy complies with all relevant legislation and takes account of current best practice.
- Equality Act 2010.
  - Care Act 2014.
  - Health and Medical Rehousing Framework.
  - Choice Based Lettings Policy.