

Cabinet Member for Public Health and Sport

19th March 2021

Name of Cabinet Member:

Cabinet Member for Public Health and Sport – Councillor K Caan

Director Approving Submission of the report:

Director of Business, Investment and Culture

Ward(s) affected:

All

Title:

Housing Assistance Policy for the Keeping Coventry Warm Scheme

Is this a key decision?

No - Although the proposals affect more than two electoral wards, the impact is not expected to be significant.

Executive Summary:

Disabled householders can find it difficult to stay warm in their homes because of their circumstances, and they are also particularly vulnerable to the adverse health effects of living in a home that isn't warm enough. Part of Keeping Coventry Warm has been devised to respond to this issue in line with recommendations set out in NICE guideline NG6 Excess winter deaths and illness and the health risks associated with cold homes. It will use Disabled Facilities Grant funding to provide financial assistance for insulation and heating improvements for eligible households.

The Cabinet Member for Public Health and Sport is being asked in this report to adopt a Housing Assistance Policy as required by the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 and ODPM Circular 05/2003. The adoption of the Housing Assistance Policy is a necessary precursor to the provision of assistance. The Housing Assistance Policy will enable additional energy efficiency help to be provided that would not be possible under a mandatory Disabled Facilities Grant. A previous Housing Assistance Policy was agreed by cabinet members in 2018 however a newer version of the policy has been created to reflect changes in eligibility criteria and project delivery.

It is anticipated that the scheme running in parallel with other support schemes will improve the health and wellbeing of the assisted householders, and that it will lead to reduced demand for primary and secondary health services.

Recommendation:

Cabinet Member for Public Health and Sport is requested to:

- (1) Agree to the adoption of the Housing Assistance Policy to enable disabled householders to be assisted with insulation or heating improvements through the Keeping Coventry Warm scheme.

List of Appendices included:

Appendix 1 – Proposed Housing Assistance Policy

Background papers:

None

Other useful documents:

Regulatory Reform (Housing Assistance) (England and Wales) Order 2002:

<https://www.legislation.gov.uk/uksi/2002/1860/contents/made>

ODPM Circular 05/2003:

<http://webarchive.nationalarchives.gov.uk/20120920034634/http://www.communities.gov.uk/documents/corporate/pdf/145088.pdf>

Housing Grants, Construction and Regeneration Act 1996:

<http://www.legislation.gov.uk/ukpga/1996/53/contents>

Excess winter deaths and illness and the health risks associated with cold homes

NICE guideline [NG6] Published date: 05 March 2015

<https://www.nice.org.uk/guidance/ng6/chapter/1-Recommendations>

Has it been or will it be considered by Scrutiny?

No

Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?

No

Will this report go to Council?

No

Report title: Housing Assistance Policy for the Keeping Coventry Warm Scheme

1. Context (or background)

- 1.1 Fuel poverty is a significant problem for some Coventry households, and many low income and vulnerable individuals are affected. Across the city, 12.1% of all households are fuel poor, and as a consequence they are unable to afford to stay warm in their homes.
- 1.2 The adverse impacts of cold homes on individuals, and the health benefits of schemes to improve home energy efficiency and reduce heating costs, have been recognised in various reports produced by Public Health England, The National Institute for Health and Care Excellence and the Marmot Review Team.
- 1.3 Disabled householders can find it particularly difficult to stay warm in their homes. Statistics published by the Department for Business, Energy and Industrial Strategy show that in England, 40.3% of all households that have an occupant with a long term illness or disability are fuel poor.
- 1.4 Disabled householders are also more vulnerable to the adverse health effects of cold homes because they:
 - may have medical conditions that require a higher temperature to be maintained in their homes
 - are likely to be less mobile and therefore find it harder to keep warm
 - are likely to be in their home environment for much longer every day than other householders
 - are less likely to be in paid employment and therefore more likely to be on a low income or reliant on benefits, meaning that they have a greater struggle to afford to stay warm in an energy inefficient home.
- 1.5 The Council has run two previous similar schemes (Warm and Healthy Homes for Disabled Householders) between 2018 and 2020 to support vulnerable residents to receive insulation and heating measures. In total 50 households were supported receiving primarily external wall insulation.
- 1.6 A new Housing Assistance Policy has been written to replace the previous policy that was agreed by cabinet members in 2018 due to changes in the eligibility criteria and project delivery.
- 1.7 It is anticipated that the scheme, running in parallel with other support schemes will improve the health and wellbeing of the assisted householders, and that it will lead to reduced demand for primary and secondary health services by supporting recommendations in NICE guideline NG6, addressing discharging people from health and care settings into warm homes and identifying people at risk of ill health from living in a cold home.

2. Options considered and recommended proposal

- 2.1 Consideration has been given to the enabling legislation that will allow the Council to assist disabled householders. Section 23 of the Housing Grants, Construction and Regeneration Act 1996, describes the purposes that a mandatory DFG can be used for and, whilst it allows for improvements to a heating system in the dwelling it does not allow insulation work to be undertaken. It is therefore necessary to use the provisions of the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (RRO) to offer a package of insulation and heating improvements.

2.2 The Government has made a number of changes to the way DFG funding was administered and the ways in which it could be used. The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (RRO), enables local authorities to use specific Disabled Facilities Grant (DFG) funding for wider purposes, to support the strategic projects which integrate health, wellbeing and housing, for the benefit of keeping local residents safe and well at home. This allows DFG funding to be used for heating and insulation installs in eligible homes.

2.3 The proposed Housing Assistance Policy is provided in Appendix 1 to the report.

The Housing Assistance Policy will allow eligible owner occupiers and private tenants to be assisted with insulation to keep their dwellings warm. To qualify for the grant assistance, householders will need to satisfy eligibility criteria as set out in the Housing Assistance Policy, and no financial contribution will be required from qualifying householders.

2.4 The Council's delivery partner, Act on Energy, has been procured to deliver the Keeping Coventry Warm scheme using its contractors to install the measures required.

3. Results of consultation undertaken

3.1 When preparing previous Housing Assistance Policies, officers have consulted a number of other local authorities that are already actively using the RRO to deliver a range of services including insulation and heating improvements.

4. Timetable for implementing this decision

4.1 After Cabinet Member approval, households who could be eligible for the scheme will be identified, to offer them assistance. Households interested in participating in the scheme will be taken through an application process to check their eligibility and understand the measures needed. Qualifying householders will then be referred on to the contractor. The insulation and heating improvement work will need to be completed by 31st March 2022.

5. Comments from the Director of Finance and the Director of Law and Governance

5.1 Financial implications

This scheme is funded from £0.3m of existing Disabled Facility Grant resources within the Better Care Fund pool. The financial implications of the scheme will be monitored through existing quarterly budgetary control processes.

5.2 Legal implications

The content of this report and attached policy are in line with the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (The RRO). The RRO introduced a wide discretionary power allowing local authorities to formulate Housing Assistance Policy to provide a range of financial and other assistance for repairs, improvements and adaptations to private sector housing.

Under the RRO a policy must be adopted and publicised, and information on the policy must be available to the public. The Housing Assistance Policy will be available on the Council's website. The local authority will also have to satisfy itself that the recipient has received appropriate advice or information on any obligations arising from the assistance pursuant to the policy.

Public authority decision makers are under a duty to have due regard to, i) the need to eliminate discrimination, ii) advance equality of opportunity between people who share a protected characteristic and those who do not, and iii) foster good relations between persons who share a relevant protected characteristic and people who do not (public sector equality duty - s 149(1) Equality Act 2010). The applicable protected characteristics are disability, gender reassignment, race, religion or belief, sex, sexual orientation, pregnancy or maternity.

Decision makers must be consciously thinking about these three aims as part of their decision-making process with rigour and with an open mind. The duty is to have “due regard”, not to achieve a result but to have due regard to the need to achieve these goals. Consideration being given to the potential adverse impacts and the measures needed to minimise any discriminatory effects.

6. Other implications

6.1 How will this contribute to the Council Plan (www.coventry.gov.uk/councilplan/)

The Council Plan for 2016 – 2024 sets out the vision and priorities for Coventry. Under the heading of Reducing the Impact of Poverty, the Plan states that supporting those experiencing fuel poverty is a priority. The Keeping Coventry Warm scheme will make a contribution to supporting fuel poor households. Action to tackle fuel poverty also has multiple policy benefits. It will have a positive effect in terms of:

- improving the quality of housing
- increasing disposable incomes
- creating employment opportunities
- preventing ill health and excess winter deaths arising from the effects of excess cold
- improving opportunities for home study and therefore educational attainment
- reducing carbon emissions

6.2 How is risk being managed

Potential risks have been considered during the preparation of the Housing Assistance Policy for the Keeping Coventry Warm scheme, and during the procurement of the Council's delivery partner.

6.3 What is the impact on the organisation

The scheme will be delivered within existing staff resources.

6.4 Equality Impact Assessment (EIA)

Fuel Poverty disproportionately affects householders who are vulnerable and on low incomes, and particularly those with ill-health or disabilities. Implementing the Keeping Coventry Warm scheme will help to support some of these householders.

6.5 Implications for (or impact on) climate change, sustainability and the environment

The housing sector is responsible for a substantial proportion of carbon dioxide emissions in the city. Energy efficiency improvements to the housing stock will play an important part in reducing carbon emissions. The actions in this report address the following key UN Sustainable Development Goals:

1. No Poverty
3. Good Health & Wellbeing
7. Affordable & Clean Energy

- 10. Reduced inequalities
- 11. Sustainable Cities & Communities
- 12. Responsible consumption & production
- 13. Climate Action

7. Implications for partner organisations

The Keeping Coventry Warm scheme will have potentially positive implications for partner health and social care organisations with closer co-operative working to shared standards and an increased collective understanding of fuel poverty and a shared ownership for a strategy to address with clearly identified standards for performance etc which will result in definite improvements in the health and wellbeing of disabled householders.

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Andy Williams	Director of Business, Investment and Culture	-	25.02.21	25.02.21
Councillor K Caan	Cabinet Member for Public Health and Sport	-	03.03.21	03.03.21

This report is published on the council's website: www.coventry.gov.uk/councilmeetings

Appendix 1

Coventry City Council Housing Assistance Policy - Draft

1) Purpose

This policy was adopted by the Council on [insert date](#)

Its purpose is to enable the provision of discretionary grant assistance for eligible Coventry households. It will enable additional help in the form of energy efficiency measures to be provided that would not be possible under a mandatory Disabled Facilities Grant. The assistance will be provided through the Council's Keeping Coventry Warm (KCW) Scheme under the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002.

The RRO and ODPM Circular 05/2003 require that the Council must first adopt a Housing Assistance Policy before the discretionary grant assistance can be deployed through the Keeping Coventry Warm scheme.

Once the Housing Assistance Policy has been adopted, the Council is required to give public notice that it has been adopted, and to make it available for public inspection, free of charge, at the Council House at all reasonable times. Furthermore, copies of it must be made available by post on request and any reasonable charges applicable to this must be made clear. The Housing Assistance Policy will be available on the Council's website.

2) Policy Context

Fuel poverty is a significant problem for some Coventry households, and many low income and vulnerable individuals are affected. The latest available Government statistics for 2018 show that across the city, 12.1% of all households are fuel poor, and they are unable to afford to stay warm in their homes.

Disproportionate numbers of disabled householders are affected by fuel poverty. They are particularly vulnerable to the adverse health effects of cold homes because they:

- may have conditions that require a higher temperature to be maintained in their homes
- are likely to be less mobile and therefore find it harder to keep warm
- are likely to be in their home environment for much longer every day than other householders
- are less likely to be in paid employment and therefore more likely to be on a low income or reliant on benefits, meaning that they have a greater struggle to afford to stay warm in an energy inefficient home

Assistance provided through the KCW scheme is expected to improve the health and wellbeing of households and to reduce hospital admissions as well as pressures on other health and social care services such as GP practices.

Enabling low income and vulnerable households to stay warm at reasonable cost is a priority for the Council, and the Council Plan for 2016 – 2024 says that support will be provided to those experiencing fuel poverty.

3) Eligibility Criteria

To be eligible for discretionary grant assistance, a household must satisfy the relevant requirements set out below:

The household must be owner occupiers or private tenants living in a domestic property situated in Coventry and must live in their home as their only main residence. A leaseholder must have a minimum period of 3 years remaining on their lease at the time of applying for assistance.

The household must include i) a disabled person, or ii) a person who is in hospital and is due to be discharged home, or who faces possible admission/re-admission to hospital in the future. In either case, when at home the person must be vulnerable to the health impacts of the cold and their home must require one or more of the eligible heating and insulation works.

Vulnerability and Health

The person must;

- be aged 65 years and above, or
- be a child aged under 16, or
- be pregnant, or
- have been diagnosed with one of the following long-term health conditions:
 - Cardiovascular condition (incl. coronary heart disease, stroke, high blood pressure (hypertension), transient ischemic attack etc).
 - Respiratory condition (COPD, childhood asthma etc).
 - Neurological condition (including dementia, Parkinson's Disease, multiple sclerosis, epilepsy etc).
 - Musculoskeletal conditions (incl. osteoarthritis, rheumatoid arthritis etc).
 - Blood conditions (incl. sickle cell disease, thalassemia etc).
 - Diabetes.
 - Mental health condition (incl. depression or anxiety)
 - Disability - where the household includes a disabled person in receipt of a disability-related benefit and an assessment by the Council or its commissioned agent has determined that person is vulnerable to the adverse health impacts of a cold home.

Benefits and Income

i) Disabled person:

The disabled person in a household must have received a Mandatory Disabled Facilities Grant from Coventry City Council as a result of their condition, or they must be in receipt of a disability-related benefit because of their condition. In either case, their household **must also** have an annual income below the relevant gross annual income threshold in the table below.

Gross annual income thresholds:

	No children	1 child	2 children	3 children	4 children
Single adult	£14,000	£18,500	£23,500	£27,500	£32,000
2 or more adults	£21,000	£25,000	£30,000	£34,500	£39,000

ii) Person awaiting hospital discharge or facing admission/re-admission:

The household must be dependent on one of the following benefits, **and** must have an annual income below the relevant gross annual income threshold in the table below:

Benefits:

- Pension Guarantee Credit
- Income Support
- Income-based Jobseeker's Allowance
- Income-related Employment Support Allowance
- Universal Credit

Gross annual income thresholds:

	No children	1 child	2 children	3 children	4 children
Single adult	£14,000	£18,500	£23,500	£27,500	£32,000
2 or more adults	£21,000	£25,000	£30,000	£34,500	£39,000

Savings

To be eligible, savings must be less than £8,000 (single person household), or less than £12,000 (multiple person household).

4) Eligible Work

Where a householder is deemed eligible for assistance then subject to the conditions in section 5 below, the following work may be considered for funding:

Installation of external wall insulation.

Installation of cavity wall insulation.

Installation of loft insulation.

Provision of gas boiler or electric storage heaters.

Replacement of existing broken or inefficient electric storage heaters.

Provision of first-time gas central heating.

Replacement of existing defective gas central heating system

Provision of temporary electric heaters by the contractor prior to carrying out the repair or replacement work where necessary.

Other minor work up to a total value of £500, including; removal of clutter, deep cleaning, hot and cold-water supply, electrical and gas safety, falls and trip hazards. This work can only be funded out if heating work is also being funded.

Eligible householders will not be required to contribute towards the cost of eligible work.

Suitable contractors to carry out the work required under the scheme have been selected through the Council's delivery partner, 'Act on Energy'. Where appropriate, Act on

Energy will also organise Energy Company Obligation funding to supplement the DFG monies, allowing more householders to be assisted overall.

5) Conditions for assistance

Assistance will be conditional upon:

- 1) The householder satisfactorily completing all required application documents.
- 2) The Council's commissioned agent considering that the eligible work is a priority and is necessary.
- 3) The work being considered reasonable and practical by the commissioned agent, and that the cost is below any maximum amount that may be applicable at the time.
- 4) Conformity with any Listed Building or Conservation Area requirements.
- 5) Obtaining planning permission where necessary for external wall insulation or carrying out works required by the Council to retain the appearance of a property and thereby avoid the necessity for planning permission.
- 6) The requirements of the Party Wall Act 1996 where relevant.
- 7) The work being carried out by a suitable contractor selected by the Council's commissioned agent.
- 8) The householder entering into a contract with the commissioned agent's selected contractor, and accepting that the contractor, and not the Council or the commissioned agent, will be liable for any deficiencies or defects in workmanship or materials.
- 9) The householder appointing the Clerk of Works recommended to them by the Council's commissioned agent where external wall insulation is to be installed.
- 10) The householder allowing the Council, and its commissioned agent and the Clerk of Works, access to their home where required to consider the proposed work, examine work in progress, or examine completed work.
- 11) Payment for the work being made by the Council directly to the commissioned agent. Payment will be conditional upon the work being carried out to the satisfaction of the commissioned agent.
- 12) Permission being granted by the owner of the property where the eligible householder is a private tenant.

6) Additional conditions applicable to privately rented homes

Assistance cannot be provided if the landlord has a statutory duty to carry out the necessary work and it is reasonable in the circumstances for them to do so.

Assistance cannot be provided if the property has not achieved the necessary Energy Performance Certificate rating, or an exemption has been registered, as required by The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015 as amended by the Energy Efficiency (Private Rented Property) (England and Wales) (Amendment) Regulations 2019.

Assistance cannot be provided unless the following are also made available to the Council's commissioned agent:

- 1) a valid Energy Performance Certificate in accordance with the requirements of The Energy Performance of Buildings (England and Wales) Regulations 2012.
- 2) a current Landlord Gas Safety Record/Gas Safety Certificate in accordance with the requirements of The Gas Safety (Installation and Use) Regulations 1998.
- 3) a valid Electrical Safety Report where required by The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020.

Upon the advice of the Council's commissioned agent, the Council may in individual cases impose a requirement that the landlord i) makes a financial contribution to the cost of the work to be carried out under the discretionary grant assistance, and/or (ii) carries out other additional work to repair or improve the property.

7) Other provisions

The following provisions will also apply:

- 1) Where the estimated cost of the eligible work exceeds £10,000, the Council's nominated officer, or their deputy, will determine for each individual case whether additional funding can be paid beyond this amount for the eligible work.
- 2) Minor changes to the eligibility criteria, eligible work and conditions for assistance may be made at the discretion of the Council's nominated officer or their deputy in response to operational circumstances. Details of any such changes will be posted on the Council's website.
- 3) The Council, or its commissioned agent, will set out in writing for eligible householders the terms and conditions under which the assistance will be given. Before providing assistance, the Council will also ensure that every householder receives appropriate advice or information about the extent and nature of any obligations, if relevant, that relate to the provision of assistance. The appropriate consents will be obtained from the householder who is to receive assistance, and the owner of the property if this is a different person, prior to the commencement of work.
- 4) The Council, or its commissioned agent, will notify a householder in writing when their application has been approved or refused. If the application is approved, the notification will specify the eligible works, the value of the assistance and the builder/contractor who will execute the works. If the application for discretionary grant assistance cannot be supported, the Council, or its commissioned agent, will give the reasons for this and confirm the procedure for appealing the decision.
- 5) If before the work has commenced an eligible householder should die or cease to live at the property to which a written offer of discretionary grant assistance relates, the work will not proceed. If an eligible householder should die whilst the approved works are in progress, the Council may at its discretion agree to completion or making good of the works.
- 6) Should it become apparent that inaccurate information has been deliberately provided in an application for discretionary grant assistance, the Council reserves the right to recover the value of the improvement work carried out.

8) Complaints

Where a householder is dissatisfied with the performance of the commissioned agent or a contractor, they should in the first instance make a complaint to the commissioned agent. The commissioned agent will then carry out an investigation and report their findings to the householder.

Where a householder i) continues to be dissatisfied with the performance of the commissioned agent or a contractor after the commissioned agent has reported their findings, or ii) is dissatisfied with a decision made by the Council relating to the Keeping Coventry Warm Scheme, they should in the first instance submit their concerns in writing to Bret Willers, Head of Climate Change and Sustainability at Coventry City Council using the following address:

Keeping Coventry Warm
Climate Change and Sustainability Team
P.O. Box 15
Coventry City Council
Earl Street
Coventry CV1 5RR

Where a householder continues to be dissatisfied, they may submit a formal complaint to the Council. Details of the Council's Complaints Policy and how to make a complaint are provided on the Council's website.

9) Exceptional cases

The Council recognises that there may be situations in which a person is genuinely in need of support but is precluded from being eligible for discretionary grant assistance under this Housing Assistance Policy. In these situations, the Council may consider offering assistance if the circumstances are exceptional. Only in exceptional circumstances can variations to the above eligibility criteria, eligible improvements and conditions for assistance be considered.

Any individual cases that are put forward as exceptional will be considered on their merits by the Council's nominated officer or their deputy.