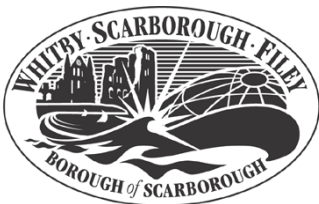


**'A' ITEM**

	<b>REPORT TO CABINET TO BE HELD ON 18 OCTOBER 2016</b>	
	<b>Key Decision</b>	<b>YES</b>
	<b>Forward Plan Ref No</b>	
<b>Corporate Priority Aim 3 – Creating Healthy and Vibrant Communities</b>	<b>Cabinet Portfolio Holder</b>	<b>Cllr B Chatt Cabinet Member for Public Health and Housing</b>

**REPORT OF: DIRECTOR (TW) - 16/86**

**WARDS AFFECTED: ALL**

**SUBJECT: BETTER CARE FUNDING ALLOCATION AND  
CHANGES TO DISABLED FACILITIES GRANT POLICY**

**RECOMMENDATION (S):**

Cabinet is asked to recommend that full Council :

- 1) Approve the receipt of £1.145M capital funding from the Better Care Fund for the provision of Disabled Facilities Grants (DFGs) and note the level of increase on previous allocations.
- 2) Approve a number of changes to the Councils DFG Policy. These are:
  - a) The removal of means tested contributions from clients for all applications where the value of works is less than £5000.
  - b) The removal of all means tested contributions for 'emergency adaptations'.
  - c) The provision of discretionary assistance as part of a DFG application on the terms and conditions highlighted within this report.
  - d) The provision of assistance to help with relocation costs for disabled households where current homes are impractical to adapt.
  - e) The use of private occupational health therapists where NYCC in their role as social services authority are unable to respond to requests for assistance and undertake assessments within a reasonable time period.
- 3) Approve an increase of fees levied against capital works undertaken by the White Rose Home Improvement Agency from 12.5% to 15%.

## HIGHLIGHTED RISKS:

See attached risk matrix

### 1. INTRODUCTION

- 1.1 On 25 February the Department of Health wrote to all Directors of Social Services to confirm levels of funding to be allocated to Local Housing Authorities within their overall Better Care Fund for the financial year 2016/17.
- 1.2 The Borough Council's allocation from this fund is £1.145M. This is an increase of £460K compared to the allocation for 2015/16.
- 1.3 The Government has made a national commitment to increase levels of capital funding to help Local Authorities enable disabled elderly and vulnerable people to live independently. At the national level £394M has been allocated for this purpose as compared to £220M in the previous year. As part of that commitment, Authorities are being given additional flexibilities as to how that money can be spent, with an expectation that funds shall be used strategically to meet local health, social care and housing priorities.
- 1.4 In addition the extra funding has been released by Government in tandem with the Local Government Ombudsman's Report, *Making a House a Home: Local Authorities and Disabled Adaptations 2016*. That report sets out a range of national issues associated with the poor delivery of DFGs by many Councils' such as long waiting times for assistance. Extra funds are being provided to help address these issues and speed up process.
- 1.5 In response to the LGO report and the provision of additional funding awarded, a number of changes to the Council's DFG policy are proposed. These include the removal of a means test for applicants under certain circumstances and the introduction of additional discretionary assistance within the policy.
- 1.6 Members are also asked to note that that subject to Rydale District Council Member approval, a further £452K in capital works from the Better Care Fund are likely to be administered by the Home Improvement Agency on behalf of RDC in 2016/17.
- 1.7 Overall these increases represent a significant increase in the value of capital works undertaken by the Agency. Going forward, existing levels of staffing within the Agency are unlikely to be sufficient to meet this additional workload. Additional Technical officer support is likely to be needed, the cost of which shall be met via fee income levied against the cost of capital works.
- 1.8 In order to ensure that the agency has sufficient resources to undertake this work without recourse to growth from the Councils own budgets, it is also recommended therefore that the current fee levied against the cost of

managing DFG works is increased from 12.5% to 15%. This increase shall generate funds needed to better cover costs.

## **2. CORPORATE AIMS/PRIORITIES AND THE COMMUNITY PLAN**

- 2.1 Contributes to Aim 3 of the Council's Corporate Plan, 'Creating Healthy and Vibrant Communities'.

## **3. CONSULTATION**

- 3.1 The range of options highlighted within this report have been worked up in partnership with the Scarborough and Ryedale Clinical Commissioning Group OT service managers and Foundations.
- 3.2 In amending this policy officers have also had regard to *Home Adaptations for Disabled People: A detailed guide to related legislation, guidance and good practice: DCLG/Home Adaptations Consortium: 2013*.

## **4.0 BACKGROUND**

- 4.1 As a Housing Authority the Council has a statutory duty to provide Disabled Facilities Grants (DFGs) to eligible households. These grants cover a range of works, most typically level floor showers, lifts and extensions. These grants and adaptations are administered on the Council's behalf by the White Rose Home Improvement (WRHIA). The Agency also provides the same service for Ryedale District Council along the terms set out within a joint partnership agreement.
- 4.2 Funding is provided from Government to meet the cost of DFGs. These funds are included within the Better Care Fund administered by NYCC on behalf of the Health and Well Being Board. This Better Care Fund is used by health and social care to commission a range of joint preventative initiatives. Within that fund *minimum amounts* to be allocated by the Health and Well Being Boards to the local Housing Authorities to pay for DFGs are highlighted separately and remain determined by Government.
- 4.3 The Government appears to be very much committed toward the continued provision of DFGs and associated capital works as part of its national prevention strategy to reduce health and social care costs. Nationally the budget to pay for DFGs increased to £394M for 16/17 from £220M the previous year.
- 4.4 At the local level the Council's funding allocation has increased from £685K in 2015/16 to £1.145M for 2016/17. The Government recognises that this additional funding provides flexibilities for Local Authorities to think more strategically in terms of how these funds can be used to meet a range of joint priorities for housing, social care and health providers.

- 4.5 As at the end of September 2016 the Council had spent or committed £486K of these funds. A further £209K of DFG work is sitting within the HIA progressing towards approval. In addition it is also understood from NYCC that they have a backlog of households awaiting an assessment from their OT service. The total value of works within this NYCC waiting list is estimated to be in the region of £448K. In summary the full allocation is needed to cover the cost of known works within the whole system. At this stage it is not known whether this represents an on-going trend in terms of increased demand or a one off bottleneck within the system.
- 4.6 Unfortunately delays in reaching agreement to release funds by NYCC and delays within NYCCs own assessment processes have hampered the Councils ability to ensure full spend within this financial year and help to accelerate and speed up the process generally. Whilst there is some uncertainty as to whether the full allocation is spent in 2016/17, given future levels of uncertainty around levels of Government grant to be awarded it is advised that the full allocation is needed to help clear this backlog in demand.
- 4.7 Going forward, from 2017/18 onwards, depending on the level of grant awarded and the value of works within the whole system at that point, the Council may have the flexibility to consider a request from NYCC to spend a proportion of these funds to help meet the cost of other related preventative activity paid for by NYCC within the Borough. For example, going forward, Cabinet may wish to consider funding the WRHIAs Handyperson Service from these funds.
- 4.8 Despite the delay, the release of this additional funding is still good news in that it allows the Council to adequately meet existing levels of demand for DFGs and enables additional innovation and flexibility to be introduced into the DFG process to improve outcomes for disabled residents.
- 4.9 A range of changes are proposed to the Councils current DFG policy. These changes are intended to both speed up process by reducing administration relating to 'means tests and to broaden the scope of works under taken.
- 4.10 **Removal of Means Test**
- 4.10.1 In accordance with the legislative framework, the Council currently requires that all applications for a DFG undergo a test of resources. Essentially within this test, disabled households in receipt of certain benefits are not required to make any financial contribution to the cost of a DFG. However other households who have savings or an income over a certain level are required to make a contribution.
- 4.10.2 The administration of this means test is resource heavy for the WRHIA. It estimated that in terms of man hours that the administration of this test accounts for around .5 of a full time equivalent post within the WRHIA. More importantly it forms a key and very time consuming part of the application and given its complexity and the need to obtain various proofs of income does on average take between 2- 3 weeks to process.

4.10.3 Income received by the Council generated from contributions from households required to pay towards the cost of works is however low. In 2015/16, whilst the Council spent £685K on DFGs only £17K of this came from client contributions.

4.10.4 Given the limited income received from this source when considered against the time taken to administer this as a process it is therefore proposed that this means test is scrapped for all recommended works that have a total value of less than £5000. This £5000 limit shall capture the vast majority of DFGs provided. This change shall greatly speed up the time taken to process DFG applications for the benefit of the customer. In addition this change shall free up capacity within the WRHIA to more effectively deal with the increased volume of work anticipated following the growth in levels of funding being awarded and reduce the level of need for additional staffing growth.

4.10.5 In addition it is also recommended that certain 'emergency' works are fast-tracked through the system and again a means test is not applied.

4.10.6 Such an approach would be taken where it is confirmed by a health or social care professional that the adaptations are required as an emergency for example and where they:

- a) Allow the applicant to be discharged from hospital, or;
- b) The applicant is terminally ill, or
- c) The applicant cannot access essential hospital appointments, dialysis or care without adaptations.
- d) The current situation is placing the service user and their Carers at considerable risk of injury e.g. from unsafe moving or handling

4.10.7 The removal of the means test under the above circumstances shall allow the WRHIA to process such applications much quicker (e.g. on the same day as receipt). The value of such contributions in terms of income received to the Council is minimal.

#### **4.11 The provision of Discretionary Assistance**

4.11.1 It is also being recommended that, subject to sufficient levels of external grant funding been made available from Government, that the Council introduces additional discretion into its DFG policy by broadening the scope of work that can be covered.

4.11.2 Typically these works would include the cost of undertaking repairs to a property to enable a DFG to proceed. These could include:

- a) Insulating a home or providing uPVC double glazing where a DFG is being provided to install a new heating system.
- b) Undertaking works to resolve category one hazards within a property, such as remedial works to tackle damp or excess cold.

- c) Undertaking electrical repairs needed to a home where a new level floor shower or chair lift is being provided.
- d) Resolving structural hazards identified within a property
- e) Providing a 'top-up' to the grant contribution where costs exceed the normal maximum amount of £30,000.
- f) Replacing existing adaptations when they come to the end of their lifespan.

4.11.3 In addition to broadening the scope of works that can be funded, it is also recommended that under certain circumstances that some works not normally eligible for a DFG are funded. For example, this could include facilities to help the carer of the disabled person such as soundproofing, safety rooms or highly specialised bathing equipment.

4.11.4 Certain additional requirements are recommended within the policy regarding the payment of such discretionary awards, for example in relation to private tenants it is a requirement that a landlord must be prepared to fund 50% of the cost of any works carried out over and above the statutory minimum. Full details of the discretionary assistance available can be found in S9 of the policy and Appendix C to the policy.

## **4.12 Relocation Assistance**

4.12.1 Where required adaptations involve substantial structural alterations or extensions to a property or where the cost of work needed exceeds £30,000, then existing policy allows the Council to consider re-housing shall be considered to address the needs of the household.

4.12.2 A further amendment to the policy is recommended to help facilitate a move to appropriate alternative accommodation. It is recommended that the Council provides relocation assistance to cover the 'moving costs' associated with such a move.

4.12.3 Eligible 'moving costs' include removal expenses and the connection or disconnection of appliances or the payment of a bond to a landlord. Assistance is offered to cover 100% of these costs up to a maximum payment of £5,000.

4.12.4 Historically the number of households needing to move as opposed to receiving a DFG has been very low. It is anticipated that this additional incentive is likely to cost in the region of £5000 a year however costs in these instances is much less than the cost of extensive adaptations to often unsuitable dwellings.

## **4.13 The use of Private Occupational Therapists**

4.13.1 The Councils current DFG policy allows for the use of Private Occupational Therapists under certain circumstances, for example when an alternative or second opinion is required.

- 4.13.2 The amended policy however extends this to include the need to use private OTs in circumstances where NYCC, on request, are unable to provide the necessary response as to whether works are 'necessary and appropriate' within required statutory timescales.
- 4.13.3 As highlighted, NYCC social services currently have waiting lists of disabled households awaiting social care assessments. This presents a risk to the Council in that the Council has a legal duty to determine an application for a DFG within 6 months of receipt. As part of that determination, the Council must consult with NYCC to help determine whether proposed works are necessary and appropriate. Following the recent LGO report it is clear that this leaves the Council vulnerable to censure. The Council cannot allow for DFG applications to be delayed because of delays within NYCCs processes.
- 4.13.4 To assist with this it is recommended that under certain circumstances, e.g. where the Council receives an application for a DFG directly from a client that where NYCC advise they are unable to provide a response as to whether works are necessary and appropriate within a reasonable timescale, that an opinion is sought from a suitably qualified Private Occupational Therapist.
- 4.13.5 At this time it is anticipated that the use of such a private OT shall be low (less than £5000 per year in terms of cost). The vast majority of referrals for DFGs come after a social care assessment has been made. However additional flexibility is now needed to flip this process where required in order to ensure statutory timescales are met.

#### **4.14 Proposed Fee Increase**

- 4.14.1 Given that future levels of funding are likely to be based on both historical spend and levels of local need, it is important that the benefits of this additional funding are maximised and that funds are spent. Sufficient staffing capacity is required within the WRHIA to administer the additional work and the Council needs to ensure that this increased workload does not impact on the Councils budgets.
- 4.14.2 The Council currently subsidise the work of the WRHIA and the administration of DFGs by £75K a year from its base budgets. In addition, it is understood that going forward NYCC plan to end their grant funding contribution to all HIAs and that this shall mean a £30K reduction in income for the WRHIA. Additional funds are therefore needed to both to help offset the impact of the NYCC grant cut and to give giving sufficient flexibility to cover any additional staffing costs.
- 4.14.3 Currently the Council levies a 12.5% fee against the cost of all capital works undertaken by the WRHIA. Last year this fee generated around £81,000 in revenue funding to help cover the cost of administering these works.

- 4.14.4 This report recommends that fee income is increased from 12.5% to 15%. This shall result in an additional £67K in fee income being generated in 2016/17. This level of increase shall be sufficient to help offset the NYCC grant cut and provide sufficient flexibility to employ additional staff if needed.

## **5.0 ASSESSMENT**

- 5.1 The additional funding from Government is very welcome. It ensures that the Council's basic statutory duties shall continue to be met effectively without putting additional strain on the Council's budgets. In addition this funding allows the Council to provide a level of service over and above the statutory duty in order to meet a range of shared strategic objectives. The extra funding provides additional investment into the Borough and most importantly of all improves outcomes for residents.
- 5.2 Whilst the additional levels of grant funding are of course very welcome, future levels of funding are uncertain. Officers have therefore been mindful of this. Discretionary assistance proposed shall stop once available funding is spent. For the remainder of 2016/17 it is recommended that £100,000 of the DFG allocation is set aside for this purpose and that future levels of such funding shall be considered as part of the Councils wider financial strategy. As highlighted it is also likely that the Council shall be asked to consider further requests from NYCC regarding the use of funds to help pay for related activity going forward.
- 5.3 It is noted that the increase in funding across both the Scarborough and Ryedale Council areas has significant implications for the way the current partnership agreement with Ryedale is configured and the financial arrangements within that model. It is important that fees generated in Scarborough do not subsidise the service in Ryedale or vice versa. Officers and the Portfolio Holder have commenced discussions with Ryedale on this and Cabinet shall be asked to consider an updated partnership agreement in due course.

## **6.0 IMPLICATIONS**

### **6.1 Policy**

The report highlights and proposes a range of changes to existing policy.

### **6.2 Financial**

The report highlights that the funding allocation received by the Council is £1.145M in 2016/17. This is an increase of £460,000 compared to the year before.

Members are asked to note that:

The value of removing the 'means tested' contributions relating to works less than £5000 and 'emergency adaptations' is estimated to be in the region of



£30,000 per annum and that this cost shall be met via the additional DFG grant funding awarded to the Council.

The provision of discretionary assistance shall only be provided as long as additional levels of external grant funding shall remain available. For the remainder of 2016/17 it is recommended that Cabinet agree to allocate £100,000 from the additional funding for this purpose. Cabinet is also asked to agree that future levels of funding for such discretionary assistance shall be considered as part of the Councils wider financial strategy.

The value of assistance to help with relocation costs is estimated to be less than £5,000 per annum. Costs associated with this payment shall be offset via savings against the cost of expensive adaptation works within existing difficult to adapt properties.

The value of assistance to help with relocation costs is estimated to be less than £5,000 per annum. Costs associated with this payment shall be offset via savings against the cost of expensive adaptation works within existing difficult to adapt properties.

The cost of commissioning private Occupational Therapists is £200 per referral. It is anticipated that spending on this shall not exceed £5000 during the year and that the cost of this service shall be met via the additional DFG grant funding awarded to the Council.

Increasing fee income from 12.5% to 15% shall result in an additional £67K in fee income being generated in 2016/17. This level of increase shall be sufficient to help offset the NYCC grant cut (£30K) and provide sufficient flexibility to employ additional staff if needed.

### 6.3 Legal

The proposals as set out in this report have been developed within the context of the:

#### **Housing Grants, Construction and Regeneration Act 1996**

This act lays out the requirements in respect of the provision of Disabled Facilities Grants and the;

#### **Regulatory Reform (Housing Assistance (England and Wales) Order 2002.**

This order specifies that local Authorities may provide, directly or indirectly assistance to any person for various purposes including those of enabling them to adapt or improve living accommodation or to repair living accommodation.

#### 6.4 Equalities and Diversity

The provision of both statutory and non-statutory assistance to enable the elderly, the disabled or other vulnerable groups to live independently and to improve their living conditions has a positive impact in terms of equality and diversity issues.

#### 6.5 Staffing Issues

The additional grant funding being made available to both Scarborough and Ryedale Councils has staffing implications for the WRHIA.

Given the extent of the additional grant being awarded, existing staffing levels are likely to be insufficient to meet the additional demands on the service. It is envisaged that additional Technical Officer support plus some additional administrative support shall be required initially to cope with additional work loads. Required staffing levels will be finalised dependent upon levels of spend and the full extent of additional works provided for RDC. A 15% administration fee against works undertaken is proposed.

#### 6.6 Planning, Environmental, Health and Safety, Sustainability, Crime and Disorder

No implications.



**Trevor Watson**  
**Director**

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#### **Background Papers: None**

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT OR WISH TO INSPECT ANY OF THE BACKGROUND PAPERS, PLEASE CONTACT ANDREW ROWE ON 01723 383598 OR E-MAIL [andrew.rowe@scarborough.gov.uk](mailto:andrew.rowe@scarborough.gov.uk)

**APPENDIX 1**

# **Scarborough Borough Council**

**DISABLED FACILITIES ADAPTATIONS**

**October 2016**

## **Contents**

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- 2 The role of the Council as Housing Authority**
- 3 The role of the Home Improvement Agency**
- 4 The role of the Social Services Authority**
- 5 Prioritisation Process**
- 6 Emergency Adaptations**
- 7 Means Tested Contributions**
- 8 Sources of referral and direct applications**
- 9 Discretionary assistance**
- 10 Re-housing to more suitable accommodation**
- 11 Re-payment of grant**

## **Appendices**

- Appendix A - Priority Pointing System
- Appendix B - Works Eligible for Assistance
- Appendix C – Discretionary Assistance

## **1.0 Introduction**

1.1. The purpose of the Policy is to:

- i) Assist Officers of the Council in the interpretation and implementation of the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (The Order) so far as it relates to the adaptation of the homes of disabled people.
- ii) Ensure fair, equitable and consistent treatment for all disabled people who require the Council's assistance in adapting their home.

1.2 This Policy should be read in conjunction with the following documents:-

Housing Grants, Construction and Regeneration Act 1996 (The Act).

Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (The Order)

1.3 The Council accepts that there may be circumstances that warrant exceptions to this Adaptations Policy. The Director is authorised to assess individual cases and where appropriate, and reasonable to do so, decide that an exception be made to the normal Adaptations Policy.

1.4 In addition the Council has determined that under certain circumstances it shall use its discretion under the legislation to provide additional discretionary grant assistance (see S9). This grant assistance is intended to allow additional flexibility within the DFG process however can only be provided should adequate levels of funding allow.

## **2.0 The Role of the Council as Housing Authority**

2.1 The legal responsibility for the provision of DFGs sits with the Borough Council as Housing Authority. All applications for DFGs must meet the relevant requirements as set out within the legislation. This means that works being requested must be deemed as being 'necessary and appropriate' and 'reasonable and practicable'.

2.2 By law the Borough Council must consider applications for DFGs and make determinations on those applications within 6 months of receipt. The Council considers that an application for a DFG has been submitted at the point of a satisfactorily completed application form, along with quotations for the work, landlord certificates and any relevant permission. Where a grant is to be means tested, evidence of financial income and savings and signed certificates of future occupation. The Home Improvement agency shall provide support to applicants to assist them with this process.

2.3 Whilst applications must be determined within 6 months of receipt. Once an application for a DFG is approved the Council must ensure that the DFG is completed within 12 months.

- 2.4 As part of the consideration of an application the Council has a duty to determine whether works being requested are necessary and appropriate. To inform this decision, during the application process the Council has a duty to consult with the County Council as Social Services Authority. Where the Social Services Authority is unable to provide a response to this consultation in a reasonable timescale, the Council reserves the right to use private Occupational Health Therapists to undertake the assessment needed.
- 2.5 In addition as part of the consideration of an application the Council has a duty to determine whether works being requested are reasonable and practicable. Factors considered in deciding if the works are reasonable and practicable include the size of the property, the number of occupants, its location and any environmental or physical constraints.
- 2.6 In addition a property should normally meet the Housing Health and Safety Rating System Standard (free from Category 1 hazards) before adaptation works are undertaken, however the Council reserves the right to use its discretion to undertake such works as required to resolve identified hazards in order to enable the adaptations to proceed.
- 2.7 Where the Council is likely to refuse an application for a DFG, the Council will contact the applicant to give them the opportunity to provide additional information which may affect such a decision, prior to a formal refusal being made.
- 2.8 Where the Council has no option but to refuse an application for grant, the Council will advise the applicant of the reasons for such refusal.
- 2.9 An applicant will have the right to a review of such a decision and if so desires should request a review in writing to the Director within 28 days of the date of the refusal letter.
- 2.10 Where works approved and undertaken they must be carried out to the satisfaction of the Council. The Council will have the overriding decision as to whether the works have been carried out to a satisfactory standard and will make direct payments to contractors, other than where a prior agreement has been made with the applicant.

### **3.0 Role of the Home Improvement Agency**

- 3.1 The Council operates a Home Improvement Agency (HIA) to deliver its DFGs.
- 3.2 Applicants are encouraged to utilise the comprehensive service provided, which includes:
- i) Support, information and advice
  - ii) Information/assistance with applying for funding for adaptations
  - iii) Technical advice, schedules of works and drawings
  - iv) Assistance/advice with planning applications and building control

- v) Assisting clients to choose contractors
- vi) Monitoring work to ensure it meets the Council's standards
- vii) Other ancillary services

3.3 A key role of the HIA is to assist clients with the procurement of a suitable contractor to undertake works. The Council has an agreed framework of contractors to undertake such works. Should applicants wish to use an alternative contractor they will be given the option to self-fund any additional costs and will be solely responsible for ensuring all works are completed to the satisfaction of the Council.

3.4 Applicants not wishing to use the HIA's service can still apply for a DFG should they want to. Under these circumstances the applicant shall be solely responsible for making the application, sourcing contractors and overseeing any works undertaken. Works undertaken in these circumstances must be completed to the satisfaction of the Council prior to the release of any grant funding.

#### **4.0 The Role of the Social Services Authority**

4.1 North Yorkshire County Council in their role as the Social Services Authority has a duty to respond to consultation requests from the Housing Authority to help determine whether a request for a DFG is necessary and appropriate.

4.2 In addition, many requests for a DFG arise as a result of a Social Services assessment. In these instances, following the assessment of a disabled person, social services shall advise if adaptations are considered necessary and appropriate and send to the Council a written recommendation of their assessment detailing the purpose for the grant in accordance with section 23(1) of the Act.

4.3 The Council may, if it deems appropriate, instruct an independent occupational therapist to carry out this assessment. This would typically be done where the Social Services department are unable to undertake an assessment within a reasonable period. In these instances the cost of such an assessment would be met and included within the DFG award.

4.4 The Social Services Authority will highlight any works requested that are over and above that which is necessary and appropriate. In these instances the application would be required to contribute to the enhanced scheme or where applicable discretionary assistance may be given.

4.5 The Social Services Authority has a responsibility to provide community care equipment and minor adaptations, which a person has been assessed to need and for which he or she is eligible, free of charge provided the cost (including fittings) is less than £1000.

## **5.0 Prioritisation Process**

- 5.1 During periods of high demand, the Council reserves the right to use a needs based prioritisation scheme to ensure priority is given to those applicants for DFGs who in are greatest need (see appendix A).
- 5.2 In these circumstances written advice will be provided to the disabled person and/or their carer regarding how their request for assistance with adaptations will be processed, likely timescale and the priority scheme in operation for dealing with adaptations.
- 5.3 Level of priority is determined following a needs based assessment. If a client's health deteriorates from the initial assessment there will be the opportunity for their case to be reprioritised, subject to advice and information from Health or Social Services.
- 5.4 Additional points will also be awarded where the Social Services recommendation elapses 6 months to ensure progression through the waiting list.
- 5.5 If an applicant is dissatisfied with the level of prioritisation they have received, the HIA should initially deal with such concerns and where appropriate arrange for the enquiry to be re-assessed.
- 5.6 If an applicant is still dissatisfied once this re-assessment has been carried out they may appeal against the decision made, in writing, outlining the reasons why they feel the case has been incorrectly assessed to the Councils Director.

## **6.0 Emergency Adaptations**

- 6.1 Cases are deemed as an emergency where the application:
  - e) Allows the applicant to be discharged from hospital, or;
  - f) The applicant is terminally ill, or
  - g) The applicant cannot access essential hospital appointments, dialysis or dare care without adaptations., or
  - h) The current situation is placing the service user and their Carers at considerable risk of injury e.g. from unsafe moving or handling.
- 6.2 Cases will only be deemed as an emergency following a health or social care assessment will be 'fast tracked' through to completion and not be subject to any prioritisation process or means test.

## **7.0 Means Tested Contributions**

- 7.1 As part of the standard DFG application process a standard test of resources in undertaken to determine whether the applicant needs to make a financial contribution toward the cost of works undertaken. The Council has however agreed to use its discretion under the Regulatory Reform Order to provide a



'non-means tested' DFG where the total value of works recommended by the Occupational Therapist are less than £5000.

- 7.2 In addition a means test shall not be applied where the works needed are considered to be an emergency (see S6).

## **8.0 Sources of Referral and Direct Applications**

- 8.1 Whilst many requests for a DFG come to the Council via a Social Services assessment, applicants also have the right to make applications to the Council directly. In addition, referrals for DFG applications may come from other organisations, including health professionals, voluntary sector organisations and different Council departments.
- 8.2 As part of their service, the HIA shall inform potential clients of their different options regarding how to access the adaptations needed, including Social Services assessments, direct applications or self-funding.
- 8.3 Where applications do not come via a Social Services assessment the HIA shall proceed with the DFG application in the normal way and help the client complete the necessary application. The Council has a legal duty to determine the application within 6 months of receipt. As part of the consideration process, the Council has a duty to consult with Social Services department to ensure that the works being requested are necessary and appropriate. Where the Social Services department are unable to provide feedback to that consultation request within a reasonable timescale, the Council reserves the right to employ a private contractor to provide the necessary assessment.

## **9.0 Discretionary Assistance**

- 9.1 Subject to the availability of funding, the Council reserves the right to use its discretion under the Regulatory Reform Order to pay for works under a DFG that may otherwise not be eligible for assistance. Typically these works could include the cost of undertaking repairs to a property to enable a DFG to proceed. These could include:
- a) Insulating a home or providing uPVC double glazing where a DFG is being provided to install a new heating system.
  - b) Undertaking works to resolve category one hazards within a property, such as remedial works to tackle damp or excess cold.
  - c) Undertaking electrical repairs to a home where a new level floor shower or chair lift is being provided.
  - d) Undertaking measures to improve the safety and security of eligible households such as windows and door locks, fixing loose flooring, undertaking repairs to pathways and the removal of trip hazards.
  - e) Providing a 'top-up' to the grant contribution where costs exceed the normal maximum amount of £30,000.

- 9.2 In addition, where levels of funding permit, the Council shall fund the replacement of existing adaptations where they meet the end of their lifespan. These could include the replacement of stair lifts, through floor lifts and step lifts.
- 9.3 Such discretionary assistance shall only be awarded to households eligible for a DFG. In addition, the Council has placed some additional restrictions and rules regarding eligibility for such discretionary assistance. A full breakdown of the different awards is included within Appendix C.
- 9.4 The availability of all discretionary grant assistance is subject to the Councils annual budget setting procedure and the availability of sufficient levels of external funding. All such payments are at the Councils discretion and will be removed once available funds are exhausted.

## **10.0 Re-Housing to more suitable accommodation**

- 10.1 Where required adaptations involve substantial structural alterations or extensions and in any event where the cost of the adaptation work exceeds £30,000, then re-housing shall be considered to address the needs of the household.
- 10.2 In order to help facilitate a move to appropriate alternative accommodation the Council shall provide relocation assistance to cover the 'moving costs' associated with such a move.
- 10.3 Eligible 'moving costs' include removal expenses and the connection or disconnection of appliances or the payment of a bond to a landlord. Assistance is offered to cover 100% of these costs up to a maximum payment of £5,000.

## **11.0 Repayment of Grant**

- 11.1 The Council will reclaim funding for extensions that exceeds £5,000 up to a maximum of £10,000 where home owners sell the home within 10 years of the grant award. This money is recouped via a land charge.
- 11.2 In addition any recipient of a DFG that has a home owners interest in the property that has had any adaptation carried out and subsequently moves property within the Borough and is seeking further grant aid to install similar adaptations to those previously funded then any cost over £5000 will also be subject to a land charge.
- 11.3 Where charges are levied, then in each case the Council must be satisfied that it is reasonable to require the repayment and will consider this in line with the legislation.

## Appendix A

### Mandatory Disabled Facilities Grants – Priority Pointing System



<b>TOTAL SCORE</b>	
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NAME OF APPLICANT:

ADDRESS OF PROPERTY:

<p><b>Fast track request</b></p> <p>The Occupational Therapist has flagged the case as extremely urgent due to health and safety issues or life threatening illness (to be applied in exceptional circumstances).</p>	<p><b>Points</b></p> <p>Fast track requests are outside pointing scheme</p>
<p><b>1.0 Time waiting for adaptation</b></p> <p>OT recommendations made in last 6 months.</p> <p>For every month elapsed over 6 months since recommendations.</p>	<p>Points</p> <p><b>0</b></p> <p><b>+2</b></p>
<p><b>2.0 Reason for recommending adaptation</b> (Note: score up to <b>three</b> categories only.)</p> <p>To facilitate access into/out of the property</p> <p>To facilitate access to the toilet.</p> <p>To facilitate the use of the kitchen/enable food preparation.</p> <p>To facilitate getting up and down steps and stairs.</p>	<p>Points</p> <p><b>+10</b></p> <p><b>+20</b></p> <p><b>+7</b></p> <p><b>+10</b></p>

To facilitate the use or access to bathing/showering.	+10
To facilitate access to a room used or usable as the principal family room	+5
To facilitate access to or the provision of a room used or usable for sleeping	+5
To improving or provide a heating system	+10
Other (specify and score 1 – 7) Give reasons: e.g. To facilitate access to garden, ergonomics within the dwelling	
<b>3.0 Adaptations</b>	Points
Existing adaptations exist, which partially meet needs or would do so in the short term.	-10
<b>4.0 Mobility</b> (Note: only apply <b>one</b> score for the client.)	Points
Client is room bound or house bound without proposed adaptation.	+ 30
Client is a total wheelchair user.	+15
Client is mainly a wheelchair user but can stand for short periods.	+10
Client is ambulant indoors but needs wheelchair outdoors.	+8
Client is ambulant but uses frame/sticks or support system.	+6

Client is ambulant but unsteady or blind/deaf.	+4
<b>5.0 Safety factors</b> (Note: score <b>one</b> category only.)	Points
Client is a single parent with disabled child.	+20
Client lives alone.	+15
Client has carer who is not managing	+10
Client is a disabled parent with able bodied child aged under 16.	+5
Client lives with/well supported by family/others or has occupying related carer.	+2
<b>6.0 Child or Young Person's application</b>	<b>Points</b>
As defined in the DFG Regulations	+10

Date ..... Signed .....

Comments .....  
.....  
.....  
.....  
.....  
.....

## **Appendix B**

### **Works Eligible for Assistance**

#### **1.1 General**

1.1.1 The adaptation works eligible for assistance will be those listed under section 23 (1) of the Housing Grants, Construction and Regeneration Act 1996, as follows.

#### **1.2 Access to the Dwelling**

1.2.1 Works eligible for assistance may include:

- i) Ramped access to main entrance door for wheelchair use; widened or shallower steps to main entrance door or a step lift;
- ii) Widened entrance door for wheelchair use;
- iii) Resurfaced or re-graded path to entrance door;
- iv) Alterations to secondary entrance door/patio window to provide access to rear garden/yard where access cannot easily be gained via the adapted main entrance and drive/side path;
- v) Structural alterations required to allow installation of stair lift through floor lift or step lift equipment.

#### **1.3 Making the Dwelling Safe**

1.3.1 Works eligible for assistance may include:

- i) Works to provide means of escape from fire (usually to flats);
- ii) Provision of guards or cladding etc; to prevent persons with behavioural problems harming themselves;
- iii) Specialised glazing or shades to windows to protect occupants with a medical condition which make them sensitive to sunlight;
- iv) Repairing defective stairs or floors etc which are hazardous

#### **1.4 Access to Principal Family Room**

1.4.1 Works eligible for assistance may include:

- i) Widened doorway for wheelchair access;

- ii) Provision and installation of stair lift/through-floor lift equipment and structural alterations required to allow installation, if the principal living room is on an upper floor;
- iii) Widened doorway in entrance hall to access principal family room for wheelchair use;

## **1.5 Access to Sleeping Room**

1.5.1 Works eligible for assistance may include:

- i) Provision and installation of stair lift/through-floor lift equipment and structural alterations required to allow the installation, where access is required to a bedroom or room suitable for sleeping which is above ground floor level;
- ii) Conversion of a ground floor room into a bedroom; Widened doorway for wheelchair access to sleeping room;
- iii) Construction of bedroom extension.
- iv) Strengthened ceiling and/or preparation works for ceiling track hoist, where hoist is to be provided by North Yorkshire County Council Adult & Community Services.

## **1.6 Access to WC**

1.6.1 Works eligible for assistance may include:

- i) Provision of a WC where one does not exist.
- ii) Provision and installation of stair lift/through-floor lift equipment and structural alterations required to allow the installation, where access is required to a WC above ground floor level;
- iii) Strengthened ceiling and/or preparation works for ceiling track hoist, where hoist is to be provided by North Yorkshire County Council Adult & Community Services
- iv) Repositioning WC to facilitate access by wheelchair user;
- v) Raised/lowered WC pan;
- vi) Provision of grab rails;
- vii) Provision of ground floor WC where upper floor cannot be accessed;
- viii) Widened doorway for wheelchair access;
- ix) Extension for a WC

## **1.7 Access to Bathing Facilities**

1.7.1 Works which may be eligible for assistance include:

- i) Provision and installation of stair lift/through-floor lift equipment and structural alterations required to allow the installation, where access is required to an existing bathroom above ground floor level;
- ii) Provision of bath or shower for the first time;
- iii) Provision of shower (thermostatically controlled) over a bath, including necessary curtain, tiles and grab rail;
- iv) Replacement of bath with shower facility;
- v) Replacement of shower with a bath;
- vi) Provision of bath and shower where there are 2 or more disabled occupants with differing needs;
- viii) Provision of bathroom extension;
- viii) Relocation of bath/shower to facilitate use by wheelchair user;
- x) Strengthened ceiling and/or preparation works for ceiling track hoist, where hoist is to be provided by North Yorkshire County Council Adult & Community Services;
- xi) Widened doorway for wheelchair access;
- xii) Provision of fixed seat/grab rails;
- xiii) Non-slip/sloping floor to create shower facility.

## **1.8 Access to Wash Basin**

1.8.1 A wash-hand basin will normally be provided in the same room as the WC. Works to provide access may include:

- i) Relocation of wash-hand basin to facilitate use by wheelchair user;
- ii) Replacement of wash-hand basin with more suitable type e.g. replace vanity unit with wall fixed wash-hand basin;
- iii) Replacement of taps with lever taps in association with above.



## **1.9 Access to Kitchen Facilities**

1.9.1 The extent of adaptation work in a kitchen should be related to the extent of cooking and food preparation normally undertaken by the disabled person.

1.9.2 Works which may be eligible for assistance include:

- i) Rearrangement of kitchen fittings/appliances to facilitate their use;
- ii) Enlargement of the kitchen if it is too small to allow its safe use by wheelchair user;
- iii) Adapted work-top/storage unit for wheelchair user;
- iv) Adapted doorway for wheelchair user;
- v) Widened doorway for wheelchair user

## **1.10 Access to Power, Light and Heat**

1.10.1 Works which may be eligible for assistance include:

- i) Relocating power points to make them accessible;
- ii) Adaptation of heating/lighting controls to make them accessible;
- iii) Replacement of solid fuel fire with other heating appliance in living/sleeping rooms normally used by a disabled occupant;
- iv) Improvement of inadequate heating in living/sleeping rooms normally used by disabled occupant;
- ii) Provision of central heating.

## **1.11 Access to Permit Care of Other Persons**

1.11.1 Where the disabled occupant cares for other persons e.g. spouse, young children or elderly relatives who are normally resident in the dwelling, works may be provided to other rooms in the dwelling to allow the disabled person access to care for those persons, including:

- i) Provision and installation of stair lift/through-floor lift equipment and structural alterations required to allow the installation, where the disabled person lives on the ground floor but needs access to bedrooms;
- ii) Widened doorways to bedrooms of those being cared for by disabled, wheelchair user;

## **1.12 Access to the Garden**

1.12.1 In deciding the extent of providing access to the rear garden, the following will be taken into account.

- i) Grant assistance will not be given where there is already access to the garden but grant assistance may be given to improve an existing access to make it safe for the disabled occupant to use. It does not include extending an existing access e.g. creating a side access so a person can also go around the side of a house.
- ii) Generally, the most modest solution for providing access to both the house and the garden will be considered and this can mean that one access may be sufficient to access both the house and the garden.
- iii) Where homes have communal gardens, e.g., blocks of flats served by a single access, grants will not normally be provided for an individual access to the garden unless it can be demonstrated that because of the disabled persons condition the travel distance to the garden would be excessive and unreasonable.

## APPENDIX C – DISCRETIONARY ASSISTANCE

Repairs Assistance	
Purpose/key outcomes	<p>The purpose of this financial support is primarily to fund additional works for recipients of a DFG to help to alleviate the most significant hazards within domestic dwellings that have the potential to impact on the health of the most vulnerable residents.</p> <p>Where no external funding solution is available the Council will consider funding any necessary works by way of additional grant (subject to conditions). The scope of the works will be limited to those required to alleviate category 1 hazards and high category 2 hazards as defined under the HHSRS.</p>
Eligibility Criteria	Any applicants who are deemed to be disabled as per DFG legislation who are owner occupiers or who live in private rented accommodation.
Eligibility Criteria (works)	<p>The works can include</p> <ul style="list-style-type: none"> <li>• Electrical Repairs</li> <li>• Damp</li> <li>• Structural repairs</li> <li>• Measures to tackle excess cold within dwellings including heating upgrades, additional insulation, windows etc.</li> </ul>
Special Conditions and Requirements	<p>Maximum of £15,000 per property</p> <p>The grant amount (above £1000) will be placed as a Local Land Charge on the property for a term of 5 years.</p> <p>Where the applicant is a tenant the landlords consent will be required and the grant will only be provided where the landlord agrees to make a 50% contribution towards the cost of works.</p>

Discretionary Adaptations	
Purpose/key outcomes	<p>The council can allow at its discretion pay additional grant to assist DFG applicants and their Carers with adaptations falling outside the normal criteria of the DFG.</p> <p>Additional assistance may be given with:</p> <ul style="list-style-type: none"> <li>• Provision for carers</li> <li>• Provision for people with dementia/Alzheimer</li> <li>• Provision for people with behavioural difficulties</li> </ul>
Eligibility Criteria	<p>Any applicants who are deemed to be disabled as per DFG legislation who are owner occupiers or who live in private rented accommodation.</p> <p>In addition the carers of those applicants.</p>
Eligibility Criteria (works)	<p>Works may include:</p> <ul style="list-style-type: none"> <li>• Soundproofing to improve the quality of life for carers</li> <li>• Safety rooms for children</li> <li>• Highly specialised bathing equipment to aid carers</li> </ul>
Special Conditions and Requirements	Maximum of £10,000 per property

## Risk Matrix

<b>Risk Ref</b>	<b>Date</b>	<b>Risk</b>	<b>Consequences</b>	<b>Mitigation</b>	<b>Current Risk Score</b>	<b>Target Score</b>	<b>Service Unit Manager/ Responsible Officer</b>	<b>Action Plan</b>
1	October 2016	The Council does not spend the full DFG allocation	Potential impact on future allocations.  Households do not get the adaptations they need in a timely manner.	The total value of works in the system is equal to the value of the grant.  Underspend would be rolled over to cover costs the following year.	C2	A1	Housing Manager	
2	October 2016	The Council overspends its budget	Overspend	Careful budget monitoring  Cap on discretionary elements of policy	B4	A1	Housing Manager	

## Glossary of Terms

Risk	An event which may prevent the Council achieving its objectives
Consequences	The outcome if the risk materialised
Mitigation	The processes and procedures that are in place to reduce the risk
Current Risk Score	The likelihood and impact score with the current mitigation measures in place
Corporate Objectives	An assessment of the Corporate Objectives that are affected by the risk identified.
Target Risk Score	The likelihood and impact score that the Council is aiming to achieve
Service Unit Manager	The Service Unit or Officer responsible for managing the risk
Action Plan	The proposed actions to be implemented in order to reduce the risk to the target score

## Risk Scoring

Impact	5					
	4					
	3					
	2					
	1					
		A	B	C	D	E
	Likelihood					

### Likelihood:

A = Very Low  
 B = Not Likely  
 C = Likely  
 D = Very Likely  
 E = Almost Certain

### Impact

1 = Low  
 2 = Minor  
 3 = Medium  
 4 = Major  
 5 = Disaster