

Appendix A

Cambridgeshire Housing Adaptations & Repairs Policy

Fenland District Council Area Version

Part 1: INTRODUCTION

1.1 Purpose and objectives of the Policy

This Housing Adaptations & Repairs Policy applies to those living in Cambridgeshire (not including Peterborough), and highlights the importance that housing can play in promoting physical and mental health and wellbeing.

The five district councils in Cambridgeshire are committed to supporting people to live independently and safely in homes which are suitable for their needs. This policy outlines the interventions which the councils have agreed may be funded through the Disabled Facilities Grant (DFG) Capital Allocation paid to them through the Department of Health's Better Care Fund, and aims to provide a consistent approach across the county. (Peterborough City Council has its own separate Housing Renewal policy).

The key objectives of the Policy are:

- To support healthy, safe and independent living
- To help prevent hospital, care home or residential school admission
- To facilitate a patient being discharged from hospital and enabling them to live safely and independently at home, including making it easier for carers to provide support
- To prevent the need for higher expenditure elsewhere in the health and/or social care system
- To improve housing conditions and remove hazards in the home (ie Category 1 hazards under the Health & Safety Rating System)

The policy will be available on the council's website www.fenland.gov.uk or on request.

1.2 Background

The Policy stems from a county-wide review of Disabled Facilities Grants carried out during 2016-17, and the need for housing, health and social care services to work in a more joined up way.

Key principles for how the district councils' Disabled Facilities Grant Allocation could be better used to support wider health and social care outcomes formed part of a Cambridgeshire Housing Adaptations Agreement which was developed, following the review, between the district and county councils in partnership with the Cambridgeshire & Peterborough Clinical Commissioning Group.

This Policy incorporates some of these key principles. It contributes to the Cambridgeshire Better Care Fund Plan vision, which involves diverting resources away from acute health services and ongoing social care, focusing on helping people

to help themselves, and returning people to independence wherever possible.¹ It also helps to support some of the priorities identified in a number of key local strategies, including: Cambridgeshire's Health and Wellbeing Strategy, Older People's Accommodation Strategy; an Ageing Well Strategy; and the district councils' own Housing Strategies where applicable. There are also links with the Cambridgeshire Housing and Health Joint Strategic Needs Assessment.²

The Policy also helps to meet each of the five district councils' wider responsibilities around tackling hazards in the home, and will form part or all of each council's Regulatory Reform Order Repair & Renewal policies.

Housing adaptations represent just one of a range of other interventions helping people to remain living at home. These include reablement services, provision of assistive technology and other daily living equipment, and Cambridgeshire Handyperson Service, to name a few.

One of the findings of the Review was that in order to achieve better outcomes for people, and to make best use of the resources available, providing repairs and adaptations in the home in which someone is currently living will not always be the best solution

With limited funding available, for the Policy to be successful it will need to be implemented hand in hand with a new approach to considering people's wider housing options. Independent advice and information on alternative housing options – for example sheltered or extra care housing or moving to a more suitable home – will, where appropriate, be made available at an early stage. This is particularly important where someone's home is unlikely to remain suitable in the longer term.

Further information on Cambridgeshire's approach to considering applicants' wider housing options is at Appendix 1.

Examples of evidence to support this policy are shown in Appendix 2.

The Policy will take effect from April 2019.

1.3 Capital resources

Government funding for Disabled Facilities Grants has historically been insufficient to meet demand for mandatory DFGs, with the district councils providing additional funding to meet their statutory responsibilities.

¹ Cambridgeshire Better Care Fund: <https://www.cambridgeshire.gov.uk/residents/working-together-children-families-and-adults/working-with-partners/section-115/cambridgeshire-better-care-fund-bcf/>

² Cambridgeshire Housing & Health JSNA 2013: <http://cambridgeshireinsight.org.uk/housing-jsna-2013>

To help achieve broader health and social care outcomes, the Disabled Facilities Grant Capital Allocation for Cambridgeshire is expected to have increased from £1.9m in 2015-16 to just under £3.6m by 2018-19.

However, even with the increase in capital funding, with an ageing population and large-scale housing growth in many parts of the county there is a risk that much of it may be used up through increasing demand. It is essential that we make best use of the limited resources available to achieve the required outcomes.

1.4 The role of the Home Improvement Agency

Home Improvement Agencies have an important part to play in providing advice, support and assistance to older and disabled people and those on low incomes who need to adapt, repair, improve or maintain their homes to meet their changing needs. Fenland District Council procured a contract that was won by the Borough Council of Kings Lynn and West Norfolk called the Care & Repair Agency.

PART 2: ASSISTANCE AVAILABLE

2.1 Mandatory Disabled Facilities Grants

Mandatory Disabled Facility Grants are available to people with disabilities living in the district, to provide disabled adaptations to the home.

The Council will award Mandatory Disabled Facilities Grants (DFG's) according to the governing legislation and guidance issued by central government and in force at the time, which determines amongst other things: the maximum amount of grant payable; the type of work that can be funded; the test of financial resources that must be applied to determine the contribution to be made by the applicant. Further information is available on request.

See Appendix 3 for more details on Disabled Facilities Grants.

Contact details are available in the Policy Summary, and in paragraph 3.1 below.

Note that the Care Act includes duties to provide equipment, and adaptations up to a value of £1,000, free of charge where there is an assessed need. These are outside the scope of this policy.

2.1.1 Eligibility

Occupiers of all types and tenures of residential properties are eligible to apply. This also includes park homes and houseboats, and eligibility extends to a range of licencees, including agricultural workers and service employees.

Applications for grant aid on a dwelling owned by a trust will be considered on a case by case basis.

In assessing whether an applicant is eligible for a Disabled Facilities Grant, the council or Home Improvement Agency will consult with Social Services, and other agencies as appropriate.

Applications for Disabled Facilities Grants for adults will normally be subject to a means test to assess income and savings levels, using the national Financial Test of Resources. (See Appendix 4 for more detail). No means test will apply in relation to Disabled Facilities Grant applications for children up to the mandatory limit (currently £30,000). For the purposes of this policy, 'children' are as defined in the Glossary at Appendix 6)

Some applicants may be eligible for a Disabled Facilities Grant, but be required to make a financial contribution, depending on their financial circumstances.

2.1.2 Determining whether works are appropriate

Disabled Facilities Grants are available for adaptations which the Council considers are necessary and appropriate to meet the needs of the disabled occupant, and reasonable and practicable having regard to the age and condition of the dwelling. Steps will be taken to consider, at an early stage, and in liaison with the applicant, whether moving to alternative accommodation might be a better option. In these circumstances, help and support will be offered in considering what housing options might be available. Details of the Cambridgeshire Early Help, Housing Options for Older People and Older People's Visiting Support service are at Appendix 1.

If moving is considered a better option, Discretionary Persons Relocation Assistance grant may be available (see section 2.3 below).

In deciding whether adaptations are necessary, appropriate, reasonable and practicable, and whether they are likely to meet the person's needs, an assessment of the internal layout of the existing dwelling will be carried out. Consideration may be given to funding additional sleeping and/or bathing accommodation by way of an extension to the existing dwelling where neither rearrangement, nor moving to an alternative property is feasible.

2.1.3 Amount of grant payable

The maximum amount available for a Disabled Facilities Grant is currently set nationally at £30,000. Where the works required, including any fees, will cost more than the maximum amount set by government, an applicant may be asked to seek additional sources of funding and/or make a financial contribution themselves. In some circumstances they may be able to apply for Discretionary Top Up Assistance to help with this. See section 2.2 below for details.

In the case of housing association tenants the council or Home Improvement Agency may be able to arrange for the landlord to cover some of the cost.

If the work is arranged through the local Home Improvement Agency, the cost of work will be assessed, and contractors appointed, in accordance with arrangements agreed between the council and the appropriate Home Improvement Agency.

If the applicant arranges for the work to be carried out, him/herself the council will pay the lower of a minimum of two quotations provided those received are reasonable, taking into account all the circumstances.

Where the applicant or a member of the family proposes to carry out the work, rather than through the Home Improvement Agency, Disabled Facilities Grant assistance will cover reasonable costs for materials, subject to suitable invoices or receipts. Labour costs will not be covered in these circumstances.

2.1.4 Means test

Applicants not receiving one or more qualifying benefits will be means tested using the national Financial Test of Resources in place at the time. More detail on how this assessment will be carried out is at Appendix 4. Applicants for grants for children will not be assessed unless the cost of the work is likely to go above the maximum grant amount – currently £30,000. (See Glossary at Appendix 6 for definition of who counts as a child for these purposes).

Advice will be given on whether or not a disabled person might be eligible and the Home Improvement Agency can assist with the application. Where applicants are not eligible for assistance; or their financial circumstances mean that they will need to make a contribution to the cost; the council or Home Improvement Agency may be able to help the applicant to seek other sources of funding, such as charitable contributions or releasing equity in their home, etc.

2.1.5 Carrying out of works

We encourage applicants to have works project managed by, and delivered through, the local Home Improvement Agency. A fee for this service is charged, and will usually be included in the grant award.

In some cases the applicant may wish to carry out additional work, over and above what the council or Home Improvement Agency deems is necessary to meet the needs of the disabled person. In this situation, the council will need to be satisfied that s/he has sufficient financial resource to fund the additional work.

2.1.6 Repayment of assistance when the property is disposed of

Where the value of the grant to an owner occupier exceeds £5,000 a charge will be registered against the property, making some of the grant repayable if the property is disposed of within 10 years of completion of the work. The minimum charge registered will be £500; the maximum will be £10,000. At Fenland District Council, owner occupier applications for Disabled Facilities Grants will attract a property charge where the Grant exceeds £5,000. Fenland District Council will place a charge on the applicant's property through the Local Land Charges Register

2.1.7 Future applications

Where work is completed following a Mandatory DFG application, and the applicant has been required to make a financial contribution to the work, this may in some circumstances reduce the contribution required to be made on future applications for Mandatory DFG works. Further information is available on request.

2.1.8 Smaller adaptations

Some small standard adaptations eligible for a DFG may be offered as a Special Purpose Assistance grant if the council is satisfied that funding it through Discretionary Special Purposes Assistance would significantly speed up the process

and improve the outcome for the applicant. (See section 2.4 below). The council or Home Improvement Agency will discuss with the applicant the most appropriate route for the individual concerned. This option, if offered, does not affect the disabled person's statutory right to apply for a Disabled Facilities Grant.

2.2 Discretionary Disabled Facilities Grant Top Up Assistance

In cases where the cost of works agreed through a Disabled Facilities Grant application is above the maximum grant allocation of £30,000 applicants may be able to apply for Discretionary Top Up Assistance in the form of a loan which will be secured on the property.

This is a discretionary loan and the decision on whether to award it in each case will depend on the individual's needs and the resources available. Details of how discretionary cases may be prioritised is shown in paragraph 4.1 below.

2.2.1 Eligibility

This is available to those with an owner's interest in their home who have been assessed as eligible for a mandatory DFG where the cost of approved works is above the maximum grant allocation of £30,000.

Discretionary Top Up Assistance may be available in cases where:

- The option to move to more suitable accommodation has been explored fully but found not to be feasible, and;
- Having taken all reasonable steps, funding cannot be found from other sources; and
- Not carrying out the works would mean that the applicant would be unable to remain living in the community; or the person or their carer would be at significant risk if the work was not completed; or completion of the work would potentially bring significant savings in other areas of public provision including health, social care, and education.

Discretionary Top Up Assistance will be offered as a loan, secured on the property. There should be sufficient equity in the property to meet the cost of the assistance, taking into account any other charges on the property, and any potential uplift in value which might, in the council's opinion, apply to the property once the work is completed. If there is insufficient equity, or if the applicant is a housing association tenant, and no other suitable accommodation can be found, the council may, in exceptional circumstances, consider offering all or part of Discretionary Top Up Assistance as a grant.

In the case of Discretionary Top Up Assistance for adults, the means test carried out to assess eligibility for and any contribution towards mandatory Disabled Facilities Grant will take into account the full cost of the works, including the need for any Top Up Assistance.

Where an application for Discretionary Top Up Assistance is for a child (as defined in the Glossary at Appendix 6) financial circumstances will be taken into account.

2.2.2 Maximum amount payable

The maximum amount payable for Discretionary Top Up Assistance will be £15,000 including the local Home Improvement Agency's fees where their services have been used.

2.2.3 Repayment

The Loan is currently repayable in full upon sale of the property. Hardship criteria can be considered and if successful the repayment condition can be disregarded. In Fenland in exercising the repayment condition, the Council must however have regard to the following:

- (i) the extent to which the recipient of the grant would suffer financial hardship were he to repay all or any of the grant,
- (ii) whether the disposal of the premises is to enable the recipient of the grant to take up employment, or to change the location of his employment,
- (iii) whether the disposal is made for reasons connected with the physical or mental health or well-being of the recipient of the grant or of a disabled occupant of the premises, and
- (iv) whether the disposal is made to enable the recipient of the grant to live with, or near, any person who is disabled or infirm and in need of care, which the recipient of the grant is intending to provide, or who is intending to provide care of which the recipient of the grant is in need by reason of disability or infirmity

Having considered these matters the Council must be satisfied that it is reasonable in all the circumstances to require the repayment.

2.2.4 Future applications

Future applications for DFG Top Up assistance, where assistance has previously been awarded for that disabled person, will only be considered in exceptional circumstances.

2.3 Discretionary Disabled Persons' Relocation Assistance (DPRA)

Applications for a Disabled Persons' Relocation Assistance can be considered for people living in the district where:

- a) Adaptations are required for a person who is eligible for a DFG, but relocation may be a better and cheaper option, taking into account the cost of the works and any future works likely to be required in the new property
- b) Where adaptations are required but it is not reasonable or practicable to adapt a disabled person's existing accommodation; or
- c) Where relocation is likely to lead to savings to the wider public purse, or it would help a disabled person to resolve other issues which might impact on health, and/or well-being.

In each case, a suitable alternative property must have been identified before a formal application for Relocation Assistance is submitted.

Disabled Persons' Relocation Assistance may contribute towards reasonable costs of moving to a more appropriate property: Examples of what this may cover include:

- removal expenses
- estate agent fees
- legal fees
- other relocation expenses reasonably incurred.

It will not include any adaptations which may be required to the new home.

The council will advise whether there is a financial limit on the amount which can be awarded to any one applicant.

Disabled Persons' Relocation Assistance is discretionary assistance and depends on the individual's needs and the resources available. Details on how discretionary cases may be prioritised is shown in paragraph 4.1 below.

2.3.1 Eligibility

Disabled Persons' Relocation Assistance can be considered for applicants who meet the criteria above, where the council is satisfied that the property to which the disabled person is moving more closely meets his/her needs and those of the family than the existing one.

Applications may be considered from/on behalf of owner occupiers and tenants.

A representative of the council may visit the property being considered for relocation, to ensure it is suitable to meet the needs of the disabled person.

Applicants for Disabled Persons' Relocation Assistance will not be means-tested.

Only applications made before the person has moved home will be considered.

2.3.2 Grant payable

Assistance will be in the form of a grant which will not be required to be repaid.

The aggregate cost of Disabled Persons' Relocation Assistance and any work to adapt the new property must not exceed the cost of adapting the disabled person's existing accommodation.

The final decision as to whether expenditure is appropriate and costs are reasonable will rest with the council. If the applicant is transferring to a rented property, grant will not be available for anything which is the landlord's responsibility.

Assistance is only payable upon the successful completion of the purchase or sign-up of the tenancy of the 'new' property, and is dependent on the disabled person then occupying that property as their only and main residence.

If the applicant chooses not to go ahead with the move once some or all of the assistance has been paid, the council reserves the right to require some or all of the money to be repaid.

2.3.3 Future applications

If an applicant subsequently moves again, further application for Disabled Persons' Relocation Assistance may only be considered where the disabled person's circumstances have changed significantly since moving into the property for which the assistance was awarded. This will be at the council's discretion.

2.4 Discretionary Special Purposes Assistance

Discretionary Special Purpose Assistance may be available for repairs, or other minor works or interventions in the home which the council is satisfied is reasonable and practicable and will help to meet one or more of the Policy's key objectives.

It will not normally be offered for interventions which are readily available through other services, or where work is covered under an existing warranty.

Examples of the types of work may include:

- Property repairs and replacement of fixtures/fittings
- Remedying of Category 1 hazards, including work to reduce the risk of falls
- Energy efficiency measures to promote warm homes
- Security measures
- Works not eligible for a Mandatory Disabled Facilities Grant but would help prevent hospital or care admission, speed up transfers of care, and/or save money elsewhere in the health, social care and/or education system
- Additional work to facilitate work required under a Mandatory Disabled Facilities Grant (DFG) but which is not eligible for Mandatory DFG funding
- Work to make a home dementia-friendly
- Adaptations which would normally be funded through a Mandatory Disabled Facilities Grant but where the council is satisfied that funding it through Discretionary Special Purposes Assistance would significantly speed up the process and improve the outcome for the applicant. The council would also have to be satisfied that there were exceptional circumstances which justified the mandatory DFG process being waived for that particular applicant.
- Larger items of personal equipment where alternative funding is not available, and where provision would be cheaper and/or provide a better outcome for the individual than would be achieved through adaptations.
- Any other request deemed by the council to be reasonable & practicable, and necessary & appropriate to meet the objectives of the Policy.

Discretionary Special Purposes Assistance is not available for repairs to disability equipment, such as stairlifts, ceiling track hoists, etc, as ongoing maintenance, if not covered by warranty, is generally the responsibility of the owner.

Discretionary Special Purposes Assistance is a discretionary grant and will depend on the individual's needs, the resources available, and the particular district council's wider objectives and priorities. Details on how discretionary cases may be prioritised is given in paragraph 4.1 below.

2.4.1 Eligibility

Applicants must be living in the district, and living in the property in question.

If repair work is required (as opposed to disabled adaptations), the applicant must normally have been resident in that home for a minimum of two years prior to the date of application.

Applications from tenants will normally only be considered for work which is not the responsibility of the landlord.

Discretionary Special Purposes Assistance will normally only be considered for those in receipt of a qualifying benefit (with the exception of adaptations for children – which would normally be expected to be funded through mandatory Disabled Facilities Grant). (See Appendix 4 for more detail). Evidence of being in receipt of benefits will normally be required, although if providing evidence would lead to unreasonable delays in work being carried out, the council may use its discretion to accept a signed declaration that the person for whom the work is required is in receipt of one of these benefits. If this statement is later found to be false then the applicant will be required to repay the grant in full.

The council or Home Improvement Agency may consider whether other funding options are available in considering whether assistance is payable.

2.4.2 Amount of assistance payable

The maximum amount allowed to one household will be £10,000 including any Home Improvement Agency fees.

2.4.3 Future applications

Further applications for Discretionary Special Purposes Assistance will not normally be considered from an applicant household within three years of the work being completed unless there are extenuating circumstances. E.g. if refusal would lead to significant health impact or a delayed transfer of care.

2.5 Discretionary funding of partnership work and other services

This policy allows for DFG capital grant provided through the Better Care Fund to be made available to fund wider partnership projects or other services where it can be clearly demonstrated that they would help to meet the objectives of this policy.

PART 3: ACCESS TO THE SERVICE

3.1 How to apply and who to contact for further information

Contact Fenland District Council , telephone 01354 654321, email privatesectorhousing@fenland.gov.uk

3.2 Valid applications

For an application to be valid, it must be in writing, and all the information required by the council must be provided. This may include, amongst other things:

- Details of why the work is needed
- Details of the relevant works
- Estimates of the cost of the works
- Any financial information required for a financial assessment to be carried out
- Written documentation evidencing a legal interest in the property, and that the occupant on behalf of whom the application is made intends to live there as their only or main residence throughout the grant/loan condition period. If the application is for a property held in trust or is occupied under another licence, for example in the case of agricultural workers, it will be at the council's discretion as to the appropriateness or otherwise of the requirement for written documentation.
- For works to be carried out for the benefit of a tenant, a statement of consent to the works signed by the person who at the time of the application is the landlord under the tenancy.

Exactly what information is required in each case will depend on the type of assistance being applied for and the circumstances of the applicant. More information is available on request.

Where the applicant is using the services of the local Home Improvement Agency, the Agency can help with completing the application.

Further information on the types of legal interest and occupancy documentation required are at Appendix 4.

3.3 Fees to be charged

It will be at the discretion of the Council as to the level of professional fees deemed reasonable to be covered in the calculation of financial assistance. Where an applicant uses the services of the Home Improvement Agency then the Council will generally include the fees in the calculation of financial assistance.

Fenland District Council conducted a procurement competition for the Home Improvement Agency Service. The fees for the winning tender were 25%.

3.4 Conditions

Information on grant/loan conditions are available from the council or Home Improvement Agency. These conditions remain in force throughout the relevant grant/loan condition period.

In making an application for financial assistance the applicant agrees to the terms and conditions attached to the provision of that assistance.

PART 4: ADDITIONAL INFORMATION

4.1 Prioritisation of funding

While this policy is designed to encourage flexible use of the DFG Capital Allocation, where insufficient funding is available, Mandatory Disabled Facilities Grants will generally need to be given first priority over discretionary assistance.

Where the council considers there will be sufficient funding to provide discretionary assistance on top of Mandatory Disabled Facilities Grant work, then applications for discretionary assistance will be dealt with on a first come first served basis, so long as sufficient funding remains available.

If there are a number of applications being considered at any one time, applications will generally be prioritised in the following order:

- Mandatory Disabled Facilities Grants, and Relocation Assistance for applicants, for applicants who would be eligible for a DFG, within the terms of paragraph 2.3(a) above.
- Work to facilitate a Disabled Facilities Grant which is not eligible for Mandatory DFG funding
- Relocation assistance under the terms of paragraph 2.3(b) above
- Discretionary Top Up Assistance
- Disabled Facilities Grant works to be carried out under Discretionary Special Purposes Assistance where the council is satisfied that funding it through Discretionary Special Purposes Assistance would significantly speed up the process and improve the outcome for the applicant.
- Other Discretionary Special Purposes Assistance
- Relocation assistance under the terms of paragraph 2.3(c) above
- Discretionary partnership projects and/or other services.

The council reserves the right to amend this priority ordering if the need arises. For example: where additional funding becomes available from elsewhere with the intention of it being used for a particular type of assistance; if changes in legislation enable or require it; etc

In assessing whether to fund assistance other than Mandatory DFGs, and what priority should be given, the council will also consider:

- a) The extent to which providing assistance will meet the objectives of this Policy;
- b) Whether the need for assistance is considered serious and urgent both in its own right and relative to any other current applications and enquiries for assistance which the council is considering;
- c) The extent to which the applicant is able, and can him/ herself afford to resolve the problem and /or pay for the work;

- d) Whether the work to which the application relates is considered serious or urgent relative to the general state of repair of dwellings in the district.
- e) Any other circumstances which may be relevant at the time.

4.2 Approval of application and payment of grant

Before approving an application the Council will need to be satisfied that the application is complete and that it accurately reflects the applicant's circumstances; also that the applicant clearly understands and accepts the conditions of any financial assistance being provided.

Where the assistance is to pay for work to be carried out:

- The council must be satisfied that the cost of the works is reasonable and that all the appropriate notifications and/or permissions have been obtained eg, Building Regulations, Planning Permission etc.
- If the applicant is arranging their own work, s/he should not make any arrangements for the work to start until they have received the grant/loan approval in writing from the council.
- If carrying out their own work the applicant must notify the Council when the work is completed. A council representative may need to visit the property to inspect the works before arranging payment. No payment will be made until the relevant work is completed to the Council's satisfaction. The applicant will be responsible for ensuring that any defects are remedied.
- Unless otherwise specified, payment will be made direct to the contractor.
- Where the approved work has not been carried out to the satisfaction of the applicant the Council may, at the request of the applicant and if it considers it to be reasonable, withhold payment.
- The works and the Grant should normally be completed to satisfaction within 12 month of the grant approval date

Further conditions may apply to the payment of any assistance under this policy, which applicants need to formally agree to before any application can be approved. Details are available from the council or the Home Improvement Agency.

4.3 Local authority decision making & appeals

All applications for assistance contained within this Policy are subject to the local authority's decision making processes which is an Officer delegated function.

If an applicant wishes to appeal against a decision under this Policy then they can do so through the Council's "3cs" complaints procedure:

<https://www.fenland.gov.uk/complaint>

Each council may make exceptions to the policy in exceptional circumstances, and each case will be considered on its merits.

4.4 Equalities

The public sector equality duty under the Equality Act 2010 requires public bodies, in exercising their functions, to have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
- Advance equality of opportunity between people who share a protected characteristic and those who do not; and
- Foster good relations between people who share a protected characteristic and those who do not.

The protected characteristics are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation.

An Equality Impact Assessment has been carried out on this Policy to ensure that the Policy takes into account the needs of all groups, and that particular groups of people are not adversely affected by it.

4.5 Safeguarding

The Care Act 2014 established a national framework for safeguarding and protecting people at risk of abuse or neglect. All the Cambridgeshire councils are committed to safeguarding and promoting the welfare of children and adults who may be at risk, and their policies and processes reflect the direction of Cambridgeshire County Council in relation to safeguarding.^{3 4}

4.6 Recourse to public funds

³ See also: s.11 Children's Act 2004

⁴ See also: Working Together to Safeguard Children – statutory guidance:
<https://www.gov.uk/government/publications/working-together-to-safeguard-children--2>,

Assistance will not be available to individuals who have no National Insurance number or recourse to public funds. Further details are available from the government's website.⁵

4.7 Monitoring of outcomes

The five Cambridgeshire district councils signed up to this Policy will agree a common set of outcomes with health and social care partners which will be used to monitor implementation of this policy.

4.8 Policy Review

The Policy will run from April 2019. The government recently announced a national review of Disabled Facilities Grants. This Policy may need to be reviewed once the outcome of this is known. Otherwise the Policy will be reviewed as and when necessary.

⁵ Gov.uk web page re public funds: <https://www.gov.uk/government/publications/public-funds--2/public-funds>

Appendix 1

Early Help & Housing Options

One of the findings of the Cambridgeshire Disabled Facilities Grants Review carried out in 2016 was that in order to achieve better outcomes for people, and to make best use of the resources available, providing repairs and adaptations in the home in which someone is currently living will not always be the best solution; options must also be available for people to move to more suitable accommodation.

The Home Improvement Agencies already provide basic housing options advice. However, with limited funding available, for the Policy to be successful it will need to be implemented hand in hand with a new approach to considering people's wider housing options at an earlier stage.

For adults where their current home may not meet their needs now or in the future, there is a Specialist Housing Officer who works with the Adult Early Help Team working with Social Workers and Occupational Therapists. This service provides advice and information on all the possible options that may be available at an early stage.

For older people the Councils also promote the use of the Elderly Accommodation Council (First Stop – HOOP) resources to deliver early advice and information on alternative housing options prior to a request for an adaptation. This provides comprehensive information on services available to maintain independence and also an independent advice line.

Information on alternative housing opportunities - for example sheltered housing, extra care or the purchase of a more suitable home, can inform early decisions. This is especially important if the home will not be suitable in the longer term. See the Cambridgeshire Older Peoples Factsheet for further information. ⁶

The Housing Options for Older People (HOOP) tool is available both on line and in leaflet format and is designed to help older people think about how suitable their current home is and if submitted can identify what alternative options are nearby. See the website online tool.⁷

Support with planning, managing and facilitating a move can be sought from the Older Peoples Visiting Support Services which are delivered across the county to people in all tenures, be they property owners or renters, if this is not readily available from family or friends.

For working age people with a disability who are considering applying for an adaptation to their home, information and advice can be sought on alternative social housing options from the local Home-link teams. Support with planning, managing and facilitating a move may be available from the Floating Support Services available across the county.

For families with a child or young person with Special Educational Needs and Disability (SEND) 0 – 25) where their current home may not meet the child's needs now or in the

⁶ Cambridgeshire Older People's Factsheet: <http://www.housingcare.org/downloads/kbase/3501.pdf>

⁷ HOOP online tool: <https://hoop.eac.org.uk/hoop/start.aspx>

future there is a Specialist Housing Officer who works with the SEND Social Care, Occupational Therapists and others.

These services provide advice and information on all the possible options that may be available at an early stage. Often major adaptations can be expensive and the limits of the Grant funding available means that sometimes more expensive works (i.e. extensions with specialist equipment) cannot be fully funded that way. Options may include a move to a more suitable property, accessing or moving within social housing, or a new build opportunity.

Appendix 2

National and Local Context and Supporting Data

Legislative background

The Care Act 2014 focusses on prevention. Guidance states “*Local authorities must provide or arrange services, resources or facilities that maximise independence for those already with such needs, for example interventions such as rehabilitation/reablement services, e.g. community equipment services and adaptations.*” The guidance goes on to state “*Integrated services built around an individual’s needs are often best met within the home. The suitability of living accommodation is a core component of an individual’s wellbeing and when developing integrated services, local authorities should consider the central role of housing within integration.*”

The Public Health Outcomes Framework “Healthy Lives, Healthy People: Improving Outcomes and Supporting Transparency” (Dept of Health, 2013) sets out desired outcomes for public health and how they will be measured. Many of the outcomes have links to housing including prevention of falls and injuries in over 65s, Fuel Poverty and Excess Winter Deaths.

The Regulatory Reform (Housing Assistance) (England & Wales) Order 2002 (RRO 2002) repealed much of the Housing Renovation Grants regime of the previous Housing Grants, Construction and Regeneration Act of 1996 but left in place the Mandatory Disabled Facility Grants and discretionary grant duties.

In 2008/09 the government extended the scope of the Regulatory Reform Order, allowing authorities to use the Disabled Facilities Grant capital allocation on other types of adaptations, repairs and assistance. The Cambridgeshire authorities hadn’t until now adopted this approach and continued to use the DFG Allocation purely for Mandatory Disabled Facilities Grants which they have a statutory duty to provide; although some have been funding a range of discretionary Regulatory Reform Order policy initiatives through separate capital funding directly from their own budgets.

The Housing Act 2004 placed a duty on local authorities to keep housing conditions under review. The Act introduced the Housing Health and Safety Rating System (HHSRS) risk assessment for residential properties, which replaced the old housing fitness standard. In addition, the Home Energy Conservation Act 1995 continues to place a requirement on the authority to have a strategy for promotion and adoption of energy efficiency measures and to work towards the reduction of fossil fuel use.

National data

Around 12% of homes in England are estimated to have Category 1 hazards.⁸ Most of those are in the private rented and owner occupied sectors. In addition, around one in five homes do not meet the national 'decent homes' standard.^{9 10}

National research by the Building Research Establishment (BRE) estimated that it was costing the NHS around £1.4bn per annum in first year treatment costs to leave people living in the poorest housing in England (ie with at least one Category 1 hazard).¹¹

Further Building Research Establishment research found that, in England:

- Over one fifth of all older household groups (55 – 64, 65 – 74, over 75 and over 80) lived in a home that failed to meet the Decent Homes standard
- 780,000 households aged 55 years and over were in fuel poverty
- 1.3 million households aged 55 years and older lived in a home with at least one Category 1 hazard
- For households aged 55 years or more, the cost of poor housing to the NHS (for first year treatment costs) is £624 million with these costs dominated by excess cold hazards and those associated with falls (on stairs and on the level)
- The proportion of older households living in a home with the four "visitability" accessibility features assessed by the English Housing Survey (level access, flush threshold, WC at entrance level and sufficiently wide doors and circulation space) ranged from 4% (aged 55 – 64 years) to 7% (aged 80 years and over). Around a fifth of homes occupied by all age groups aged 65 years and over had none of these key features and this figure was 24% for households aged 55 – 64 years.
- A permanent home for a person with restricted mobility requires suitable parking, downstairs living space, shower on the ground floor, wheelchair turning space, bed space on the ground floor and the entrance illuminated or covered. The research estimated that only 110,000 dwellings (0.5%) were fully accessible.

Cambridgeshire Population Data^{12 13}

According to the Census 2011:

⁸ As measured by the Housing Health & Safety Rating System – HHSRS;

⁹ English House Condition Survey 2015:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/627688/Potential_stock_improvements_Report_2015-16.pdf

¹⁰ Housing Health & Safety Rating System <https://www.gov.uk/government/publications/hhsrs-operating-guidance-housing-act-2004-guidance-about-inspections-and-assessment-of-hazards-given-under-section-9>

¹¹ BRE, The Cost of Poor Housing to the NHS briefing: <https://www.bre.co.uk/filelibrary/pdf/87741-Cost-of-Poor-Housing-Briefing-Paper-v3.pdf>

¹² Census 2011, Cambridgeshire Atlas: <http://atlas.cambridgeshire.gov.uk/census/2011/atlas.html>

¹³ From Cambridgeshire DFG review 2016

- The number of households was 251,241
- Around 15% reported a long-term activity limiting illness

Cambridgeshire County Council's Research Group estimates that:

- In Cambridgeshire in 2016 there are estimated to be over 409,000 adults (18-64 years), over 138,000 children (0-18 years) and nearly 116,500 older people (65+).
- In the next five years the population is forecast to grow by an additional 30,800 adults (+8%), 15,700 children (+11%) and 10,400 older people (+14%). The biggest percentage change is amongst the oldest age group – an additional 4,000 people aged 85 and over by 2021.

Further data on numbers and types of interventions provided, performance data etc, is available on request from the Council.

Appendix 3

Mandatory Disabled Facilities Grants – further information

The provisions governing Mandatory Disabled Facility Grants are set out in the Housing Grants, Construction and Regeneration Act 1996, as amended by the Regulatory Reform (Housing Assistance)(England & Wales) Order 2002.

A summary of the purposes for which Mandatory DFGs may be given are as follows:

a) Facilitating Access and Provision

These include works to remove or help overcome any obstacles which prevent the disabled person from moving freely into and around the dwelling and enjoying the use of the dwelling and the facilities or amenities within it.

b) Making a dwelling or building safe

Adaptations to the dwelling or building to make it safe for the disabled person and other persons residing with him/her.

c) Room usable for sleeping

The provision of a room usable for sleeping should therefore only be undertaken if the council is satisfied that the adaptation of an existing room in the dwelling (upstairs or downstairs) or the access to that room is unsuitable in the particular circumstances.

d) Bathroom

A disabled person should have access to a wash hand basin, a WC and a shower or bath (or if more appropriate, both a shower and a bath).

e) Facilitating preparation and cooking of food

A wide range of works are available to enable a disabled person to cater independently.

f) Heating, lighting and power

The improvement of an existing heating system in the dwelling to meet the disabled occupant's needs. Where there is no heating system or where the existing heating arrangements are unsuitable to meet his needs, a heating system may be provided.

g) Dependent residents

Works to a dwelling required to enable a disabled occupant better access and movement around the dwelling in order to care for another person who normally resides where whether or not they are related to the disabled person.

h) Access to garden

Works for facilitating access to and from a garden by a disabled occupant, or making access to a garden safe for a disabled occupant.

Further details are available from the council.

Appendix 4

Test of Resources/ Means Testing

Where required under this policy, a test of resources will be carried out in order to assess the amount, if any, that the applicant must contribute to cost of the works. If the applicant is not in receipt of a passporting benefit they will have to provide details of income and capital.

For those in receipt of one or more of certain qualifying benefits or any equivalent or successor benefits at the time of the application, their contribution towards the financial assistance will be NIL.

The relevant qualifying benefits set by government at the time of publishing this policy are:

- Universal credit
- Income Support
- Income based Job Seekers Allowance or Income Based Employment Support Alliance
- Working Tax Credit with gross income less than the current level set by the Department of Work & Pensions
- Housing Benefit,
- Guaranteed Pension Credit,
- Or child tax credit with a relevant income less than the current level set by the DWP

In addition to the qualifying benefits set by government, Council Tax Benefit may, under this policy, be treated as a qualifying benefit for Discretionary Special Purposes Assistance adaptations which would normally be funded through a Mandatory Disabled Facilities Grant but where funding it through Discretionary Special Purposes Assistance would, in the council's view, significantly speed up the process and improve the outcome for the applicant.

For those not on one of the qualifying benefits listed above, where means testing is required legally and/or under the policy, a full means test will be carried out under the National Test of Resources in accordance with the Housing Renewal Grants Regulations 1996 (as amended), or any future legislation that replaces it. This will calculate the applicant's contribution in order to assess the extent to which any assistance may be given up to the maximum eligible expense limit.

The council may in some cases, and where legally permitted, exercise the discretion to consider a grant or loan where applicants are not on qualifying benefits but instead:

- have an income (at the time of application), of less than the current income level recognised by the DWP,
- **and** have savings less than the current cut off level determined by the benefits service,
- **and** are considered to be a priority due to their situation or their urgency of the works required.

The means test or other financial assessment will apply to the person for whom the intervention is being applied for, and any spouse/partner.

Appendix 5

Documentation required to demonstrate a legal interest in the property and intention to remain in the property.¹⁴

a) **Owner-Occupiers.**

An owner's certificate which certifies that the applicant has or proposes to acquire an owner's interest in the dwelling, and that the applicant intends that the person requiring financial assistance will live in the dwelling as their only or main residence throughout the relevant grant/loan condition period, or for such shorter period as his/her health and other relevant circumstances permit. The Council retains the discretion to demand repayment of the grant or loan if this condition is breached.

b) **Tenants**

A tenant's certificate which certifies that the person requiring financial assistance is a tenant, and that they intend that the occupant for whom the assistance is being sought will live in the dwelling as their only or main residence throughout the relevant grant/loan condition period, or for such shorter period as his/her health and other relevant circumstances permit.

The Council retains the discretion to demand repayment of the grant or loan if this condition is breached. It will be at the Council's discretion whether an application should also be accompanied by an owner's certificate from the landlord.

c) **Occupiers (in relation to houseboats and park homes)**

An occupier's certificate that states the applicant intends that the occupant for whom assistance is being sought will live in the qualifying houseboat or park home as their only or main residence throughout the relevant grant/loan condition period or for such shorter period as his/her health and other relevant circumstances permit. The Council retains the discretion to demand repayment of the financial assistance if this condition is breached. A consent certificate must also accompany an occupier's application, from each person with an interest in the land or mooring, or in the park home site or boatyard itself.

If none of the above certificates are appropriate to the applicant's situation then signed documentation shall be provided by either the owner or the occupier to confirm the intention for future occupation of the property by the person for whom financial assistance is being sought.

d) **Availability for letting**

In a case where a certificate of intended letting accompanies the application:

¹⁴ See sections 21-22A of the Housing Grants, Construction & Regeneration Act 1996 for more detail: <http://www.legislation.gov.uk/ukpga/1996/53>

- It is a condition of any financial assistance under this Policy that, throughout the relevant grant/loan condition period the dwelling will be let or available for letting to the applicant as a residence. Being available as a holiday letting will not satisfy compliance with this requirement.
- It is also a condition of the financial assistance that the Council, may, by written notice require the owner to provide, within 21 days of that notice, a statement showing how the property is occupied and by whom.

Appendix 6

Glossary

Assistance	Any form of financial assistance approved under this Policy
Better Care Fund	<p>The <u>Better Care Fund</u> (BCF) is a programme spanning both the NHS and local government which seeks to join-up health and care services, so that people can manage their own health and wellbeing, and live independently in their communities for as long as possible.</p> <p>The BCF has been created to improve the lives of some of the most vulnerable people in our society, placing them at the centre of their care and support, and providing them integrated health and social care services, resulting in an improved experience and better quality of life.</p>
Category 1 Hazards	Hazards in the home as assessed as 'serious' through the <u>Housing Health & Safety Rating System</u> .
Children	<p>For mandatory DFG applications the relevant person is a child if;</p> <ul style="list-style-type: none"> • under the age of 16 • a person who is 16 or over but not yet 20 and is still in full-time non-advanced education (A level and below) and not getting Income Support, income-based Job Seekers' Allowance, income-related Employment and Support Allowance or Universal Credit.
Condition	Any condition attached to financial assistance approved under this Policy. Details of conditions are available on request.
Council	Any reference to council means the local housing authority operating in the area in which the person on behalf of whom an application is made resides, or an authorised representative of that housing authority. Ie Cambridge City Council; East Cambridgeshire District Council; Fenland District Council; Huntingdonshire District Council; or South Cambridgeshire District Council. An authorised representative could include, for example: the Home Improvement Agency commissioned by that authority, an Occupational Therapist, a Trusted Assessor, etc.
Disabled person	<p>For the purposes of this policy, a person is disabled if:</p> <ul style="list-style-type: none"> • their sight, hearing or speech is substantially impaired; • they have a mental disorder or impairment of any kind; or • they are physically substantially disabled by illness, injury, impairment present since birth, or otherwise. <p>(s100 <i>Housing Grants, Construction and Regeneration Act 1996</i>)</p>
Discretionary assistance	Grants and/or loans which the council may make available to applicants, subject to having a policy in place, and to having sufficient funding available to offer that assistance.

	The extent to which discretionary assistance may be available to an applicant may also be subject to how the council concerned interprets and/or implements financial regulations – eg use of capital grant funding for revenue purposes.
Disposal of a property	Any reference to ‘disposal’ of a property means: <ul style="list-style-type: none"> • A conveyance of the freehold • An assignment of the lease – where the lease was used to qualify for the assistance: eg a long lease that was treated as effective ownership • The grant of a lease, other than a mortgage term, for a term of more than 21 years otherwise at a rack rent • In the case of a mobile home or a houseboat, the sale, pledge or assignment of the mobile home or houseboat.
Home Improvement Agency	An agency commissioned by the council to support people to remain independent at home. The role of the local agency is outlined in section 1.4 of this Policy.
Household	The person or persons who occupy a dwelling as their only or main residence.
Housing Health and Safety Rating System (HHSRS)	<u>National system for assessing risks in residential properties.</u> Replaced the old housing fitness standard.
Mandatory assistance	Disabled Facilities Grants are ‘mandatory’ in that local authorities are legally required to provide them to applicants who meet national eligibility requirements.
Means test/Test of resources	As part of an application for some forms of assistance under this policy, a test of resources must be carried out in order to assess the amount, if any, that the applicant must contribute to cost of the works. If the applicant is not in receipt of a passporting benefit they will have to provide details of income and capital. More information is available in Appendix 3 to this Policy
Owner’s interest	Where an application for a DFG (or other works to the home) has been made by an owner-occupier the applicant must provide proof of ownership. Under the 1996 legislation : An owner’s certificate’ certifies that the applicant has, or proposes to acquire, an owner’s interest (as defined in section 21(2)) in the dwelling, and that he intends that the disabled occupant will live in the dwelling as his only or main residence’. For more information see Appendix 5 to this Policy
Regulatory Reform Order Repair & Renewal policies	Councils have powers to provide financial assistance to individuals to help them improve living conditions. In order to be able to use those powers they need to have a published policy detailing how they will use those powers.