

**Report for:** Cabinet, 12 December 2017

**Item number:**

**Title:** Policy: Grants and assistance regime for housing adaptations for Disabled Persons in Haringey.

**Report authorised by:** Beverley Tarka, Director, Adult Social Care

**Lead Officers:** Anita Marsden, Head of Integrated Care

**Ward(s) affected:** All

**Report for Key/  
Non Key Decision:** Key Decision

## **1. Describe the issue under consideration**

- 1.1 Haringey Council is committed to assisting people who are registered, or eligible for registration as a disabled person, to help them in gaining access to and from, and in and around their dwelling to help them remain in their own home whenever it is practicable to do so.
- 1.2 In Haringey we are seeking to make use of the increased resources provided to us (we received a £700 000 increase in capital budget in 2016/17) to implement a new policy that will ensure we can meet the needs of Haringey residents in a greater, more flexible and innovative way.
- 1.3 We have developed this policy in response to some specific service and operational challenges we identified and this policy builds on existing practice and seeks to ensure that residents have a consistent experience in the service and an efficient service with a wider scope of services available. The DFG monies are now contained within the Better Care Fund (BCF) and it is expected that health priorities will become more important in the way DFG is spent. So that delayed transfers of care and readmission to hospital, which are key health priorities, could be supported using some of the DFG finance.
- 1.4 This report outlines Haringey Council's approach to the delivery of its service to customers who require adaptations to their home.
- 1.5 The draft policy (Appendix 1) is based on the legislation which governs the implementation of major adaptations via Disabled Facilities Grants under the Housing Grants, Construction and Regeneration Act 1996 and other

assistance under the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002.

## **2. Cabinet Member Introduction**

- 2.1 It is very important that residents are able to remain in their own home for as long as it is practicable to do so. This policy sets out the obligations of the Council to ensuring that residents have a range of options by creating greater flexibility within the DFG fund and through adopting the reforms allows the Council to decide whether it provides grants, loans, advice etc for the purpose of repairing, improving, extending, converting or adapting housing accommodation.
- 2.2 This policy builds on existing practice and seeks to ensure that residents have a consistent experience in the service and an efficient service with a wider scope of services available. The DFG monies are now contained within the Better Care Fund (BCF) and it is expected that health priorities will become more important in the way DFG is spent. So that delayed transfers of care and readmission to hospital, which are key health priorities, could be supported using some of the DFG finance.

## **3. Recommendations**

- 3.1 Cabinet is asked to approve the draft Policy: Grant and assistance regime for housing adaptations for disabled persons in Haringey, attached at appendix 1.

## **4. Reasons for decision**

- 4.1 Having a policy will clearly set out and define what services we are able to provide and a clear pathway for accessing services, increase the range of services and scope the council are able to provide to maximise service user's independence. Thereby, providing clarity and consistency for all service users across Haringey regardless of tenure.
- 4.2 It will provide us with ability to use the DFG funding in innovative ways that will:
- reduce the bureaucracy in administering grants for residents
  - simplify the application and adaptation process
  - rapidly deal with inaccessible housing
  - award grants to excess of mandatory grant limit, currently £30 000, to meet eligible needs larger grants to meet needs,
  - complete adaptations in a timely manner therefore potential reduce package of care spend,
  - capitalise staffing costs and procurement to manage demand

4.3 We will pilot for a 12-month period from January 2018 removing the test of resources. This will reduce the bureaucracy in administering grants for residents, simplify the application and adaptation process and enable the LA to complete adaptations in a timely manner therefore potential reduce package of care spend.

4.4 Since 2014 to date we have assessed 40 residents as requiring to make a client contribution and the total value received is £36,133.64. Therefore, the financial risk to the LA is minimal. We employ x2 FTE Assessment Officers to administer the test of Resources. The current process to complete the Test of Resources is also reported on average to take 3-6 months.

## **5. Alternative options considered**

5.1 The contents of the Policy reflect the wider strategic aims of the Council to give all children the best start in life and empower all adults to live healthy, long and fulfilling lives and also the ever closer integration of health and social care. The option of maintaining the current model for adaptations was considered to not fully meeting these wider strategic aims.

## **6. Background information**

6.1 This draft Policy seeks to bring into one place, and to ensure consistency of approach. This Policy does not affect eligibility for services or support

6.2 The policy offers a single, improved approach to services. The aim is to ensure that the services provided and the user experience are improved and increased and that the most efficient, effective and suitable assistance is provided regardless of tenure.

6.3 In 2008, the government made a number of changes to the way DFG was administered and the ways in which it could be used. This was as a result of a cross departmental review of the programme, and independent study carried out by Bristol University. These changes included the relaxation and removal of the ring-fence (in 2010), allowing DFG monies to be used more flexibly and as part of wider strategic projects to keep people safe and well at home, and to reduce bureaucracy in the grant's administration

6.4 Although local authorities have had this power since 2008 few have had the resources available to develop programmes expanding their grant delivery. Now that the mandatory grant programme has been considerably expanded from £220m in 2015/16 to £431m in 2017/18 we are seeing an increasing number of authorities updating their policies to include more innovative spend of the DFG monies. In 2002 the government brought in the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (RRO) which provide freedom and opportunities for the Local Authority to address housing issues.

- 6.5 This Order had important implications for the Council because it repeals much of the existing prescriptive legislation governing the provision of renewal grants to homeowners and replaces it with a new wide-ranging power to provide assistance for housing renewal
- 6.6 In Haringey we are also seeking to make use of the increased resources provided to us (we received a £700 000 increase in capital budget in 2016/17) to implement a new policy that will ensure we can meet the needs of Haringey residents in a greater, more flexible and innovative way.
- 6.7 In order to make use of the RRO, a local authority must comply with the following conditions:
- There must be a formally adopted policy in place, which sets out how the authority intends to use its powers;
  - There must be notice to the public that a policy is in force;
  - They must ensure that a copy of the full policy is available to the public for free at the council offices;
  - There must be a summary document available on request (though a small charge to cover costs may be allowed).
- 6.8 Schemes can be aligned to ‘people’ outcomes – for example, services driven by the needs of a particular client group (older people, disabled people or families with disabled children, for example) or be more ‘theme’ based – accident prevention, relieving fuel poverty or assisting with hospital discharge would be examples of this type of scheme.

## **7. Contribution to strategic outcomes**

- 7.1 The Corporate Plan, ‘Building a Stronger Haringey Together’, sets out the vision and priorities for the Council over the next three years. The draft Grants policy will deliver outcomes that meet Priority 1 to enable every child and young person to have the best start in life, with high quality education, Priority 2 to empower all adults to live healthy, long and fulfilling lives and Priority 5 to create homes and communities where people choose to live and are able to thrive

## **8. Statutory Officers comments (Chief Finance Officer, Procurement, Assistant Director of Corporate Governance, Equalities).**

### **8.1 Chief Finance Officer**

- 8.1.1 The DFG allocation to the council in 2016/17 was £1,818k of which £819k was unspent at the end of the year and was carried forward into 2017/18. This plus the in-year allocation of £1,818k gives total available DFG funding in 2017/18 of £2,637k.

8.1.2 There is a risk that funding which is not spent will be required to be returned to the DH. The proposed policy will enable the council to implement a wider range of spending plans against the DFG funding to ensure that it is fully utilised.

## **8.2 Procurement**

8.2.1 Strategic Procurement notes the contents of this report; however, there are no procurement implications at this point in the process.

## **8.3 Assistant Director of Corporate Governance**

8.3.1 Cabinet is being asked to approve the draft Policy: Grants and assistance regime for housing adaptations for Disabled Persons in Haringey. The policy falls within the statutory framework for disabled facilities grant (DFG) as set out in the Housing Grants, Construction and Regeneration Act 1996 (the Act) and the Regulation referred to below. The Act permits the local housing authority to award mandatory DFG for purposes which include facilitating access by the disabled occupant to dwelling, making safe the dwelling for the disabled occupant and facilitating access by the disabled occupant to the principal family room, or a room used or usable for sleeping. DFG are subject to means test and a maximum grant limit of £30,000 per application.

8.3.2 Where the cost of eligible works is more than the DFG limit, the Council may use its discretionary powers under the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (the Regulation) to bridge part or all of the funding gap. Article 3 of the Regulation permit housing authorities to give discretionary assistance, in any form (e.g. grant or loan) to, amongst others, adapt or improve living conditions. The assistance may be subject to conditions including repayment of the assistance. Authorities are required to consider a person's ability to repay the assistance, both before imposing a condition to that effect and before taking steps to enforce a condition of that kind. They are also required to provide a written statement of the conditions to which assistance is subject, and to ensure that a person to whom assistance is given has received advice or information about any obligations to which he would be subject once assistance has been provided. They may take security in respect of the assistance, including a charge on property.

8.3.3 Article 4 of the Regulation provides that the power to provide assistance is not exercisable until the authority has adopted and published a policy relating to their exercise of the power, and the power must be exercised in accordance with the policy. The then Office of the Deputy Prime Minister (ODPM) published a non-statutory circular titled Housing Renewal (17<sup>th</sup> June 2003) that includes advise on the content of the policy to provide assistance. It provides at Paragraph 4.4 "As the mandatory Disabled Facilities Grant will not normally be adequate to deal with all the likely requests for assistance

with housing adaptations for disabled people, it is also important for the policy to set out what additional adaptations assistance is to be provided.” Further at Paragraph 4.6 that the policy document should include the following – “how the policy will contribute towards strategic aims, objectives and priorities; a statement of the key priorities which the policy will address: a description of the types of assistance available; the circumstances in which persons will be eligible for assistance; the amounts of assistance that will be available to eligible persons, and how these amounts will be determined; the process to be used to apply for assistance; details of conditions that will apply to the provision of assistance: advice that is available, including financial advice, to assist persons wishing to enquire about, and apply for, assistance” etc.

8.3.4 The adoption of the policy will enable the Council to exercise its powers to provide assistance under the Regulations.

## **8.4 Equalities**

8.4.1 The Council has a public sector equality duty under the Equality Act (2010) to have due regard to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act
- Advance equality of opportunity for those with ‘protected characteristics’ and those without them
- Foster good relations between those with ‘protected characteristics’ and those without them.

The protected characteristics are: age, disability, gender reassignment, pregnancy/maternity, race, religion/faith, sex and sexual orientation. Marriage and civil partnership status applies to the first part of the duty.

8.4.2 An Equalities Impact Screening Assessment (EqIA) has been carried out for the proposed policy. The findings are described in more detail in the EqIA screening tool in appendix 2. The proposed changes will not have a negative impact on those people with ‘protected characteristic’.

## **9. Use of Appendices**

- i. Appendix 1: Draft Policy: Grants and assistance regime for disabled adaptations to housing in Haringey
- ii. Appendix 2: EqIA Screening Tool

## **10. Local Government (Access to Information) Act 1985**

N/A