

Crawley Borough Council

Report to Overview and Scrutiny Commission 8 January 2018

Report to Cabinet 10 January 2018

Disabled Facilities Grant Policy

Report of the Head of Strategic Housing & Planning Services – **SHAPS/67**

1. Purpose

- 1.1 A County wide project is underway to investigate more innovative ways of delivering Disabled Facilities Grants to better facilitate improving the health and well-being of people with disabilities and the make more use of additional resources becoming available.
- 1.2 This report seeks approval to adopt a more flexible approach which has been developed in partnership with West Sussex County Council and all the West Sussex Districts and Boroughs in using the Better Care Funding to enable people to live more independently within their own home.

2. Recommendations

- 2.1 To the Overview and Scrutiny Commission (*if required*):

That the Commission consider the report and decide what comments, if any, it wishes to submit to the Cabinet.

- 2.2 To the Cabinet

- 2.2.1 The Cabinet is recommended to:

- a) Approve the Policy approach set out in Section 6.2 of the Report
- b) To delegate authority to the Head of Strategic Housing & Planning Services, in consultation with the Cabinet Member for Housing to make any further amendments to the Policy required in response to the cross-county project outcomes.

3. Reasons for the Recommendations

- 3.1 To continue to respond in the most effective way to the needs of people with disabilities in enabling them to remain living well and independently in their own homes.
- 3.2 To make the most effective use of increased funding opportunities provided through the Better Care Fund for Crawley residents.

4. Background

- 4.1 The Council is under a duty under The Housing Grants, Construction and Regeneration Act 1996 to provide Disabled Facilities Grants (DFGs) to assist people living in private sector housing to remain independent in their own home. These grants are not dependent on tenure and are available for owner-occupiers and for private and social rented properties excluding local authority owned stock.
- 4.2 These are a means tested grant for those over 18 while under 18s are eligible for a full grant. A national maximum cap of £30,000 is applied to grants for more significant adaptations such as structural works and property extensions but the majority of adaptations are for more minor works such as level access showers, ramps and stairlifts. Works must be necessary and appropriate to meet individual needs. This assessment is carried out by the West Sussex County Council (WSSCC) Occupational Therapist service. Works must also be reasonable and practicable depending on the age and condition of the property.
- 4.3 DFGs are funded through the Better Care Fund administered by upper tier authorities (i.e. WSSCC) and allocated on perceived need. Guidance for the administration of the Better Care Fund indicates that local authorities should think strategically about the application of funding and take a joined-up approach to improving outcomes across health, social care and housing.
- 4.4 In 2016 WSSCC in partnership with all West Sussex Districts and Boroughs agreed to explore options to improve the DFG process. The project work involved reviewing the DFG delivery process with the aim of developing a single approach that can be adopted across West Sussex and enable maximum take-up of increased funding becoming available to the benefit of local residents.
- 4.5 The project work, coupled with the recent increase in available funding identified scope to use powers contained in the Regulatory Reform (Housing Assistance) Order 2002 to provide discretionary DFG assistance and the necessary approval process to adopt this approach is being implemented across West Sussex.

5. Description of Issue to be resolved

- 5.1 Informed by a cross-county project, approval to implement discretionary DFG assistance is being put in place across West Sussex.
- 5.2 This will enable a more flexible approach in supporting private sector residents with disabilities to live well and independently within their own homes.
- 5.3 The increased funding now available for DFGs enables a more strategic and flexible approach in meeting needs but requires each District and Borough across West Sussex to formally approve discretionary DFG assistance. The Council therefore needs to formally adopt this approach to ensure Crawley residents can benefit from these new flexibilities.

6. Information & Analysis Supporting Recommendation

- 6.1 The proposed Policy approach set out in Section 6.2 below has been developed in partnership with WSSCC and all West Sussex District and Boroughs and is informed by the project work undertaken to date.

6.2 Supplementing the existing mandatory DFG regime with the flexibilities detailed in the Table below will ensure the Council's approach remains consistent with the other West Sussex District and Boroughs.

Description	Conditions and narrative	Subject to Means Test	Amount Available	Reasoning and rationale behind working group's decisions
<p>Extended warrantees</p> <p>For all adaptations which require electrical installations such as through-floor lifts, stair lifts, etc.</p>	<p>To be provided for all adaptations regardless of tenure.</p> <p>Some Registered Housing Providers (RHP) take on responsibility for servicing and repairs once the standard 1 year warrantee expires and therefore extended warrantees will not be offered in these circumstances.</p> <p>Minimum 5 year warrantee with the option of extending at the end of the period.</p>	Yes	Within the current maximum DFG £30,000	<p>Gives families peace of mind and timely / stress free assistance if the adaptation should break down.</p> <p>Allows people to live well in their home for as long as possible.</p> <p>Helps to reduce repeat DFG applications for repair or replacement of adaptations.</p> <p>Consideration to be given to how customer can be supported once the warrantee expires.</p>
<p>Reduction in number of quotes</p> <p>Aim to use 1 quote where appropriate for common, simple adaptations such as stairlifts, ramps and lifts.</p>	<p>Two or more quotes to be sought for adaptations where a single contractor is carrying out work or multiple works expected to total over £10,000.</p>	Yes	N/A	<p>Reduce applicant waiting time for straight forward adaptations which can be completed quicker.</p> <p>Grant officers to use professional judgement and discretion.</p>
<p>Referrals from privately practicing Occupational Therapists</p>	<p>Mandatory DFG legislation states that Councils must consult social services.</p> <p>Standard letter to be used. Council to proceed with DFG if no response from the social services authority within 14 days.</p> <p>Letters to be sent by Council to Senior Practitioner OT at locality offices, not to Adult Care</p>	Yes	Up to current maximum DFG £30,000	<p>Customer has choice as to whether to appoint a private OT.</p> <p>Timely option for simple adaptations as not subject to social services authority waiting times.</p>

	Point 2 (ACP2). Applicants must give consent for their personal details and the recommendation to be shared with WSCC as the social services authority.			
Direct Referrals WSCC to make direct referrals to Councils for adaptation via DFG if identified at initial assessment stage	Currently, ACP2 carry out initial assessments over the telephone with customers. If a shower or stairlift is indicated and the person does not have complex medical conditions, the referral will be made directly to the Council to proceed with the DFG. A standard referral form will be used by WSCC using an existing IT case management system. The adaptation to be reviewed by a WSCC OT/A once complete and any other needs addressed.	Yes	Up to current maximum DFG £30,000	Reduces waiting time for straight forward adaptations. Good relationships exist between WSCC and District and Boroughs which ensure that advice can be sought at any time throughout the process. Similarly, review of adaptation to be carried out once complete by OT/A. Grant officers are generally skilled and experienced in planning for simple shower adaptations. Contractors can recommend specific stairlifts to meet simple needs.

6.3 In addition to the proposed changes to mandatory DFGs as outlined, the proposal also includes to the adoption of 9 Discretionary DFGs as outlined in the table below. As before, the following proposals will only be considered for people who are eligible for a DFG (with the exception of Hospital Discharge Grants) and on the condition that the adaptation has been assessed as being necessary, appropriate, reasonable and practicable and supported by a WSCC Occupational Therapist (OT) or OT Assistant (OTA) under the supervision of a registered OT.

Description	Eligibility criteria & conditions	Subject to means test	Amount available	Reasoning and rationale behind working group's decisions
Partial waiver of contribution following means test	Eligible for DFG Assists every applicant with a contribution regardless of tenure.	Yes	Maximum waiver of first £5,000 of assessed contribution.	Most benefit will be for families in work but on a low income, those who have little to no disposable income or those paying off debt or with a poor credit history. Likelihood that this will help most people with smaller contributions to access necessary

				adaptations.
Help with assessed contribution following means test.	<p>Based on WSCC “Financial Statement for Funding Towards Home Adaptations”.</p> <p>In cases where there is particular difficulty paying an assessed contribution, applicants will be given the opportunity to complete a financial statement of their income and outgoings which will be considered by the Council.</p> <p>Offered on a case by case basis at the discretion of the Council.</p>	Yes - first £5000 of contribution to be waived	No maximum	<p>Takes outgoings, debt repayments etc. into consideration and offered on a discretionary basis.</p> <p>Reduces risk of customer not proceeding with necessary adaptations because they cannot afford the assessed contribution.</p> <p>Single, timely and less complicated system for customers.</p>
<p>Funding in excess of current maximum mandatory grant of £30,000</p> <p>(replaces current Top Up process)</p>	<p>Eligible for the DFG and considered on a case by case basis</p> <p>A charge for the full amount will be placed on owner occupied property for a 10 year period</p> <p>Charges will not apply to Registered Housing Provider (RHP) or privately rented property. (This approach is consistent with the DFG Land Charge powers that were introduced in 2008).</p> <p>Condition that RHPs register the property as being adapted and offer it to other families in need of the adaptations, should the property become vacant.</p> <p>Councils to seek permission from members to offer further funding, on a case by case basis should total cost of works exceed £60,000</p>	Yes - first £5000 of contribution to be waived	Up to a maximum of £30,000 (total of £60,000)	<p>Single, timely and less complicated system for customers.</p> <p>Major adaptations which have been identified as essential to meet the disabled person and their family’s needs & once all other options (such as moving) have been considered.</p> <p>Good collaboration between Councils to ensure money is spent appropriately.</p>

<p>Relocation Grant</p> <p>To support people when moving to more suitable accommodation is preferable to adaptations.</p>	<p>Eligible for DFG</p> <p>Available to owner occupiers and private tenants where it is not reasonable or practicable to adapt the property to meet the disabled person's assessed needs.</p> <p>Conditions:</p> <ul style="list-style-type: none"> - The proposed property must be confirmed as suitable by the Private Sector Housing Team and be assessed to meet the needs (or more easily adaptable to do so) of the disabled person by the social services authority OT. - Owner occupiers to commit to remain in the property for five years (not applicable for private tenants) 	<p>Yes - first £5000 of contribution to be waived</p>	<p>Maximum of £10,000 to cover costs arising from the following: estate agents fees (max 1.5% of property value), stamp duty (max £7,500), solicitors fees, valuation fees, mortgage arrangement fees, removal costs, necessary utility and service set up costs. Minor adaptations to enhance the property's suitability.</p>	<p>Assists disabled and vulnerable people to move to more suitable accommodation particularly where adaptations cannot be carried out or the property is over occupied.</p>
<p>Hospital Discharge Grants</p> <p>Support all vulnerable or disabled people being discharged from hospital</p>	<p>Available to all vulnerable or disabled people needing to be discharged from hospital, regardless of tenure.</p> <p>Conditions:-</p> <ul style="list-style-type: none"> - Referrals accepted from adult social care or hospital OT / physiotherapists , rehabilitation/intermediate care teams, discharge coordinator, or Patient Advice and Liaison Service (PALS) - Excludes packages of care funded by NHS continuing healthcare - Works to include but not restricted to: property clearance, deep 	<p>No</p>	<p>Maximum of £3000 (negotiable on a case by case basis dependent on type of works required)</p>	<p>Reduce delayed transfers of care where home is not suitable for discharge home from hospital.</p> <p>Reduce re-admissions to hospital.</p> <p>Acknowledges that inappropriate housing puts health and wellbeing at risk.</p>

	cleaning, urgent home repairs, removal of hazards, repair of heating systems, and provision of emergency heating.			
<p>DFG Fees Grant</p> <p>Available when DFG does not proceed but preparatory work has been carried out</p>	<p>Eligible for DFG.</p> <p>To cover reasonable professional fees and associated charges such as private OT fees where engaged to advise on what works are required and specialist technical e.g. Structural Engineer fees, surveyor fees or similar to determine if a DFG project is feasible.</p>	<p>Yes (including children's cases)</p> <p>First £5000 of contribution to be waived</p>	<p>Maximum of £2,000</p>	<p>Encourages local surveyors / engineers to work with Councils.</p> <p>Encourages improved schemes to be considered, so better outcome for the disabled person.</p> <p>Does not financially disadvantage the disabled person if works cannot proceed.</p> <p>Single, less complicated system for customers.</p>
<p>Safe and warm homes grant.</p> <p>Assists disabled & vulnerable people, including those with dementia or a visual impairment to make changes which supports them to live in their own home with reduced risk and for longer.</p> <p>To help low income home owners and private tenants to quickly access financial assistance for a wide range of minor adaptations and repairs to reduce risks of accidents in the home</p>	<p>Eligible for DFG. For all disabled people regardless of tenure.</p> <p>Referrals accepted from WSCC OT/A, adult social care or hospital teams, hospital based OTs, advocates, voluntary and community sector.</p> <p>Excludes care packages</p> <p>Includes:- Repairs to all disabled equipment (excluding equipment provided by the West Sussex Community Equipment Service (CES))</p> <p>Minor equipment and adaptations where CES cannot provide assistance.</p> <p>Repairs to boilers and other heating systems.</p>	<p>Yes - first £5000 of contribution to be waived</p>	<p>Normally maximum of £5000</p> <p>Negotiable on a case by case basis dependent on type of works required. If works cost over £5000 then means test will be applied but first £5000 contribution will be waived.</p>	<p>Enables necessary works including repairs which have a direct positive impact on a disabled person's health.</p> <p>To help low income home owners and private tenants to quickly access financial assistance for a wide range of minor adaptations and repairs.</p> <p>To reduce risks of accidents in the home.</p>

<p>Council Tax Reduction to be considered a DFG passport benefit</p>	<p>Eligible for DFG. Treat Council Tax Reduction as a passport benefit under a Discretionary DFG scheme.</p>	<p>No– applicants in receipt of this benefit will not be means tested.</p>	<p>Normally up to a maximum of £30,000</p>	<p>Anticipated to help the small number of people in sole receipt of this benefit to access necessary adaptations.</p>
<p>Tech Grant Technology enabled care e.g. life line, fall detectors, key safes – for purchasing equipment and monthly fee to connect with call centre (if required)</p>	<p>Eligible for DFG. Available to all disabled applicants regardless of tenure. For a period up to 5 years This assistance will only be available in cases where there is particular difficulty paying the monthly rental charges, applicants will be given the opportunity to complete a financial statement of their income and outgoings which will be considered by the Council. Based on WSCC “Financial Statement for Funding Towards Home Adaptations” Offered on a case by case basis at the discretion of the Council.</p>	<p>Yes</p>	<p>Maximum of £3000</p>	<p>Supports a technology based approach to keeping people safe and well in their homes.</p>

6.4 Given the dynamic nature of this work adjustments to this approach may be required as it is rolled out across the county. Approval is therefore sought for authority to be delegated to the Head of Strategic Housing and Planning Services, in consultation with the Cabinet Member for Housing, to make such amendments as may be required to ensure that Crawley residents continue to derive maximum benefit from funding flexibilities.

6.5 These proposals are borough wide and are supported by the Cabinet Member for Housing.

7. Implications

7.1 There are no direct financial implications for the Council as the funding for the proposed discretionary assistance will be through the Better Care Fund. Availability of all discretionary DFG assistance will be dependent on sufficient funding remaining available to enable the Council to provide mandatory DFGs.

- 7.2 The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 gives Councils power to give discretionary assistance in addition to mandatory DFGs. The Order provides that the power to provide assistance is not exercisable until the Authority has adopted and published a Policy relating to the exercise of the power and the power must be exercised in accordance with Policy.
- 7.3 Whilst it is possible to meet any additional administrative or staffing resource implications associated with these proposals from the capital grant funding, it is anticipated that the efficiencies delivered through the project work will enable these to be absorbed.
- 7.4 The Council has a public sector equality duty under the Equality Act (2010) to have due regard to the need to:
- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act
 - Advance equality of opportunity for those with „protected characteristics“ and those without them
 - Foster good relations between those with „protected characteristics“ and those without them.
- 7.5 The protected characteristics are: age, disability, gender reassignment, pregnancy/maternity, race, religion/faith, sex and sexual orientation. The proposed changes will not have a negative impact on those people with protected characteristics.

8. Background Papers

None

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