

EAST HERTS COUNCIL

HEALTH AND WELLBEING SCRUTINY COMMITTEE – 16 FEBRUARY 2016

REPORT BY EXECUTIVE MEMBER FOR HEALTH AND WELLBEING

UPDATE ON DISABLED FACILITIES GRANTS PROGRAMME

WARD(S) AFFECTED: ALL

Purpose/Summary of Report

- This Committee requested an update on the Disabled Facilities Grants programme. This report summarises the current countywide review of housing adaptations services and provides local context. It answers specific questions from the Committee Chairman about eligibility and process.

RECOMMENDATIONS FOR HEALTH AND WELLBEING SCRUTINY COMMITTEE:

That:

(A)	flyers be distributed to Members so they can promote Disabled Facilities Grants to residents in their areas; and
(B)	the approach taken by the ongoing Herts Review of Adaptations to Support Independent Living, in accordance with the Chief Executive's Co-ordinating Group decision of 7 January 2016 be supported in principle.

1.0 Background

1.1 The Housing Grants, Construction and Regeneration Act 1996, requires Housing Authorities to provide Disabled Facilities Grants (DFGs), and lists eligible adaptations. Broadly, these are works to enable access into and around the property and to use its facilities.

- 1.2 The Act requires the Council to consult with the County Council as to which works are necessary and appropriate, and the District Council must be satisfied that the works are reasonable and practicable, and must administer the grant.
- 1.3 The grants are means tested other than for children. The maximum mandatory grant is £30,000.
- 1.4 These grants have long been a priority within the council's housing strategy but in recent years expenditure in East Herts has fallen, largely due to fewer referrals from Occupational Therapists (OTs).
- 1.5 Recent changes to funding and legislation have provided impetus for the current review of DFG services across Hertfordshire.

2.0 Legislation relating to mandatory and discretionary grants

2.1 Mandatory DFG

2.1.1 The Housing Grants, Construction and Regeneration Act 1996 remains the primary legislation for these mandatory grants.

2.1.2 Section 23 of the Act lists the purposes for which a valid application for a grant must be approved. These may be summarised as follows:

- Facilitating access by the disabled occupant to and from the dwelling, qualifying houseboat or qualifying park home, or the building, in which the dwelling or flat is situated;
- making the dwelling, houseboat or park home, or building, safe for the disabled occupant and persons residing with him;
- facilitating access to a principal family room;
- providing for or facilitating access by the disabled occupant to a bedroom;
- providing or facilitating use of or access to a room or rooms in which there is a bath or shower (or both), lavatory, and wash hand basin;
- facilitating the preparation and cooking of food by the disabled occupant;
- providing or improving any heating system to meet the needs of the disabled occupant;

- facilitating the use by the disabled occupant of a source of power, light or heat by altering the position of one or more means of access to or control of that source or by providing additional means of control;
- facilitating access and movement by the disabled occupant around the dwelling in order to care for a person who is normally resident there and is in need of such care.

2.1.3 By virtue of section 24, the housing authority must not approve an application unless satisfied that the relevant works are:

- necessary and appropriate to meet the needs of the disabled occupant, (and in considering this matter must consult with the social services authority) and
- that it is reasonable and practicable to carry out the relevant works having regard to the age and condition of the dwelling, qualifying houseboat or qualifying park home, or building (and in considering this shall take into account whether the dwelling is 'fit' for habitation).

2.2 Discretionary DFG

2.2.1 The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 enables local authorities to offer discretionary assistance, subject to its own published policy.

2.2.2 East Herts Council's Private Sector Housing Assistance Policy includes:

- Insulation grants – towards the cost of specified energy efficiency measures
- means tested Decent Home Grants to address significant housing hazards and bring homes up to the Decent Home Standard, and
- means tested Discretionary DFGs.

2.2.3 Discretionary DFG will currently be considered, in consultation with the Occupational Therapist, for the following outcomes:

- Up to £5000 top up for eligible works in excess of the £30,000 mandatory DFG limit

- Up to £10,000 to adapt a room to enable the disabled person to work at home or receive specialist care, or to provide a complete solution, e.g., for a live-in carer
- Up to £15,000 to help the disabled person move to a more suitable home.

2.2.4 There is potential to review the council's Discretionary DFG policy to increase its scope beyond providing adaptations, to include for example, repair or replacement of existing adaptations such as ceiling track hoists or stairlifts. If Members support this option, this might result in a shift between budgetary responsibilities, and enable greater integration of services within the principles of the Care Act 2014 and the Better Care Fund.

3.0 Funding

3.1 For many years, the government has allocated funding to Housing Authorities towards their expenditure on mandatory DFGs. This was generally not sufficient to meet statutory obligations. East Herts Council set its budgets according to expected demand.

3.2 The following table shows this council's central government capital grants for DFG, alongside its annual DFG spend. It shows that in the past East Herts Council needed to make quite significant budgetary provision in order to meet demand for mandatory grant, less so in recent years. The peak was in 2007/8, when total spend was £610,780 but the government contribution towards this was relatively low.

DFG ANNUAL GOVERNMENT GRANT AND SPEND 2007-2016

YEAR	GOVERNMENT FUNDING £	TOTAL SPEND £
2015/16	293,126.78 (BCF)	
2014/15	240,174	235,848
2013/14	232,717	443,232
2012/13	287,674	435,089
2011/12	228,000	709,500
2010/11	228,000	683,233
2009/10	223,000	563,032
2008/9	200,000	555,529
2007/8	174,000	610,780

Note: the 2 Large Scale Voluntary Transfer Housing Associations are required to have an adaptations budget for their own stock, but additional spend is referred for DFG.

- 3.3 As can be seen, the trend was of increasing expenditure on DFG, as would be expected for an ageing population. However in recent years there have been fewer DFG referrals from the county council's Occupational Therapists, and hence lower spend than might have been anticipated.
- 3.4 Therefore there has been some promotion of the availability of DFGs, and a flyer is available should Members wish to further promote these grants to residents.
- 3.5 In 2013 the government announced it would be pooling budgets for delivery of health and social care services, and as a result District Councils no longer receive direct funding towards their DFG obligations. The funding is now received via County Councils as part of the new Better Care Fund (BCF).
- 3.6 Health and Wellbeing Boards must have a BCF plan, agreed by social care authorities and the local NHS outlining how services will be funded. It is therefore important to ensure that the local BCF plan makes adequate provision for DFGs.
- 3.7 Discussions with Herts County Council as the fund-holder have confirmed a need to ensure that funding is delivered in the most effective way. This led to the following joint review.

4.0 DFG Reviews

- 4.1 The BCF, the Care Act 2014 and the government's Spending Review 2015 all drive for greater integration of services.
- 4.2 As a result, officers participated in a review of DFG services in Hertfordshire, published in November 2014. This analysed the nature and delivery of DFGs across the county, and compared different potential delivery models.
- 4.3 The study found that around 70% of DFG adaptations across Hertfordshire are for level access showers and stair lifts.
- 4.4 This study led to an ongoing joint review by most of the Hertfordshire district and borough councils, together with

Hertfordshire County Council and assisted by Foundations, the national body for Home Improvement Agencies. The review aims to build on the earlier scoping review, and make recommendations for future procurement and delivery options.

- 4.5 The review encompasses adaptations through DFGs and through self funding, enhancing the current provision and better meeting the Care Act obligations (which require adult social care to assess the needs of the service user and carer, and to arrange for appropriate assistance).
- 4.6 The county council's project manager presented an options appraisal to the Hertfordshire Chief Executives Co-ordinating Group (CECG) on 7 January 2016, where the recommendations were upheld.
- 4.7 There are two elements to the review.
- 4.8 Firstly a proposal to develop a framework agreement for procurement of the most common items, in order to reduce costs and bureaucracy. The aim is for this to become available during the next financial year.
- 4.9 Secondly, to develop a new delivery model and approach. The proposal is for a shared service, to provide a restricted Home Improvement Agency (HIA) service combining district Environmental Health functions with county Occupational Therapist functions and a caseworker, with a view to a full HIA shared service (as above but with the addition of a handyman service) at a later date.
- 4.10 This model accords with a research report in 2013 for the District Councils Network into Disabled Facilities Grants in England, which included a recommendation that DFG services should be delivered in an integrated way in which the whole service is carried out by an integrated team, which includes an independent client advocacy role.
- 4.11 A detailed business case will be developed for these preferred options.
- 5.0 Process for determining eligible works

- 5.1 Currently, applicants' needs are assessed by the County Council, and if appropriate the Occupational Therapist will make recommendations to the district council for consideration of DFG.
- 5.2 To avoid waiting for an OT assessment, the applicant may seek an assessment by an independent OT, and apply direct to the district council with their recommendations. However, this may incur additional cost, and the district council will still have to consult with the welfare authority.
- 5.3 It is anticipated that an OT will be co-located within the adaptations team. This offers the potential for requests for adaptations to go straight to the specialist team, rather than through the existing triage arrangements.
- 5.4 Until the model and resource are determined it is difficult to estimate the effect this may have on the rate of DFG referrals, but it could reduce fluctuations if OTs remain in one team, and early focus on DFG eligibility may increase numbers and speed.
- 6.0 Tenure
- 6.1 DFGs are available to all tenures. Some Housing Associations make budgetary and service provision for adaptations needed by their tenants. Others rely on the statutory obligation of the district council to provide DFGs.
- 6.2 Riversmead and South Anglia Housing Associations are obliged by the Large Scale Voluntary Transfer contract to make provision for adaptations before recourse to DFG funds. Their target spend for 2015/16 is £271,939 (each).
- 6.3 In addition to their contracted budget, between 1/4/14 and 31/3/15 some £34,694 was spent on DFGs in Circle Anglia dwellings. £21,434 was spent on other Housing Associations' dwellings, of which £7,478 was for Riversmead properties.
- 6.4 Riversmead Housing Association has confirmed that although in previous years it had spent in excess of its contracted spend, last year and this year it has been unable to do so due to receiving fewer OT referrals.
- 6.5 The OT makes their recommendations to the landlord, seeking their permission for the works, and if it is known that the landlord

will not fund the works, will refer also to the district council for a DFG.

7.0 Implications/Consultations

7.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

Background Papers:

Disabled Facilities Grants in England: A Research Report by Astral Advisory for the District Councils Network and the Society of District Council Treasurers. April 2013;

Review of DFG Services in Hertfordshire. Nov 2014;

Supporting Independent Living Options Paper. Report to Chief Executives Co-ordinating Group. Jan 2016

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