

# APPENDIX C - Buckinghamshire Council Housing Improvement and Adaptations Policy – DRAFT

## 1. Introduction/ Background

- 1.1. The Council is committed to promoting the health and wellbeing of all residents and working together with its partners to improve quality of housing and deliver better housing outcomes. In recognising the value people place on leading fulfilling lives and staying independent for longer, the Council understands that living in poor housing has an adverse effect on health and increases the risk of both physical and mental illness, disability and premature death.
- 1.2. This Policy explains how the Council will support local people and work with other agencies, both statutory and voluntary, to provide assistance to keep people safe and independent at home. It is driven by a shift in focus towards using more preventative and proactive measures as opposed to those which are reactive often at the point of crisis.
- 1.3. The Buckinghamshire Joint Strategic Needs Assessment 2016-2022 (JSNA) sets out a key priority to “support communities to enable people to achieve their potential and ensure Buckinghamshire is a great place to live”
- 1.4. The JSNA outlines the main areas where housing and poor health are linked. It is designed to identify key issues relating to the health and wellbeing of Buckinghamshire residents, along with inequalities in health for specific population groups.

<https://www.buckscc.gov.uk/services/health-and-wellbeing/joint-strategic-needs-assessment-jsna/>

- 1.5. In 2014 the Government recognised the contribution good, accessible, warm and safe housing makes to improved health and social care outcomes, and passed the DFG Allocation capital funding to the Department of Health to be included in the Better Care Fund (BCF).
- 1.6. The inclusion of the Disabled Facilities Grant (DFG) Allocation within the BCF and the new focus on housing assistance being better aligned to support prevention in health and social care. Guidance from Foundations encourages the use of innovative preventative assistance within a discretionary policy, so help prevent hospital admissions and aid speedy discharge.
- 1.7. It is known that poor quality housing can have an impact on the health of the occupants and on the quality of life in an area; the Building Research Establishment (BRE) has calculated that poor housing costs the NHS at least £600 million per year. Some householders, particularly the elderly and most vulnerable, do not have the necessary resources to keep their homes in good repair.



## **2. Policy purpose and scope**

- 2.1. This Policy sets out the Council's provisions under the Regulatory Reform (housing assistance) (England and Wales) Order 2002.
- 2.2. This aim of this policy is to set out how the Council will use the various powers available, including the provision of financial assistance to provide a consistent approach to the use of capital resources for adapting the homes of vulnerable people in order to maintain their independent living for longer.

## **3. MONITORING AND REVISION OF THE POLICY**

- 3.1. The Council will review the policy within 2 years, or when there is a legislative or funding change.

### **Relevant legislation**

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

- 4.1. This Act is the main legislation relating to Disabled Facilities Grants. The Act details the situations in which the Council must approve an application for a mandatory Disabled Facilities Grant. In addition to this it details the requirements for means testing applicants, approving or refusing applications and gives Local Authorities powers to require grant funding to be repaid upon disposal of the property

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

- 5.1. The Regulatory Reform (Housing Assistance) (England and Wales) Order repealed much of the existing legislation governing the provision of grants to homeowners and replaced it with a new wide-ranging power to provide suitable mandatory and discretionary assistance for housing renewal.

## **6. General Eligibility Conditions**

- 6.1. Assistance will not normally be given where works have commenced before the Council has given its approval in writing.
- 6.2. Applications for assistance will not normally be approved for works which fall outside the policy below. However, exceptional cases may be considered by appeal on an individual basis.
- 6.3. All applications for financial assistance from the Council must be accompanied by valid UK photographic identification for adult applicant(s), along with proof of their current address. For child applicants, an original birth certificate must be provided. The Council may investigate where it is believed that the applicant does not reside at the address for which an application for financial assistance has been made in their name.

- 6.4. The Council may use credit check and on-line or other fraud investigator systems to check whether or not an applicant for any grant or loan (detailed below) has other bank accounts or outgoings that they have not declared to us.
- 6.5. The amount of funding available to pay for grants and loans is strictly limited and assistance can only be approved where financial resources permit.

## **7. Enquiries, Comments or Complaints**

- 7.1. Enquiries about this policy should initially be made to INSERT DETAILS
- 7.2. Comment or complaints about this policy must be set out in writing and sent to INSERT DETAILS
- 7.3. The Council has a formal complaints procedure, should you need to make a formal complaint in relation to this policy. A copy of the procedure can be obtained from INSERT DETAILS

## **8. Mandatory Disabled Facilities Grant (DFG)**

### **8.1. Purpose of Grant**

This is a mandatory grant available to provide essential adaptations to the homes of disabled people to ensure they have reasonable access into and around their home and to essential facilities within it. DFGs are administered under the detailed provisions of the Housing Grants, Construction and Regeneration Act 1996. This section gives an overview.

## **9. Eligibility Criteria**

- 9.1. A person is eligible to apply for a DFG in the following circumstances
  - The applicant is an owner, a tenant or a landlord.
  - The applicant intends for the disabled person to live in the property as his/her only or main residence for a period of five years (or such shorter period as health and other relevant circumstances permit).

## **10. Eligible Works**

- 10.1. The need for adaptation is determined by an Occupational Therapist from the Council. The Council will only act on recommendations made by the Occupational Therapist, where the work is
- mandatory under s23 of the Housing Grants, Construction and Regeneration Act 1996 (see Appendix A), and
  - confirmed by the Occupational Therapist as being necessary and appropriate to the disabled person's needs, and
  - considered reasonable and practicable.

## **11. Amount of Mandatory Grant**

- 11.1. Except where the disabled person is a child or young person as defined in the Act, the Council must carry out a test of the financial resources of the disabled person to assess how much they have to pay towards the work. Where the applicant is an owner-occupier or a tenant, the test of resources set out in the Housing Renewal Grants Regulations 1996 will be applied. Where the applicant is a landlord their contribution will be assessed based on the assessed increase in rental value.
- 11.2. The amount of grant is equivalent to the reasonable cost of the work (or the maximum statutory grant level, currently £30,000, where the cost of work required exceeds this), less the applicant's contribution.
- 11.3. Where the applicant has a contribution to pay or is undertaking privately funded work in addition to grant funded elements, the Council will expect these amounts to be paid in full to the contractor prior to any grant funds being released. Confirmation will be required from the contractor that all monies owed to them by the applicant has been paid in full

## **12. Fees and Charges**

- 12.1. The following fees and charges may be eligible for assistance within the maximum grant calculation–
- Fees in connection with provision of Proof of Title
  - Specialist contractor's fees in relation to information required in support of an application. This may include Gas Safe or Electrical Contractors report fee, a structural Engineer's fee etc.
  - 
  - The fees of an architect or surveyor or other services for preparing drawings, detailed specification and overseeing the works

- Any other fees and charges which the Council determine to be eligible

### **13. Repayment -**

- 13.1. For owner-occupiers the Council will register a charge against under the Local Land Charges arrangements on properties where a grant is being paid.
- 13.2. For a mandatory DFG, the charge is only registered against adapted properties of owner occupiers where the mandatory grant exceeds £5,000. The maximum charge registered is limited to £10,000.
- 13.3. The DFG charge will be payable where the property is disposed of within 10 years (whether by sale, assignment, transfer or let).
- 13.4. The conditions set out in the Housing Grants, Construction and Regeneration Act 1996 will apply.
- 13.5. Consideration of the following will be given in determining the amount of the grant to be repaid.
  - the extent to which the recipient of the grant would suffer financial hardship were he/she to be required to repay all or any of the grant.
  - 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.
  - whether the disposal is made for reasons connected with the physical or mental health or wellbeing of the recipient of the grant or of a disabled occupant of the premises; and
  - 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.
- 13.6. Given the pressures on DFG funding and high property values locally, the presumption will have made that it is reasonable to require repayment in the circumstances described in b), c) and d) above, unless the grant recipient would suffer financial hardship in doing so.

Repayment of preventative assistance applies as per the conditions of each specific type of assistance.

## **14. GRANTS PANEL-**

- 14.1. For complex cases or those subject to appeal, applications for assistance will be considered by the Council's grants panel. This panel will consist of the relevant case officer and relevant officers from other services. Where relevant the panel may also include a representative from the Council Occupational Therapy service and/ or other services.

## **15. APPEALS**

- 15.1. Appeals about how the policy is operated in individual cases, for example, where an enquiry or application for assistance is refused, will be considered by the [insert role] or nominated deputy. Appeals must be set out in writing and must include the specific grounds on which the appeal is based. Appeals will be considered only on the following grounds:
  - that the policy has not been applied correctly in the case in question, for example there has been a mistake, or
  - that the case in question is exceptional in some way that justifies and exception to the general policy.
- 15.2. The [insert role] will thoroughly review the application and advise the applicant in writing of the outcome of this review.
- 15.3. Appeals will not be considered on the grounds that the appellant simply disagrees with the policy. However, any written comments and complaints about the policy will be considered.

## **16. Preventative Assistance**

- 16.1. Guidance issued with the terms of the Better Care Fund allocation encourages the use of funds to actively provide preventative assistance to provide innovative ways of addressing health priorities.
- 16.2. The table below summarises the assistance available, including Preventative assistance subject to resources.
- 16.3. Preventative Assistance is provided to underpin the principles of good early interventions to vulnerable persons to prevent injury or ill health. This is focused to reduce the need for hospital admission, additional medical interventions and services etc , and to reduce the burden on health and social care services through both direct and indirect savings.
- 16.4. The key outcomes for each type of assistance are detailed, in addition to the eligibility criteria and conditions, and maximum assistance values.

16.5. On occasion it may be appropriate for grant funding to be allocated to specific projects or initiatives where the objectives and preventative outcomes of the Better Care fund and this Policy are met.

## 1. Types of assistance offered

Summary of housing assistance measures available to private owners and tenants:

Tool	Key Outcome	Eligibility criteria	Eligible Works	Conditions(	Max £/case	Notes
<b>Mandatory DFG</b>	To provide essential adaptations to the homes of disabled people	Must be applicants permanent home  Must be eligible for a DFG	Need for adaptations identified by an Occupational Therapist  Examples include ramps, stair lifts, wet rooms	Interest free, local land charge placed on property equivalent to level of assistance provided, repayment, repayable within 10 years (in some cases) or when the property is sold (if sooner)	£30,000	No change
<b>Top up for Mandatory DFG</b>	To enable adaptation works recommended by an OT to be completed when mandatory DFG does not cover full funds	Must be eligible for a DFG  Same means test as mandatory DFG applicable	Top up of up to £20,000 to cover additional costs for recipient of a Mandatory DFG (which is currently limited to £30,000)	Interest free, local land charge placed on property equivalent to level of assistance provided. Repayable when the property is sold or transferred/let Property must be occupied on a permanent basis by applicant unless hospital OT advises appropriate to discharge to another property	£20,000	
<b>Financial assistance towards the costs of relocation to a more suitable home</b>	To enable client in an unadaptable home to relocate to a home that meets the clients' needs	As above plus:  OT report confirming that new home is suitable to meet the person's needs.  Council must deem rehousing as the most suitable and cost effective solution	Relocation costs including Estate Agent fees, Conveyancing fees and removal costs	Cost/benefit analysis of options available including relocation to a more suitable property  New property must be occupied on a permanent basis by applicant	£15,000	

<b>Tool</b>	<b>Key Outcome</b>	<b>Eligibility criteria</b>	<b>Eligible Works</b>	<b>Conditions(</b>	<b>Max £/case</b>	<b>Notes</b>
<b>Small Scale DFG</b>	A simpler process for applicants who require only minor adaptations	Eligible for a DFG and in receipt of council tax support  Only 1 quotation for works required	Adaptations costing <£10,000 (for example this may include stair lifts, ramps and simple adaptations) NOT ELIGIBLE FOR ALTERNATIVE SCHEMES	Repayable as per mandatory DFG terms i.e. over £5k	£10,000	
<b>Other DFG assistance</b>	Preventative works outside the scope of a Mandatory DFG	Means tested as per DFG	Works outside of mandatory DFG list as agreed by Grants Panel as necessary and preventative	Repayable	£15,000	
<b>Healthy Homes On Prescription</b>	To provide small scale works to a person's home to help enable hospital discharge, prevent emergency hospital admissions, hospital re-admissions and repeat GP appointments.  Savings to the health and social care system are assessed and predicted (Housing Health Cost Calculator)	Home environment is presenting hazard to health or threat of injury under principles of HHSRS  Owner occupier (tenant in exceptional cases where enforcement action is not appropriate e.g. identified tenant responsibility issue e.g. floor coverings)  Referred via a health or social care professional (e.g. Occupational Therapist, GP etc.) Direct or indirect cost savings predicted	Small scale adaptations, repairs or other improvements which are specifically required to enable hospital discharge or help reduce the likelihood of hospital admission or repeat GP appointments	Non-repayable  Payment on completion of works  More than one application can be made but no more than £5000 will be paid out in any 5-year period	£5,000	

<b>Tool</b>	<b>Key Outcome</b>	<b>Eligibility criteria</b>	<b>Eligible Works</b>	<b>Conditions(</b>	<b>Max £/case</b>	<b>Notes</b>
<b>Flexible Home Improvement Loan (FHIL)</b>	<p>Over 60's home improvement loan for works to improve the safety, comfort and security of their property</p> <p>Empty Property Loans</p> <p>Rented Property Loans</p> <p>To enable owners of empty homes to undertake repairs and renovations and bring properties back into use</p>	<p>Owner Occupiers who are over 60 years old (in the case of joint occupiers one must be at least 60 and the second owner at least 55).</p> <p>There must be sufficient equity in the property</p> <p>The Council must be satisfied that the required works are appropriate</p>	<p>Repair or replacement works to the building structure</p> <p>Energy efficiency and heating improvements</p> <p>Works to improve security e.g. alarm installation</p> <p>Adaptations to enable a disabled person to continue to live in the property</p>	<p>Flexible repayment terms. Loan to be repaid in full at sale of property</p> <p>For Empty Home loans, Loan must be repaid within 5 years</p>	<p>Variable depending on available funds which are allocated quarterly by the Flexible Home Improvement Loan Company</p>	<p>No change</p>
<b>Deep Clean Fund</b>	<p>To enable discharge from hospital or healthcare setting</p>	<p>Referred by medical/social care professional agreed by the Housing service</p> <p>Client awaiting discharge at time of referral.</p>	<p>Deep Clean</p> <p>Decluttering</p> <p>Waste disposal</p>	<p>Non-Repayable</p> <p>Referrals must be approved by Housing service to ensure link to other housing conditions is assessed</p>	<p>Intended for small scale works &lt;£1500 but no set maximum</p>	
<b>Better Homes Better Health Grant</b>	<p>Grant available following referral from health professional for energy/heating improvements</p>	<p>Must be an owner occupier</p> <p>Referred by a health professional</p>	<p>Works may include;</p> <p>Heating improvements</p> <p>Insulation</p> <p>Works to remedy Damp and mould</p>	<p>Non-repayable</p> <p>Required measures to be confirmed by Housing Enforcement Officer</p>	<p>£2500</p>	<p>Scheme is administered by the National Energy Foundation</p>

<b>Tool</b>	<b>Key Outcome</b>	<b>Eligibility criteria</b>	<b>Eligible Works</b>	<b>Conditions(</b>	<b>Max £/case</b>	<b>Notes</b>
<b>Handy Helper</b>	Small scale early intervention to prevent falls, accidents in own home and people becoming victims of scams/rogue traders, tackling social isolation	Any tenure Minimum 3 risk factors from defined list	May include: Security measures, moving furniture, fitting light bulbs and smoke alarms etc.	Non repayable Measures identified and supplied through service provider to cover labour but not fittings//fixtures	Non applicable	Pilot Scheme for 2019/20 Grant provided to Community Impact Bucks