

## Agenda Item 6

<b>Cabinet Member</b>	Councillor Patricia Wiltshire
<b>Strategic Leadership Team Lead Officer</b>	Jack Straw – Executive Head of Service, Place and Environment
<b>Author</b>	Nicky Thomas – Team Leader, Residential and Environment, Environmental Health
<b>Telephone</b>	01306 879124
<b>Email</b>	<a href="mailto:Nicky.thomas@molevalley.gov.uk">Nicky.thomas@molevalley.gov.uk</a>
<b>Date</b>	30 October 2018
<b>Ward (s) affected</b>	All
<b>Key Decision</b>	No

<b>Subject</b>	Financial Assistance Policy for Disabled Facilities Adaptations and Private Housing Improvement
<b>Recommendation</b>	
1. Cabinet approves and adopts the Financial Assistance Policy for Disabled Facilities Adaptations and Private Housing Improvement.	

<b>Executive Summary</b>
<p>Since 1990 local housing authorities (LHAs) have had a statutory duty to provide help with adaptations through the provision of Disabled Facilities Grants (DFGs), assisting vulnerable people to carry out essential adaptations to their homes, subject to qualifying conditions.</p> <p>The legislative framework governing DFGs is the Housing Grants, Construction and Regeneration Act 1996.</p> <p>The Council's obligations and powers extend beyond the provision of DFGs. The Regulatory Reform Order 2002 provided powers for LHAs to provide discretionary financial assistance for vulnerable and elderly residents, to carry out essential repairs and home improvements, to keep their home environment safe and also to provide advice about other support services.</p> <p>The Order states that before the powers contained within it can be used; the authority must formally adopt and publish a policy on how it intends to use them.</p> <p>The Financial Assistance Policy for Disabled Facilities Adaptations and Private Housing Improvement (the Policy) which is brought before you for consideration replaces the earlier Housing Assistance Policy 2014-15. Whilst the Council's obligation has not changed, the types of discretionary grant that are now offered have been reviewed and the Policy updated to reflect this.</p> <p>The policy sets out the statutory assistance we provide as DFGs and also the discretionary assistance that the Council offers and also the conditions that apply to each.</p> <p>The overall aims and objectives of the Policy are to:</p> <ul style="list-style-type: none"> <li>• support the adaptation of disabled people's homes to enable them to live independently in their own homes for longer</li> <li>• assist residents to achieve early discharge from hospital to minimise bed blocking and support health outcomes and recovery from illness.</li> <li>• provide subsidised home repairs through a Handy Person Service to enable residents to maintain a safe and secure home environment.</li> </ul>

## **The Cabinet has the authority to determine the Recommendations**

### **Corporate Priority**

#### **Environment**

##### **A highly attractive area with housing that meets local need**

- The provision of Disabled Facilities Grants, which are administered by the Council and delivered through the Home Improvement Agency, enables people with disabilities to adapt their homes to improve access in and around the home and enable them to continue to live independently in their own home.

### **Community Wellbeing**

#### **Active communities and support for those who need it**

- The financial assistance provided to enable small home improvements to be made to make homes safe for people to return home from hospital helps to achieve early discharge from hospital, supports health outcomes and minimises bed blocking.
- The home assistance and repair service provided by the Handy Person Scheme enables residents to undertake essential repairs and improvements to their homes, improving opportunities for residents to live safe and healthy lives.
- The additional advice and signposting to support services which is supplied to residents through the Home Improvement Agency provides support to vulnerable and elderly people.

## **1.0 Background**

- 1.1 Since 1990 local housing authorities (LHAs) have had a statutory duty to provide help with adaptations through the provision of Disabled Facilities Grants (DFGs), assisting vulnerable people to carry out essential adaptations to their homes, subject to qualifying conditions.

The legislative framework governing DFGs is the Housing Grants, Construction and Regeneration Act 1996.

Examples of adaptations include:

- providing ramps, widening external/internal doors, shallow steps;
- adapting, or providing, suitable washing/ bathing/showering/toilet facilities;
- ensuring the disabled person can move around and access parts of the home so they can look after someone else;
- facilitating the preparation of food and cooking in the kitchen;
- installing a stair lift or a 'through the floor' lift; and
- providing access to gardens.

- 1.2 The Council's obligations and powers extend beyond the provision of DFGs. The Regulatory Reform Order 2002 provided powers for LHAs to provide discretionary financial assistance and grants for vulnerable and elderly residents to carry out essential repairs and home improvements to keep their home environment safe and also to provide advice about other support services available. The Order also states that before the powers contained within it can be used, the authority must formally adopt and

publish a policy on how it intends to use them. The current policy is outdated and following a full review, a new policy is brought before you for consideration.

- 1.3 The delivery of DFGs, the broader support with making applications, signposting to other support services and the provision of a Handy Person Service is provided through an external Home Improvement Agency (HIA). The contract with the current provider of this service has expired and the Council is currently undertaking a joint procurement exercise to award a new contract for provision of this service. (More detail on the procurement process is provided in a separate report.)
- 1.4 There are revenue and capital elements of funding for the service. MVDC receives capital funding annually from the Ministry of Housing, Communities and Local Government for the provision of this service. We also receive revenue funding from SCC and the Local Joint Commissioning Groups towards the cost of delivery of the service.

## **2.0 The Policy**

- 2.1 The Regulatory Reform Order 2002 (the Order) provides authorities with flexibility in devising a policy to assist residents where it can, in dealing with poor condition housing, both in terms of the policy tools available to them and in terms of working in partnership with others. The Order also states that before the powers contained within it can be used, the authority must adopt and publish a policy on how it intends to use them.
- 2.2 The Financial Assistance Policy for Disabled Facilities Adaptations and Private Housing Improvement 2018 (the Policy), which is brought before you, replaces the earlier Housing Assistance Policy 2014-15. Whilst the Council's obligation to provide DFGs has not changed, the types of discretionary grant that are now offered have been updated.
- 2.3 The policy sets out the statutory assistance provided through DFGs and also the discretionary assistance and grants that the Council offers. The discretionary grants are limited by the availability of funding. If all of the capital allocation is required to fund mandatory DFG grants, then unfortunately, the Council will not be able to provide the discretionary assistance. The financial commitment to DFGs is very closely monitored, by the Environmental Health Team, through the grant approval process.
- 2.4 The Policy reflects recent steer from Surrey County Council (SCC) about the types of assistance that best meet the needs of the community and is now in line with the grants offered by the other Surrey districts. It provides information about the types of financial assistance available and the conditions that apply to the approval of each type of financial assistance.
- 2.5 It will be reviewed annually to reflect the funding available, ensure the information provided is current, and incorporate any new advice from SCC and the local Clinical Commissioning Groups on the types of assistance which will best support those residents needing assistance.
- 2.6 The Policy will support working with partners to deliver the right services to our residents to reflect an integrated approach to health, social care and housing. The overall aims and objectives of the Policy are to:
  - support the adaptation of disabled people's homes to enable them to live independently in their own homes for longer and ensure their homes are suitable for their needs
  - assist Mole Valley residents to achieve early discharge from hospital back to their homes, to minimise bed blocking and support health outcomes and recovery from illness.
  - provide subsidised home repairs through a Handy Person Service to enable residents to maintain a safe and secure home environment.

### **3.0 Disabled Facilities Grants (DFGs)**

- 3.1 DFGs are a mandatory grant, provided to those who are eligible, to undertake works to their home to provide access to personal bathing facilities, sleeping accommodation and also access into and around the home. The assessment of the type of adaptation a person needs is carried out by an Occupational Therapist (OT) who takes into consideration a person's medical condition and any restrictions they have to moving about the home and performing everyday functions. Examples of the types of adaptations that may be funded through a DFG include:
- > providing ramps, widening external/internal doors, providing shallow steps;
  - > adapting, or providing, suitable washing/ bathing/showering/toilet facilities;
  - > facilitating the preparation of food and cooking in the kitchen;
  - > installing a stair lift or a 'through the floor' lift; and
  - > providing access to gardens.
- 3.2 An adaptation could require just the provision of a ramp, to provide access for a wheelchair user to their front door, and some door widening inside the home. However some disabled people require more complex adaptations, one example being a disabled child who shares a bedroom with a sibling on the first floor of their home. If they were unable to climb the stairs and unable to bathe or shower themselves and needed care during the night, an adaptation to meet their needs may be best provided by building a small extension to provide a ground floor bedroom with an adjacent shower room, fitted with a level access shower, low level toilet and ceiling track hoists to assist the parent with moving the child from their bed to the shower room.
- 3.3 The maximum grant per application is capped at £30,000. This grant is available only for certain eligible works that are deemed necessary and appropriate by the OT and reasonable and practicable by the authority. The eligibility criteria, scope of the works, capping of the grant and general requirements governing DFGs are all prescribed by the Government and the Council is unable to deviate from these requirements
- 3.4 All applicants, except parents who are applying for a grant to carry out adaptations for their disabled children, undergo a financial means test to assess whether they are required to make a contribution towards the cost of the works. The means test involves collecting information about the family income, benefits, investments and shares and calculating whether the applicant needs to make a contribution towards the cost of the works. The applicant is fully supported through this process by a case worker who visits them in their home and where necessary helps with completing the application form and collating the financial information required for the assessment.
- 3.5 The Council is required to administer DFGs to all eligible applicants irrespective of their tenure. The only exception being council owned housing and since Mole Valley no longer owns stock this is not of relevance in this report. Applicants who live in properties owned by Housing Associations (HAs) are also eligible for DFGs and although there is no requirement for HAs to contribute to the cost of adaptations the Council aims to work collaboratively with them, where possible, to contribute towards adaptations within social housing.

## **4.0 Discretionary Grants and Assistance**

### **4.1 Discretionary Disabled Facilities Grant Top-Up**

In some cases the extent of the aids and adaptation required for a disabled applicant is extensive. The total cost of the work may exceed the amount available under the DFG regime. In these cases applicants are not usually able to fund the additional works themselves. They may apply for funding from SCC or, where they are a tenant in a property owned by a housing association, they may obtain some assistance from the housing association. However, funding is not always forthcoming from these sources, or when it is, additional funding may still be needed for the full adaptation works. Where all other sources have been exhausted, the Council may consider the offer of a discretionary grant to provide the necessary top-up funds. The discretionary top-up grant will be capped at a maximum of £15,000. Each application will be assessed on a case by case basis and will be subject to funds being available.

### **4.2 Assistance to Facilitate Hospital Discharge**

This grant is available to fund essential aids or minor works required to enable a patient to return home from hospital. The maximum grant available is £3000. The availability of this discretionary grant helps to minimise bed blocking and supports health outcomes and recovery from illness.

### **4.3 Handyperson Service**

The Council, through the HIA, provides a dedicated service for elderly and disabled residents who need extra help to undertake repairs to their homes. The HIA offers the low-cost Handy Person Service for elderly and disabled residents to undertake minor works of home repair and home safety such as:

- minor plumbing or electrical repairs
- fitting window locks or new door locks
- installing smoke or carbon monoxide alarms
- fitting grab rails or banisters, and
- installing key safes.

## **5.0 Financial Implications**

5.1 There are revenue and capital elements of funding for the service provision set out in the Policy. Both elements are authorised by the Executive Head of Service for Place and Environment.

5.2 MVDC receives capital funding annually from the Ministry of Housing, Communities and Local Government for the provision of this essential service. The funding is provided through the Better Care Fund which is allocated through SCC. The capital allocation funds the actual DFG works, the fees paid to the HIA service provider and other services required to ensure the smooth delivery of the service. The following capital funding was awarded for the last two years:

£736,645 for 2017/18

£724,313 for 2018/19

5.3 The Council also receives revenue funding for the delivery of the HIA and HPS. SCC provides the funding for the delivery of the HIA and the Local Joint Commissioning Groups provide the funding for the HPS. In 2017/18 revenue funding received was:

HIA £56,068

HPS £23,517

Surrey County Council's revenue funding for the HIA was reduced by 25% in 2018/19 to £42,051. However, the savings that are expected to be achieved through the re-procurement of the service will meet this shortfall.

- 5.4 An element of revenue resource, for the administration of the services, performance monitoring and contract management, is subsumed within the Environmental Health Team.

## **6.0 Legal Implications**

- 6.1 The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (RRO) states that before the powers contained with it can be used to provide grants and loans to private owners to repair, improve or adapt their property, the Council must first adopt a policy for the provision of such assistance which sets out how it intends to use its powers to provide assistance to its residents. In addition the Council is required to give public notice of adoption of the policy, have a full copy of the policy available for inspection, free of charge and make arrangements that summary of the policy may be obtained by post.
- 6.2 In addition to the above, the Order requires the council to ensure that recipients have received appropriate advice or information on any obligations arising from the assistance. This applies whether the local authority is providing the assistance directly or through third parties.

## **7.0 Options**

### ***Option 1 – Recommended***

*Cabinet approves and formally adopts the Policy to enable the provision of financial assistance for the provision of grants and other support services to disabled, vulnerable or elderly Mole Valley residents.*

### ***Option 2***

*Cabinet does not approve and adopt the Policy.*

### **Corporate Implications**

#### **Monitoring Officer commentary**

The Monitoring Officer is satisfied that all relevant legal implications have been taken into account.

**S151 Officer Commentary** – Financial assistance is provided in the form of a grant by the Ministry of Housing, Communities and Local Government (MHCLG) via Surrey County Council. Mole Valley District Council provides a staff resource to administer and monitor the Disabled Facilities Grant scheme.

### **Risk Implications**

#### ***Option 1 – Recommended***

*Cabinet approves and formally adopts the Policy to enable the provision of financial assistance for the provision of grants and other support services to disabled, vulnerable or elderly Mole Valley residents.*

Risks - Priority for the use of the capital funding is for the delivery of the mandatory DFG grants. There is a risk that the funding allocated for the provision of the grants set out in this Policy will not be sufficient to meet all the requests for discretionary grants.

Opportunities - The Policy enables the Council to utilise its powers under the RRO to provide discretionary funding to those residents who most need it to make their

homes accessible and safe.

## **Option 2**

*Cabinet does not approve and adopt the Policy.*

Risks – If the Council does not adopt the Policy and continues to provide financial assistance in the form of grants, the Council will be failing to make use of the provisions contained in the RRO and removes the option to provide discretionary funding to those residents who most need it to make their homes accessible and safe.

Opportunities – There are no opportunities identified for this option.

## **Equalities Implications**

It is considered that there are no equality implications for the Cabinet to consider in respect of the amended policy.

## **Employment Issues**

It is considered that there is no employment issues associated with this report.

## **Sustainability Issues**

It is considered that there is no sustainability issues associated with this report.

## **Consultation**

A report was considered by the Scrutiny Committee on 16 October 2018. There is no requirement to undertake stakeholder or public consultation with regard to this report.

## **Communications**

Following adoption of the Policy, a notice will be placed on the MVDC website to inform the public that this Policy is in force and a copy of the full Policy will be available to the public for free at the council offices and on the website.

## **Appendices**

- Financial Assistance Policy for Disabled Facilities Adaptations and Private Housing Improvement

