

Report of	Assistant Director Communities	Author	Jon Parsons ☎ 2590
Title	Financial Assistance Policy		
Wards affected	All wards		

1. Executive Summary

- 1.1 This report requests that Cabinet grant authority to adopt an updated Financial Assistance Policy in order to improve and maximise delivery of the Council's Disabled Facilities Grant allocation.
- 1.2 Under the Housing Grants, Construction and Regeneration Act 1996, the council has a duty to provide Disabled Facilities Grant (DFG) funding for adaptations to eligible individuals in the borough.
- 1.3 The Financial Assistance Policy details how the council will deliver both the Mandatory DFG and Discretionary forms of financial assistance to disabled and other vulnerable people living in the borough.
- 1.4 The fully reviewed policy supersedes the current policy that dates from 2008 and was last amended in December 2019, providing improved clarity on processes, and taking greater advantage of the discretionary powers available to all local authorities.
- 1.5 The council has powers under The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 to broaden the scope of DFGs and to offer alternative forms of discretionary grants for disabled, elderly, low income, and other vulnerable residents in the borough.
- 1.6 The revised Financial Assistance Policy introduces a new Discretionary Stairlift Grant that will be available to all residents, removing the requirement for a means test to improve the speed at which this common adaptation is delivered.
- 1.7 The revised Financial Assistance Policy discontinues underutilised and outdated forms of assistance, that some of which are no longer required following changes to legislation.

2. Recommended Decision

- 2.1 Adoption of the revised Financial Assistance Policy.

3. Reason for Recommended Decision

- 3.1 The revised Financial Assistance Policy focuses on clarifying the delivery of the Mandatory DFG, and the Discretionary forms of assistance, widening the scope of the policy to support more residents.
- 3.2 The revised Financial Assistance Policy continues the existing discretionary forms of assistance:
- Disabled Facilities Assistance (DFA) is available to help eligible applicants to fund the cost of adaptations that are not covered by, or exceed the Mandatory DFG, up to a maximum of £30,000. The DFA can also be applied for when applicants are assessed to have a contribution but are unable to raise the funds required to enable works to proceed. The DFA is a repayable form of assistance when the property is sold, transferred, or rented by the owners.
 - Home Repair Loan (HRL) is available to provide help to eliminate or reduce to an acceptable level, any significant risks and hazards in owner occupied homes up to £30,000. The council undertakes a HHSRS inspection to determine what hazards exist in the property. The outcome of this inspection will constitute the qualifying works. The HRL is a repayable form of assistance when the property is sold, transferred, or rented by the owners.
 - Fast-Track Grant (FTG) is available to support and promote prompt hospital discharge and reablement, preventing avoidable Delayed Transfer of Care (DTOC) from hospital or care and the associated additional costs to health / social care services. In addition to supporting prompt discharge, the FTG also provides the ability to avoid admission, when a recognised risk such as falls has been identified by the referring Health Professional. The FTG is overseen by the Senior Occupational Therapist in Housing that is embedded within the Healthy Homes Team, in a partnership project with Essex County Council. The FTG is available up to a maximum of £30,000.
- 3.3 The new Stairlift Grant (SLG) is available to all residents, removing the requirement for a means test to improve the speed at which this common adaptation is delivered. Stairlifts provide access to essential facilities within the home, increasing independence for disabled adults and children. Stairlifts are usually a relatively straightforward installation requiring little in the way of other home alterations. Given their ease of installation they can provide a proportionally significant enhancement to the lives of those who need them. The introduction of this assistance provides consistency across North-East Essex following Tendring District Council's successful adoption in 2021.
- 3.4 The Covid19 pandemic in 2020 impacted delivery of DFGs nationally, with many councils being unable to undertake property inspection during lockdown for all but the most urgent of applications (usually Fast-Track Grants to enable discharge or prevent admission to hospital). As a result of the pandemic, national lockdowns, furlough and Covid infection rates, delivery has been impeded throughout 2020/21, 2021/22 and continues into 2022/23 with contractor availability being low, increasing waiting times to up to 3-6 months, and the rising cost and availability of materials. The new Stairlift Grant introduced by this policy will support maximising the spend of the allocation during these times when applicants are having to wait for long periods for contractor availability, keeping them as safe as possible when accessing essential areas of their home.
- 3.5 The revised Financial Assistance Policy discontinues underutilised forms of assistance in favour of prioritising the Mandatory and Discretionary forms of assistance detailed above.
- 3.6 Discontinued forms of assistance are:

- HMO Fire Safety Grant – a grant for landlords to meet legal requirements.
This grant has been discontinued due to this being a legal responsibility of the landlord under other regulations and a lack of uptake.
- Home Security Grant - to help households pay for urgent home security works.
This grant has been discontinued due to a lack of uptake. (There is potential that a new style of Home Security Grant could be introduced in the future. This may work in conjunction with other partners and will be brought back to the Portfolio Holder for consultation in the future).
- Empty Property Loans - provided on a discretionary basis to help bring empty properties back into residential use.
This form of assistance has been discontinued due to limited uptake and questionable affordability in the current market. One of the conditions is that the property would be subject to nomination rights for the council, but that the maximum achievable rent was set at the Local Housing Allowance (LHA). LHA is recognised as being under the market value. There is therefore potential that the conditions this assistance places on landlords could mean the venture is not financially viable and lead to the risk of poor-quality housing and maintenance due to a lack of income or that the accommodation may not be in place for the longer term.
Furthermore, these forms of assistance are time consuming to administer for council staff, are not subject to a fee or eligible under the DFG and takes staff away from delivering Mandatory assistance to other more vulnerable applicants.

4. Alternative Options

- 4.1 Continue to operate under the 2008 Financial Assistance Policy (amended 2019) with existing forms of assistance. This option does not take advantage of the councils' powers under The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 to introduce and widen discretionary forms of assistance to the local population and maintains the availability of outdated financial assistance.

5. Background Information

- 5.1 The Disabled Facilities Grant (DFG) is a capital budget that forms part of the Better Care Fund (BCF) that was announced in 2013. The BCF is collaboration between NHS England, the Department for Levelling Up, Housing and Communities, the Local Government Association and Department of Health and Social Care.
- 5.2 The DFG is paid annually to the upper-tier authorities and is then reallocated to districts, boroughs, and city councils to meet their statutory obligation to provide DFG's.
- 5.3 The legislation governing Mandatory Disabled Facilities Grant is contained in the Housing Grants, Construction and Regeneration Act 1996, as amended by the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002. This order extended mandatory DFG eligibility to those occupying park homes and houseboats.
- 5.4 The Council has a duty to approve applications to satisfy the requirements outlined in the Act for the provision of Mandatory Disabled Facilities Grants. The minimum threshold for a DFG is £1,000 and the maximum upper grant limit is £30,000 (including VAT if applicable).
- 5.5 All owner-occupiers, tenants, licensees, or occupiers are eligible for a DFG, provided they meet the eligibility criteria. Private Sector Landlords and Registered Providers (RP) may also apply for a DFG on behalf of a disabled tenant, but the tenant must also meet the relevant requirements under the same means testing arrangements. Council tenants and leaseholders of Colchester Borough Homes are eligible for a DFG under Colchester Borough Homes Housing Adaptations Policy which is separate to the Financial Assistance Policy and funded from the Housing Revenue Account.
- 5.6 DFG application must be supported by a recommendation from an Essex County Council Occupational Therapist and detail the difficulties being experienced, and what is needed to be put in place to overcome this difficulty. The Occupational Therapist determines what is "necessary and appropriate" to meet the recipient's needs. Provided it is deemed "reasonable and practicable" by the Council, this determines the eligibility. Examples are:
 - Making the building or dwelling safe for the disabled person
 - Facilitating access to and from the building
 - Facilitating access to or providing a bedroom
 - Facilitating access to the principal family room
 - Provision of a room containing a bath or shower or facilitating the use of such a facility
 - Provision of a room containing a WC or facilitating the use of such a facility
 - Provision of a room containing a wash hand basin or facilitating the use of such a facility
 - Facilitating the preparation and cooking of food (only if used by the disabled person)
 - Providing or improving a heating system for the use by the disabled person
 - Facilitating the use of power, light, or heat by altering the same or by providing additional means of control
 - Facilitating access and movement around the dwelling to enable the disabled person to provide care for another person.
 - Any such purpose specified by the Secretary of State

- 5.7 The DFG can be used to provide works including bathroom adaptations such as level access showers, stairlifts, through floor lifts, ramped access including to the garden, door widening, kitchen adaptations, improving heating systems, relocating lighting and heating controls, other specialist equipment such as toilets and conversions and extensions where required, to provide additional rooms, bedroom and/or bathroom for the disabled person.
- 5.8 The Mandatory DFG is means tested and the amount that an applicant and receives depends on theirs and their partners income and savings. People on state benefits are passported so will not have a contribution. Contributions can range from zero, to the full costs of the works. However, any contributions are deducted from future grant applications up to 10 years. Children are also eligible for DFG's; however, children are not means tested.
- 5.9 DFG's come with some conditions. These are that:
- The disabled person intends to live in the property for at least 5 years.
 - DFG's may be repayable if applicant move within 10 years.
 - A local land charge is placed on an owner occupier's property, up to a maximum of £10,000, if the grant was over £5,000.
- 5.10 The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 provides local authorities with a wide-ranging power to provide assistance based on the principle that repairs are fundamentally the responsibility of the property owner, but financial assistance should be given in particular circumstances. The Order provides local authorities with a general permissive power to provide discretionary assistance and support for improving living conditions. To exercise this power, the Council must first adopt a policy for the provision of assistance.
- 5.11 The Financial Assistance Policy provides the Council with the powers set out under The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 to broaden the scope of Disabled Facilities Grants and to offer alternative forms of discretionary grants for disabled, elderly, low income, and other vulnerable residents in the borough. The broad aim of this policy is to remove serious housing hazards that could impact on their health, safety, and wellbeing, enabling people to maximise their quality of life and continue to live independently in their own homes.
- 5.12 CBCs DFG allocation for 2022/23 is £1,452,105. The allocation has steadily increased by a total of £909,440 in the last 7 years. All authorities have been advised that the allocation will now remain static until 2024/25. DFG spend has increased during this period but is severely hampered at present by contractor availability, leading to waiting times for works to be between 3-6 months, meaning that applications are taking on average 30% longer to complete than pre-pandemic years.
- 5.13 In March 2022, Cabinet granted authority to procure a contract with Stannah Lift Service through the Procurement for Housing (PfH) Framework to deliver stairlift equipment to residents with mobility issues across the borough, in accordance with statutory duties. The renewal of this contract has reduced the requirement to obtain two quotes for every stairlift and enables these applications to be progressed at a greater speed. The new Stairlift Grant will continue with this arrangement and further benefit residents of the borough waiving the requirement for a means test, keeping residents safer and reducing potential burdens on health and social care partners.

6. Equality, Diversity and Human Rights implications

- 6.1 Implications for Equality, Diversity and Human Right will be considered in all policy updates. However, it is thought that updating the Financial Assistance Policy to provide better clarity and increasing the availability of discretionary forms of assistance is an overwhelmingly positive for residents of the Borough.
- 6.2 Under the Equality Act 2010, Section 149, a public authority must, in the exercise of its functions, have due regard to the need to:
- eliminate discrimination, harassment, victimisation, and any other conduct that is prohibited by or under this Act.
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
 - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 6.2 The recommendations will have no disproportionate impact on any protected group. The Equality Impact Assessment for the Council's Housing Investment Programme is here.

7. Strategic Plan References

- 7.1 The Strategic Plan sets out clearly the Council's priorities. The budget process has been designed to ensure that resources are allocated to meet these priorities.
- 7.2 This decision particularly contributes to the following Strategic Plan 2021-2023 priority areas:
- **Tackling the causes of inequality and support our most vulnerable people**
 - Support people to live in healthy homes that meet their needs
 - **Increase the number, quality, and types of homes**
 - Improve existing Council homes to keep them in good repair and improve energy efficiency
 - Continue to improve and modernise available housing for older people
 - **Prevent households from experiencing homelessness**
 - Work with partners to deliver the 2020-23 Homelessness and Rough Sleeping Action Plan
 - Intervene early to prevent homelessness and work in partnership with other organisations to sustain people's accommodation
 - Tackle rough sleeping in the Borough
 - **Create an environment that attracts inward investment to Colchester help businesses to flourish**
 - Encourage green technologies and innovative solutions to the Climate Emergency
 - Maximise the social value benefits derived from third party contracts

- Ensure the Council's assets continue to contribute to economic growth and opportunity

8. Consultation

- 8.1 Adaptations to residents' properties are responsive and based on residents' need on a case-by-case basis. Services are not provided on a continuing basis and so no particular consultation was carried out with affected residents.
- 8.2 Owner occupiers, tenants, landlords and residents apply for all forms of assistance and are consulted on all installations in their properties as they are the applicant for the works.

9. Publicity Considerations

- 9.1 All applicants or their representatives apply for a Disabled Facilities Grant and play an essential part of their application.
- 9.2 The new Financial Assistance Policy will be available on the website and enquires will be directed there for information relating to applications.
- 9.3 All applications are supported from the start to completion of the works by the Healthy Homes Team.

10. Financial implications

- 10.1 The DFG allocation for 2022/23 is £1,452,105 and with underspend from previous years, the addition of new forms of assistance that do not require a means test will not impact on the ability of the council to deliver Mandatory DFGs. Inclusion of additional forms of financial assistance will support maximising the spend of the allocation.

11. Health, Wellbeing and Community Safety Implications

- 11.1 The purpose of the DFG is to meet the needs of residents who are disabled and vulnerable and ensure they can continue to access the community, enjoy their home and remain independent. Therefore, this policy has only positive outcomes for residents' Health and Wellbeing.
- 11.2 It is expected that individuals where these works will take place will be positively affected by the completion of the works.
- 11.2 The works allow residents to continue to remain in their home and continue to live within their community and existing support networks.

12. Health and Safety Implications

- 12.1 During an inspection, council officers will undertake The Housing Health and Safety Rating System (HHSRS). This is a risk-based evaluation tool to help the council identify and protect against potential risks and hazards to health and safety from any deficiencies identified in dwellings. It was introduced under the Housing Act 2004 and applies to residential properties in England and Wales. This evaluation of applicant's properties will

support the identification and reduction or removal of Category 1 and some Category 2 hazards in the home through this policy. Undertaking this assessment and preparing a schedule of works to be funded with discretionary housing assistance (HRL), enables the council to promote the safety and wellbeing of residents through this mechanism, that may otherwise present significant risks or dangers to health and wellbeing.

13. Risk Management Implications

- 13.1 There are no Risk Management Implications in the adoptions of the Financial Assistance Policy.

14. Environmental and Sustainability Implications

- 14.1 Under the Housing Grants, Construction and Regeneration Act 1996, the council has a duty to provide Disabled Facilities Grant (DFG) funding for adaptations to eligible individuals in the borough. Applicants choose the contractors they wish to quote for them, and ultimately undertake the works. The council is not party to this agreement as this remains between the applicant and the contractor.
- 14.2 The key Environmental and Sustainability impacts operated by Stannah is their approach to recycling which contributes towards the Council's strategic objectives.
- 14.3 Stannah currently have a recycling scheme in place. If a stairlift is no longer required but still serviceable they will remove, refurbish and store free of charge until required by either CBC or CBH. Stannah will then reinstall at a reduced cost to the Council. This is environmentally responsible, but it also ensures that the Council's financial resources are effectively used.