

<b>Subject:</b>	Disabled Facilities Grant Policy 2018/19	<b>Status:</b>	For Publication
<b>Report to:</b>	Cabinet	<b>Date:</b>	12 <sup>th</sup> September 2018
<b>Report of:</b>	Director of Communities	<b>Portfolio Holder:</b>	Health, Housing, Communities and Customer Service
<b>Key Decision:</b>	<input checked="" type="checkbox"/> Forward Plan <input checked="" type="checkbox"/>	General Exception <input type="checkbox"/>	Special Urgency <input type="checkbox"/>
<b>Equality Impact Assessment:</b>	Required:	Initial EIA only	Attached: Yes
<b>Biodiversity Impact Assessment</b>	Required:	No	Attached: No
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<b>1.</b>	<b>RECOMMENDATIONS</b>
1.1	The Cabinet approve the new Disabled Facilities Grant Policy, along with the appendices.
1.2	All future minor amendments to the Disable Facilities Grant Policy 2018/19 to be delegated to the Director of Communities in consultation with the Portfolio Holder.

## 2. PURPOSE OF REPORT

- 2.1 To propose a new Disabled Facilities Grant Policy which seeks to adopt new flexibilities to allow more effective use of Better Care Fund by utilising discretionary powers under the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002.

## 3. CORPORATE PRIORITIES

- 3.1 The matters discussed in this report impact directly on the following corporate priority:
- **A proud, healthy and vibrant Rossendale:** our priority is to ensure that we are creating and maintaining a healthy and vibrant place for people to live and visit.

## 4. RISK ASSESSMENT IMPLICATIONS

- 4.1 There are no specific risk issues for members to consider arising from this report.

## 5. BACKGROUND AND OPTIONS

- 5.1 The primary aim of Disabled Facilities Grants (DFGs) is to provide aids and adaptations to enable people with disabilities to live independently and safely in their own homes. DFGs are tenure blind, and after receiving a referral from Lancashire County Council's Occupational Therapist service, the Council has a duty to facilitate necessary adaptations if it is 'reasonable and practical' to do so.
- 5.2 Currently the Council only facilitates mandatory DFGs as set out in the Housing Grants, Construction and Regeneration Act 1996 and subsequent regulations. For mandatory DFGs If the person with a disability is aged 19 or over there is a means test to determine whether a contribution is needed based on the household's income and savings. Households who are in receipt of means tested benefits automatically pass the means test, however the means test is complicated and it is not necessarily possible to estimate if household will have to make a contribution until all information regarding savings, income, pensions and other investments are taken into account. Whether or not a means test is needed the maximum the Council can pay is £30,000 per applicant, and in some cases where there is an extension needed to make an adaptation viable, the work including all the specialist equipment needed, can cost in excess of £30,000. There is a mechanism which allows Lancashire County Council to pay a

top-up above the limit, however this adds a significant amount of time to the process.

5.3 DFG funding comes via Lancashire county Council through the Government's Better Care Fund (BCF), and the increases in the grant in recent years have meant most Housing Authorities have not been able to spend the increased funding and carried over significant amounts, and despite this an increase of around 9% was awarded for 2018/19. Therefore the Council sought to spend the Better Care Fund more effectively and efficiently by using discretionary powers under the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (RRO). The RRO states that in order for the Council to use discretionary powers we must have a policy to do so, and therefore a new DFG policy has been drafted with flexible arrangements.

5.4 Under the new draft policy it is proposed that from 1<sup>st</sup> October 2018 the Council may fund adaptations over £30,000 (subject to budget availability) where it is reasonable and practical to do so, subject to agreement from the Director of Communities, and with a maximum of £60,000. Out of 96 jobs approved in 2017/18 only 6 reached the £30,000 limit, and whilst the proposed limit set at £60,000, there are only expected to be a small number of applications each year exceeding the £30,000 mandatory limit, and in most cases by minor amounts. Whilst the proposal to award grants higher than the limit is only expected to have a minor impact on the budget, the benefit to the household could be significant with restraints lifted such as awaiting top-up funding or any design restrictions.

5.5 The Council also proposes a number of flexible arrangements, the most significant being the introduction of a £7,000 threshold before which a means test is needed, or if the adaptation only includes one prescribed item. In 2017/18 only 86 of 96 grants approved were for applicants subject to a means test or proof of benefits, however 67 would have been below the £7,000 threshold. Whilst only small numbers currently need to make a contribution or do not qualify for any DFG award, it is expected that the means-test puts off some potential applicants whether or not they are likely to have to make any contribution. The introduction of the threshold is a pragmatic way to reduce bureaucracy whilst encouraging more applicants to apply for DFGs in order to help spend the increased BCF award available and increase health outcomes for residents of the borough. A number of other flexible arrangements are also proposed which are detailed in the attached policy:

- Assistance with assessed contribution following a means test – this would apply when the national means test methodology states a contribution is needed however other variables not accounted for mean it may not be affordable.
- Relocation Grant – up to £5,000 if the current property is not suitable.
- Hospital Discharge Grants – up to £2,000 where needed to support hospital discharge where health or social care funding is not available.
- DFG Fees Grant – up to £2,000 for professional fees if the job does not proceed to mitigate the risk to an applicant.
- Safe Homes Grant – up to £5,000 to provide repairs to disability related equipment not under warranty.
- Warm Homes Grant – up to £3,000 to provide repairs to heating equipment

#### **COMMENTS FROM STATUTORY OFFICERS:**

#### **6. SECTION 151 OFFICER**

6.1 Financial matters are noted in the report.

#### **7. MONITORING OFFICER**

7.1 Local Authorities are under a statutory duty to provide financial assistance to disabled people,

including DFGs. The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 gives general powers to give discretionary assistance and enabled the flexible use of DFG to deliver adaptations to meet the needs of disabled people. There are no legal implications arising out of the body of the report.

**8. POLICY IMPLICATIONS AND CONSULTATION CARRIED OUT**

8.1 The policy is expected to increase the amount of DFG budget spent allocated to the Council from the Better Care Fund. There is a potential increase in the number of DFGs, however it is hoped the impact on staff time will be mitigated by increased efficiencies by removing the means testing requirement from the majority of cases. An initial EIA has been completed and no negative/detrimental implications have been identified on the protected characteristics. Consultation was open to public consultation from 23rd May 2018 to 27th June 2018 with comments generally supportive of the policy.

8.2 The report was reviewed by the Overview and Scrutiny Committee in July and recommended that Cabinet approve the Policy after minor non-material amendments.

**9. CONCLUSION**

9.1 The new policy will assist the DFG grant from the Better Care Fund and improve health outcomes for the residents of Rossendale with disabilities.

**Background Papers**

Document	Place of Inspection
Draft Disabled Facilities Grant Policy 2018/19	Appendix 1
Initial Equality Impact Assessment	Appendix 2