

Cabinet
2022

12 July

Name of Cabinet Member:

Cabinet Member Adult Services – Councillor M Mutton

Director Approving Submission of the report:

Director of Adult Services and Housing

Ward(s) affected:

All

Title:

Housing Assistance Policy – Disabled Facilities Grant

Is this a key decision?

Yes - the proposals involve financial implications in excess of £1m per annum and are likely to have a significant impact on residents or businesses two or more electoral wards in the City.

Executive Summary:

Disabled Facilities Grants (DFG's) are available to disabled people when works to adapt their home are judged necessary and appropriate to meet their needs and when it is reasonable and practicable to carry them out having regard to the age and condition of the dwelling.

This report seeks to update and supersede the City Council Housing Assistance Policy which focused on discretionary support for those in fuel poverty to include more flexible use of DFGs.

By updating the policy, the areas where discretionary funding can be provided will be expanded and will enable more flexible arrangements that are currently not possible under a mandatory Disabled Facilities Grant and will enable the City Council to support more people in more flexible ways and will further support our policy objective of enabling people to remain at home through promoting independence.

The discretionary ability that adopting this policy allows include:

- Removal of financial assessment where the grant does not exceed £6000
- The ability to 'top-up' the grant where the value exceeds £30000
- Assistance to meet the client's assessed contribution
- The provision of at home safely scheme
- Discretionary use of DFG for heating and insulation
- Assistance to move to a more suitable home
- Funding for respite care while work required to provide an adaptation is carried out

The application of the above will be on a case-by-case basis but adopting the updated Housing Assistance Policy enables a greater level of flexibility to use DFGs to support people to remain in their own homes or move to a more suitable home.

Recommendations:

The Cabinet is requested to:

- 1) Approve the adoption of the draft Housing Assistance Policy - Disabled Facilities Grant attached at Appendix 1 of this report.
- 2) Approve that minor revisions to the Housing Assistance Policy attached at Appendix 1 of this report, including any amendments to the financial limits which are capable of being funded from within existing corporate resources, can be made by the Director of Adult Services and Housing, following consultation with the Cabinet Member for Adult Services, from time to time when needed.

List of Appendices included:

Appendix 1 - Housing Assistance Policy - Disabled Facilities Grant (mandatory and discretionary) 2022 – 2024

Appendix 2 - Equality Impact Assessment

Background papers:

None

Other useful documents

- Disabled Facilities Grant (DFG) delivery: guidance for local authorities in England. 28 March 2022 <https://www.gov.uk/government/publications/disabled-facilities-grant-dfg-delivery-guidance-for-local-authorities-in-england/disabled-facilities-grant-dfg-delivery-guidance-for-local-authorities-in-england>
- Housing Grants, Construction and Regeneration Act 1996 <https://www.legislation.gov.uk/ukpga/1996/53/contents>
- Housing Assistance Policy for the Keeping Coventry Warm Scheme. 19th March 2021. <https://edemocracy.coventry.gov.uk/documents/s49737/Housing%20Assistance%20Policy%20for%20the%20Keeping%20Coventry%20Warm%20Scheme.pdf>

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 – Disabled Facilities Grant

1. Context (or background)

Disabled Facilities Grants (DFG's) are available to disabled people when works to adapt their home are considered necessary and appropriate to meet their needs and enable them to continue living at home, when it is reasonable and practicable to carry them out having regard to the age and condition of the property. DFGs are generally subject to a test of resources which means that the applicant's income and savings have to be assessed.

There is both a mandatory and discretionary element to DFGs.

Mandatory DFG's are provided to people with disabilities to adapt their environment to enable them to live as independently as possible. To access a DFG involves a test of finances which can, and does, limit individuals' ability to access the grant. Depending on savings or income, people can be awarded anything from 100% of the grant to 0%. The grant limit is currently set by government at £30k which in some cases is not sufficient to cover the cost of such major adaptations that may be required, and families struggle to source the additional funding. This can leave people struggling in their environment because they have been excluded from the grant or do not have sufficient funds for their contribution and therefore the adaptations cannot be afforded. This can have a negative impact on their physical ability and mental wellbeing. It can also have a negative impact on other council resources used to fund adult social care as the person often then needs support from a carer (usually through a contracted care provider) to help them continue to live at home.

People with disabilities who are able to remain in work are negatively impacted by the DFG test of resources. The test assumes that if an individual, or their partner, has a regular income there is the capacity to fund a loan to pay for their adaptation and therefore they are not eligible for grant aid. The test does not take into account any current outgoings a person has and that often people do not have disposable income to pay for a loan.

All local authorities must operate the mandatory scheme as a minimum.

The Regulatory Reform Order (Housing Assistance) (England and Wales) Order 2002 (RRO) gave local housing authorities the power to adopt discretionary policies with regards to housing interventions to promote independent living and wellbeing. However, the Council must first adopt a Housing Assistance Policy before a discretionary grant assistance can be deployed through the Disabled Facilities Grant (DFG).

Although the ability to apply discretionary grant assistance through an RRO is long standing the assurance of having sufficient resources has not matched this. In 2016 only 53% of local authorities had an RRO policy compared with over 85% now.

Through now adopting the Discretionary Disabled Facilities Grant Housing Assistance Policy, this will enable more flexible use of the grant allocation which will enable the City Council to support more people to remain living independently at home.

On average 400 referrals are received each year for DFG of which 15% do not progress, or are delayed progressing, due to the financial assessment. Whilst some of those people will have the financial resources to fund their adaptation there will be a high proportion who genuinely will not be able to. There will also be a cohort of people who do not approach the council for support currently because they are aware they may not pass the financial assessment. Whilst we cannot fund adaptations retrospectively, on publication of the HAP those with an unmet need will be encouraged to contact us to establish if we can now support them.

The aims of the Policy are set out below and within the policy document (Appendix 1 to the report).

- To improve the lives of people with disabilities by enabling access and movement around their own home with the use of adaptations.
- To allow more effective use of the Better Care Fund, cutting out bureaucracy and contributing to the aims of the fund, particularly by reducing hospital admissions and allowing early hospital discharges.
- To enable vulnerable and disabled citizens to live with dignity within their homes, and improve their health and wellbeing, by ensuring their accommodation meets their needs.
- To provide grants to ensure that people with disabilities have access to essential facilities and provide safety in the home.
- To provide advice, information and support regarding the adaptation of properties to meet accessibility needs and provide a framework of assistance to vulnerable groups.
- To support those who are not eligible for standard DFG assistance.

The discretionary ability that adopting this policy allows include:

- Removal of financial assessment where the grant does not exceed £6000 – this increases the point at which individuals may be required to make a contribution from the mandatory £1000 level
- The ability to ‘top-up’ the grant where the value exceeds £30000 – this will enable more significant adaptations to be funded
- Assistance to meet the clients assessed contribution – where individuals are unable to make their assessed contribution the council will have the discretionary ability to support with this
- The provision of at home safety scheme – this enables minor works to improve safety at home
- Discretionary use of DFG for heating and insulation – this improves our ability to reduce the impact of fuel poverty for people with disabilities who are at risk of the health impacts of the cold
- Assistance to move to a more suitable home – this enables the council to support the costs of people with disabilities moving to a more suitable home
Funding for respite care while work required to provide an adaptation is carried out – for some people there are additional health impacts associated with remaining at home whilst an adaptation is completed. This element will enable respite support to be provided away from the home while the work is completed.

2. Options considered and recommended proposal

2.1 Option One – Recommended Option

Adopt the Housing Assistance Policy – Disabled Facilities Grant

It is recommended that the City Council adopts the proposed policy in order to extend our DFG provision beyond the mandatory scheme. The policy gives the Council the authority to provide discretionary grants relating to individuals that improves their ability to live independently and/or safely in their home.

2.2 Option Two – Not Recommended

Continue to provide Mandatory Disabled Facilities Grants

The Council could continue to provide DFGs at the mandatory level only and this is permissible and acceptable. This option is not recommended as it does not enable the City Council to make full use of the range of options it has available to support more people through the flexibilities available through the discretionary scheme.

3. Results of consultation undertaken

- 3.1 No specific consultation was undertaken on the proposals contained within this report. As the proposals extend our DFG provisions, so provide an enhancement to the current service offering the impact is a positive one. Should the policy be approved then the provisions will be applied on a case-by-case basis in consultation with the individual seeking support. The policy document and explanatory notes have been reviewed by Foundations (the national body for home improvement agencies in England.) They have been appointed by the Department of Levelling up, Housing and Communities to oversee the national network of agencies delivering DFG.

4. Timetable for implementing this decision

- 4.1 Implementation of the Policy will start from the date of approval.
- 4.2 All flexible DFG works are discretionary and may be withdrawn by the Council at any time. The decision to award any flexible DFG work, or services is completely at the discretion of the Council.

5. Comments from the Chief Operating Officer (Section 151 Officer) and the Director of Law and Governance

5.1 Financial implications

In 2015 the Government announced a spending programme through the Better Care Fund (a pooled health and social care budget) which increased DFG allocation, initially up to 2020 but this has continued beyond that date.

The Disabled Facilities Grant allocation for 2022/23 is £4.182m.

It is expected that the financial impact of introducing the discretionary DFG Housing Assistance Policy can be accommodated within the current allocated resources. The financial implications of the policy will be monitored as part of the existing quarterly budgetary control process. The policy will be subject to review in the case of predicted financial overspends or reductions in future grant allocations.

5.2 Legal implications

This policy makes use of the powers provided under the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 to offer an extension of the national mandatory DFG scheme under the Housing Grants, Construction and Regeneration Act 1996 for disabled people of all ages in Coventry.

The policy also provides structure and clarity to meeting needs which may fall outside the mandatory DFG and allows for recovery or recoument of those costs in appropriate situations.

Should the Housing Assistance Policy be 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.

6. Other implications

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

The policy supports Coventry City Council's Vision for 2016-2024 in the following ways:

- Improving the quality of people's lives in Coventry and focussing on improving health and wellbeing and supporting people to live independent lives.
- Helping people to maintain their independence and supporting them when they need help.
- Enabling people to exercise choice and control in their daily lives.
- Helping support people facing multiple and complex needs.
- Putting local people and their needs at the heart of the customer journey.

6.2 How is risk being managed?

There are no specific risks associated with adopting the Housing Assistance Policy – Disabled Facilities Grant. Should the financial position in respect of DFGs change to the point where it was appropriate to revert to the mandatory scheme only, then the Housing Assistant Policy can be withdrawn at the discretion of the council.

6.3 What is the impact on the organisation?

None.

6.4 Equality Impact Assessment (EIA)

Section 149 of the Equality Act 2010, known as the Public Sector Equality Duty, requires the Council to eliminate discrimination, harassment and victimisation, advance equality of opportunity and foster good relations between people.

When making policy, delivering services or otherwise exercising its functions the Council must comply with the Public Sector Equality Duty, and have regard to the age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation of the citizens concerned.

This policy will not negatively impact on individuals as it treats individuals fairly, regardless of age, sex, gender, disability and sexual orientation.

A copy of the Equalities Impact Assessment is attached at Appendix 2 of this report.

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

None

6.6 Implications for partner organisations?

None

Report author:

Sheila Stirling
Service Manager for Therapy and Equipment Services

Service:

Adult Services and Housing

Tel and email contact:

Email: Sheila.Stirling@coventry.gov.uk

Tel: 02476 976206

Enquiries should be directed to the above person.

Contributor/approver name	Title	Service	Date doc sent out	Date response received or approved
Contributors:				
Louise Ferro	Acting Head – Business Systems and Improvement	Adult Services and Housing	08/06/2022	20/06/2022
Sally Caren	Head of Adult Social Care and Support	Adult Services and Housing	08/06/2022	20/06/2022
Aideen Staunton	Acting Head of Service (Partnerships and Social Care Operations)	Adult Services and Housing	08/06/2022	20/06/2022
Michelle Salmon	Governance Services Officer	Law and Governance	08/06/2022	09/06/2022
Names of approvers for submission: (Officers and Members)				
Ewan Dewar	Finance Manager	Finance	08/06/2022	13/06/2022
Oluremi Aremu	Head of Legal and Procurement Service	Law and Governance	15/06/2022	18/06/2022
Pete Fahy	Director of Adult Services and Housing	Adult Services and Housing	08/06/2022	16/06/2022
Councillor M Mutton	Cabinet Member for Adult Services	-	08/06/2022	16/06/2022

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