

NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

**EXECUTIVE MANAGEMENT TEAM'S
REPORT TO**

Cabinet
14 March 2023

Report Title: Housing Assistance Policy 2023

Submitted by: Director of Sustainable Environment and Operations

Portfolios: Community Safety and Wellbeing

Ward(s) affected: All

Purpose of the Report

This policy sets out how we will offer financial assistance for improving and adapting homes. The aim is to support residents to improve their health and wellbeing by addressing problems with unsuitable homes that do not meet their needs

Recommendation

That Cabinet

1. Formally approves the proposed Housing Assistance Policy 2023 as set out in appendix A.
2. Delegate authority to the Head of Regulatory Services to make minor amendments to the policy.
3. Delegate authority to the Head of Regulatory Services in consultation with the Cabinet Member for Community Safety and Wellbeing to revise, prioritise or withdraw discretionary assistance as appropriate, considering the council's available resources and annual funding allocations.

Reasons

The administration of Disabled Facility Grants is changing on 1st April 2023 from being a commissioned service to return to in-house delivery. Such grants are the main form of housing financial assistance offered by the Council for home adaptations. The delivery of housing assistance is established around the Housing Assistance Policy 2023, which if approved will commence from the in-house service delivery.

1. **Background**

- 1.1 The Housing Grants, Construction and Regeneration Act 1996 placed a statutory duty on local housing authorities to provide Disabled Facilities Grants (DFGs) for residential adaptations where the appropriate legislative conditions are met.
- 1.2 The Grant is designed to improve the lives of people with disabilities by enabling access and movement around their own home with the use of adaptations. It also reduces hospital admissions, enables earlier hospital discharges and reduces the need for domiciliary and residential care.

- 1.3 The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (RRO) provides general powers for local housing authorities to provide assistance for housing renewal, including home adaptations. The powers can only be used in accordance with a published Housing Assistance Policy.
- 1.4 The wide-ranging powers enable authorities to give assistance to people directly, or through a third party such as a Home Improvement Agency, providing the assistance will improve living conditions in their area.
- 1.5 Assistance can also be given to pay for any associated fees and charges, including in cases where the work does not in the end proceed, as long as the authority is satisfied those fees fall within the terms of their local Housing Assistance Policy.
- 1.6 By publishing a Housing Assistance Policy the Council can ensure we meet our duties and use available funding more flexibly.

2. **Issues**

- 2.1 The proposed Housing Assistance Policy 2023 sets out how Newcastle-under-Lyme Borough Council will offer financial help for improving and adapting homes in the borough, together with the conditions and eligibility criteria that apply. The objectives of the policy are;
 - to have a clear, transparent grants policy that is fair, equitable and accessible;
 - to ensure funding is available and targeted at those people in the community in greatest need.
- 2.2 The types of assistance included in the proposed Housing Assistance Policy 2023 are set out below.

2.3 Mandatory Disabled Facilities Grants (DFG)

- 2.3.1 These are grants that local authorities must make available to their disabled residents who meet the qualification criteria as set out in the Housing Grants, Construction and Regeneration Act 1996, the accompanying regulations and subsequent amendments. Works carried out must be necessary, appropriate, reasonable and practicable. Grants are means tested for over 18s and are for a maximum amount of £30,000. For certain grants over £10,000 repayment conditions are applied. Further details about eligibility and terms and conditions are set out in the proposed Housing Assistance Policy 2023 in Appendix 1.

2.4 Discretionary Grants

- 2.4.1 The aim of the discretionary grants is to help vulnerable members of the community where the Mandatory DFG is insufficient to cover the full cost of the works or where the works are outside of the eligibility criteria. However completing them would provide significant benefits to the applicant and/or their family/carers and would create savings to the wider public purse. Further details about eligibility and terms and conditions are set out in the proposed Housing Assistance Policy 2023 in Appendix 1 and summarised below.

2.5 Top-up Assistance

- 2.5.1 To top-up the financial assistance for adaptation works where the cost exceeds the DFG maximum (currently £30,000). The amount of top-up assistance in such circumstances must be reasonable up to a maximum of £15,000. The Council reserves

the right to consider alternative solutions where they appear more cost effective, reasonable, practicable or appropriate.

2.6 Relocation Grant

2.6.1 In some instances it may not be possible to adapt accommodation to meet the needs of the disabled occupant or the works required would be so major that it would be cost prohibitive. A discretionary relocation grant, which is means tested, provides assistance to move to a more suitable or more adaptable property by helping with removal costs and legal expenses.

2.7 Support for essential repairs that otherwise present hazards to health

2.7.1 To assist residents whose health is being affected by hazards to health in the home that will otherwise exacerbate existing health conditions and create ill health or an unplanned hospital admission. Examples include repairs to heating and hot water provision, first time heating, preventing falls or accidents, preventing damp conditions and support to clear hoarded properties. This would be applicable where the hazard has been assessed under the Housing, Health and Safety Rating system as a serious hazard to health.

2.8 Fees Grant

2.8.1 Fees can be charged on a grant for specific works set out in the legislation and the [Disabled Facilities Grant \(DFG\) Delivery: Guidance for Local Authorities in England](#). It is recognised that the fees can limit the available grant to an applicant especially if the cost of works is approaching the mandatory limit. It is therefore proposed to offer a discretionary grant to cover fees where this may adversely affect the works which can be completed or where there are upfront fees that need to be met to allow a grant to proceed ie architects drawings.

3. Proposal

That Cabinet

- 3.1** Formally adopts the proposed Housing Assistance Policy 2023 as set out in appendix A.
- 3.2** Delegate authority to the Head of Regulatory Services to make minor amendments to the policy.
- 3.3** Delegate authority to the Head of Regulatory Services in consultation with the Cabinet Member for Community Safety and Wellbeing to revise, prioritise or withdraw discretionary assistance as appropriate, considering the council's available resources and annual funding allocations.

4. Reasons for Proposed Solution

- 4.1** The administration of Disabled Facility Grants is changing on 1st April 2023 from being a commissioned service to return to in-house delivery. Such grants are the main form of housing financial assistance offered by the Council for home adaptations. The delivery of housing assistance is established around the Housing Assistance Policy 2023, which if approved will commence from the in-house service delivery
- 4.2** Adopting a Housing Assistance Policy ensures that the Council can use funding flexibly to allow discretionary as well as mandatory grant funding.

5. **Options Considered**

- 5.1 Adopt the Housing Assistance Policy 2023. This will allow the council to offer a flexible range of grants in accordance with the Regulatory Reform Order (Housing Assistance) (England and Wales) 2002 (RRO).
- 5.2 Do not adopt the policy. The Council could continue to issue grants under the mandatory Disabled Facilities Grants legislation. This would prevent the council from delivering grants more flexibly and offering a wide range of grants to benefit vulnerable and disabled residents.
- 5.3 Different discretionary options. The discretionary grant options could be reduced or changed to reflect different priorities. Figures indicate the top up grant is vital to allowing some of the bigger schemes to progress ie an extension for ground floor facilities without which care arrangements would be unsustainable. The fees grant is similarly a way to allow larger schemes to move forward without the fees eating into the funding for works. The relocation grant has been rarely used but with the service returning in house will be better utilised where works simply cannot be completed due to prohibitive costs. The grant for hazards to health is vital as a preventative measures to stop ill health, accidents in the home and preventable hospital admissions. This mix of discretionary grants is seen as being responsive to the current needs but will be kept under review.
- 5.4 More creative use of discretionary grants. The flexibilities under the regulatory reform act do allow and encourage local authorities to be creative and respond to local priorities. This can include expanding the range of discretionary grant, for example hospital discharge grants, telecare grants to use technology to keep people safe in their homes, dementia grants and waiving the means test in some circumstances to speed up grant processing. It is anticipated that as the service matures work can be done to analyse the local situation and funding availability to consider including these options in future iterations of the policy.

6. **Legal and Statutory Implications**

- 6.1 The Council is required by the Housing Grants Construction and Regeneration Act 1996 to approve valid applications for DFG. Additional powers are provided in the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 to not only provide the mandatory assistance but also offer more flexible preventative alternatives linked to local health and social service priorities.
- 6.2 The proposed Housing Assistance Policy 2023 sets out how the council will meet these statutory duties and exercise its flexible powers when awarding housing assistance grants.

7. **Equality Impact Assessment**

- 7.1 The proposal is intended to have a positive impact on residents who have a disability and are eligible for a DFG by speeding up the process and quality of work. Also by seeking to develop innovative policies and practices once the service has become established.

8. **Financial and Resource Implications**

- 8.1 The Council has a statutory duty to provide DFGs, irrespective of the funds available. The Government determines the Disabled Facilities Grant allocation to the Council which is contained within the Better Care Fund provided to Staffordshire County Council. Funds are transferred to the Council through a pass porting agreement. The budget for 2021/22 was £1.7M.

8.2 An annual audited return is made to Staffordshire County Council regarding use of the funds.

8.3 A fee on the grant funds the current contracted service ending on 31st March 2023, it is proposed to continue this approach once it returns in house. Following detailed preparatory work the proposed fee is 18%. This will be kept under review as the service matures. The discretionary grant for fees ensures this figure does not impact on funding available to individuals.

8.4 If the discretionary elements of the policy are not included, it may hinder the ability to fully invest the money into resident's homes as it will prevent larger schemes progressing.

9. **Major Risks**

9.1 The return of the DFG service in house carries with it a number of risks, predominantly in terms of how quickly the new service can become established and start tackling current backlogs. The cabinet report on 6th September 2022 contained a risk assessment relating to the transfer of the service. The adoption of a Housing Assistance Policy is seen as protecting against the risk that the council does not have a clear, consistent, transparent policy on how monies are distributed and how flexibilities in the funding are targeted.

9.2 There is a risk that the use of discretionary policies takes funding from mandatory grants and the Council fails in its duty to provide these grants. In order to mitigate this risk all mandatory and discretionary grant applications, at all stages of the process, will be kept under monthly monitoring to ensure there are sufficient funds for all applications. Discretionary grants will be withdrawn, prioritised or delayed if funding becomes restricted.

9.3 There is a risk that the budget is overspent, so mandatory grants cannot be approved, or underspent, so available money is not invested into homes. The mitigation of the risk is in effective and regular budget monitoring of grants at all stages and in close adherence to the eligibility criteria so that all approved grants are appropriate use of public funds.

9.4 There is a risk that the discretionary grants are seen as the wrong priorities to the local situation or are not responsive enough to adapt to changing situations. The intention is for the policy to be kept under review to ensure it meets its aim of ensuring funding is available and targeted at those people in the community in greatest need. Foundations is The National Body for Disabled Facilities Grants and Home Improvement Agencies in England. They are active in researching, disseminating and promoting good practice, which will be reviewed against our policy to ensure it reflects good practice within the available funding.

9.5 Risks relating to the Disabled Facility Grant service and budget management are monitored through the Council's risk management system Grace.

10. **UN Sustainable Development Goals (UNSDG)**

10.1 The proposal contributes to the following UN Sustainable Goals.



10.2 There is also an opportunity to consider how the service can contribute to sustainable development goals as it matures. This includes building materials specified, relating to sustainability and source, and re use and recycling of equipment, i.e. stair lifts. Also using every contact with households to promote other activities i.e. energy efficiency schemes and cost of living support.

11. **Key Decision Information**

11.1 This is a key decision as it relates to a budget of £1.7M and it relates to residents in all wards of the borough.

12. **Earlier Cabinet/Committee Resolutions**

12.1 [Disabled Facilities Grant Service from 1st April 2023](#) – Cabinet Report September 6th 2022. This report dealt with the return of the service to Newcastle-under-Lyme Borough Council and outlined the need to return with a Housing Assistance Policy Report in early 2023.

13. **List of Appendices**

13.1 Appendix A - Housing Assistance Policy 2023

14. **Background Papers**

14.1 [Disabled Facilities Grant \(DFG\) Delivery: Guidance for Local Authorities in England](#).
Department for Levelling Up Housing and Communities: Department of Health and Social Care.

14.2 Grace Risk Management – Disabled facilities Grant Delivery.