



Please reply to:

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Date: 06 June 2022

Notice of meeting

Community Wellbeing and Housing Committee

Date: Tuesday, 14 June 2022

Time: 7.00 pm

Place: Council Chamber, Council Offices, Knowle Green, Staines-upon-Thames TW18 1XB

To the members of the Community Wellbeing and Housing Committee

Councillors:

M.M. Attewell (Chairman)	J. Button	D. Saliagopoulos
H. Harvey (Vice-Chairman)	S.A. Dunn	J. Vinson
C.L. Barratt	N.J. Gething	S.J. Whitmore
C. Bateson	O. Rybinski	

Substitute Members: Councillors R.O. Barratt, M. Beecher, J.T.F. Doran, R.D. Dunn, I.T.E. Harvey, V. Siva and R.A. Smith-Ainsley

Councillors are reminded that the Gifts and Hospitality Declaration book will be available outside the meeting room for you to record any gifts or hospitality offered to you since the last Committee meeting.

Spelthorne Borough Council, Council Offices, Knowle Green

Staines-upon-Thames TW18 1XB

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Agenda

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10. Disabled Facilities Grant Policy

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Report to follow.



MAT Tuesday 24 May 2022

Community Wellbeing and Housing 14 June 2022

**Corporate Policy and Resources Committee 11th
July 2022**

Title	<i>Disabled Facility Grants and Better Care Funding for disabled resident aids and adaptations</i>
Purpose of the report	To make a recommendation to Policy and Resources Committee
Report Author	<i>Jai Camburn, Disabled Facility Grant & Assisted Living Officer Karen Sinclair Group Head Community Wellbeing</i>
Ward(s) Affected	All Wards
Exempt	No
Exemption Reason	
Corporate Priority	Community Affordable housing Service delivery
Recommendations	Committee is asked to: Approve the Disabled facility Grant (DFG) and Better Care Funding Policy for disabled residents
Reason for Recommendation	<ol style="list-style-type: none"> 1. The Council's current policy relating to the policy for aids and adaptations for disabled residents has been in place since 2017 and requires updating 2. The proposed policy more closely aligns Spelthorne Borough Council with the policies of other Surrey local authorities 3. The policy introduces recommendations that have arisen from Government guidance issued in 2022 4. The main elements of the policy remain the same and are primarily governed by statute. The new policy seeks to provide greater parity and transparency for residents

1. Summary of the report

- 1.1 This report seeks to gain approval for a new policy for the implementation of disabled facility grants (DFG) and expenditure of the Better Care Fund on aids and adaptations for disabled residents.
- 1.2 The Council is responsible for the administration of disabled facility grants. This includes adapted bathrooms, level access showers, stairlifts, improvements to access (ramps, half steps, handrails), The underlying principle of DFG's is that works enable people to remain living at home rather than care or nursing homes.

Disabled Facility grants are now funded from 'The Better Care Fund'. This is a fund which is meant to reflect the local need of disabled clients and have regard to Adult Social Care and health needs of the local area. The Better Care Fund plan should be agreed between partners. The Regulatory Reform Order 2002 gave local authorities power to introduce policies around aids and adaptations which resulted in greater flexibility on how money could be used to keep residents living safely and independently in their own home. This change preceded a significant increase in the national budget for DFGs which for 2020/21 was £550m and for 2021/22 is £573m.

- 1.3 There is a mandatory limit of £30k for DFG's. However, the reality is that some work will exceed the mandatory limit. In these cases, a top up process has been available since 2017 where an applicant can apply to a Council lead panel for an additional amount of up to £15,000 to help fund the work. This is only agreed in exceptional circumstances, as the Council needs to ensure overall value for money and that the funding available can assist as many residents as possible.
- 1.4 The DFG process includes an assessment by an Occupational Therapist (O.T.), a means test of household income and an assessment by a Grants Officer / Technical Officer. Consideration is given as to whether the works meet the criteria (are necessary and appropriate to meet the disabled person's needs, are reasonable and practical). The Council also considers factors such as the effect on other residents, limited access, conservation considerations, and the structural characteristics of the property.
- 1.5 Means testing is often an emotive subject both for the disabled resident and for their family. Currently the Council means tests all DFG applications. Exceptions are disabled children (up to and including aged 19 if they are in full time education), and those with certain benefits such as guaranteed pension credit. Following the means test, in some instances clients must pay a contribution. However, this can act as a deterrent and many clients then do not proceed with works. Woking and Runnymede councils do not means test clients for level access showers and for stairlifts. It is proposed that given these works do not add to the value of a property and can detract from value, Spelthorne Council adopts the same policy.
- 1.6 For many clients, such as those leaving hospital, smaller works e.g., property safety and security, general DIY, key safes and handrails, the Council refers

to the handyman service, funded from the Better Care provision. This is currently administered on our behalf by Woking Borough Council.

- 1.7 Currently A2D tenants who require smaller works valued under £2000 have these arranged and paid for by A2D. Using the flexibility of the Better Care Fund, it is proposed that the Council now offer the same service to owner occupiers and private sector tenants. An example might be a lower value ramp to a property which the handyman service is not able to create. It is recognised that smaller works such as this can make a huge difference to the day to day living of a disabled client but that waiting for an O.T. assessment and means testing may delay the process.
- 1.8 Surrey County Council refer some residents to the Community Equipment Store for minor aids and adaptations. For example, referrals are made for some clients leaving hospital. The Council use its discretion and contribute an annual sum of £40,000 towards this. There are no proposed changes to this process, but it is mentioned to ensure a holistic picture of Better Care Funding is given.
- 1.9 Where clients want a higher standard of works than those that meet their basic needs (e.g., patterned bathroom tiles rather than standard white or the work would exceed the £30k mandatory DFG limit and it is not appropriate to go to the Council Panel), they can pay the difference. However, given the basic premise that many of these residents are on low income and thus qualify under means testing, it is proposed that the applicant can apply for an additional grant of up to £15,000. This will be placed as a charge against the property.
- 1.10 In some circumstances, following the means test, clients are deemed able to afford to contribute an element towards the cost of works. There are often reasons why either they feel this is not fair (e.g., they wish to keep savings for 'emergencies), or they are so reluctant that it prevents them proceeding. In these circumstances it is proposed that the applicant can apply for an additional grant of up to £15,000. This will be placed as a charge against the property.
- 1.11 In accordance with specific Government guidance, along with good practice, it is proposed that DFG's are means tested except in the case of an applicant with Motor Neurone Disease (MND), palliative or end of life diagnosis. In these instances, the Council propose to offer a fast-tracked process with no means testing for works up to £5K. Where works are over the value of £5K the Council will disregard the earnings of the disabled person where larger scale works are assessed as being necessary and appropriate. In this instance the means test only takes into consideration the income of other members of the household.

2. Key issues

- 2.1 Appendix 1 shows the proposed policy along with a table of existing considerations, with a table illustrating the proposals.

3. Options analysis and proposal

- 3.1 Option 1-Do nothing. This is not recommended as the current policy is out of date and does not consider the latest Government guidance and good practice.

3.2 Option 2- Adopt the proposed changes-recommended.

3.3 Option 3-Adopt some of the proposals.

4. Financial implications

4.1 The annual Better Care Fund capital allocation to the Council is currently £943,241 The proposed policy changes will be fully funded from within this provision.

5. Risk considerations

5.1 There is a risk that the demand for assistance outstrips the monetary provision, given the increasingly elderly population and the number of residents that require adaptations to remain living at home. Careful monitoring will need to be given to ensure that we stay within the allocated funds.

6. Legal considerations

6.1 The proposed policy complies with current legislation and Government guidance.

7. Other considerations

7.1 The proposals more closely align the Council with those of neighbouring authorities such as Runnymede and Woking.

8. Equality and Diversity

8.1 This policy is aimed to assist all disabled residents of the borough. Many of the clients are either children with disabilities or elderly residents. A full equality impact assessment is to follow

9. Sustainability/Climate Change Implications

9.1 All building works take into consideration factors such as appropriate insulation for new external walls and roofs.

10. Timetable for implementation

10.1 Once the policy is agreed by the Corporate Policy and Resources committee the policy will be introduced with immediate effect.

11. Contact

11.1 Contact details name and email address for queries relating to this paper.

Karen Sinclair , k.sinclair@spelthorne.gov.uk , 01784 446 206

Jamie Camburn , j.camburn@spelthorne.gov.uk , 01784 446 202

Background papers: *There are none*

Appendices: Appendix A, Policy for DFG and Better Care Fund, including table of current and proposed items

Spelthorne Borough Council

Disabled Facility Grants (DFG) and Better Care Funding

for disabled resident aids and adaptations Proposed Policy 2022

Introduction to Disabled Facilities Grants.

Disabled Facilities Grants (DFG's) are a statutory function which are administrated by Spelthorne Borough Council.

DFG's are available to help fund the cost of aids and adaptations to enable a disabled person to live independently in their own home and support the provision of decent, healthy, and safe housing within the borough under the Housing Grants, Construction and Regeneration Act 1996 and the flexibility of the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002

A DFG is only available to people who are disabled within the meaning of the National Assistance Act 1948. This means that a DFG will not be granted to a person who is solely elderly or retired.

The Council closely with Surrey County Council's Social Services Department, who will assess the needs of the client and confirm that the works are "necessary and appropriate".

This policy ensures that resources are targeted at those who would not otherwise be able to adapt, repair or improve their home. By providing adaptations to those who have a medical need and by developing a preventative approach the Council can reduce hospitalisation and improve adults' health and wellbeing. In turn this relieves some of the pressure on Social Services and NHS partners

DFG's are a means tested scheme, which will consider a disabled persons income, savings and capital owned by them and their spouse or partner. Depending on the outcome of the test, they may be required to contribute towards the cost of the works. A means test will not be conducted if they are applying on behalf of a child.

The maximum DFG available in England is £30,000. If the total cost of the works, plus any fees or VAT exceed this amount, the applicant may be required to pay the additional costs.

There is no means test for

- those who receive a non-means test benefit, for example Guaranteed Pension Credit, Housing Benefit, or Income Support.
 - a standard stairlift
 - a level access shower (where there is need to modify an existing bathroom)
 - a disabled child under 19 years (if in education or receiving child benefits)
 - Motor neurone disease (MND), palliative or end of life diagnosis
- Spelthorne Borough Council offer a fast-tracked process with no means testing for works up to £5000 and ignore the earnings of the person with the

diagnosis where; larger scale works are assessed as being necessary and appropriate.

The person who the grant is for must:

- own the property or be a tenant
- the property must be the disabled person's main residence
- must be a UK citizen
- have lived, or be intending to live, in the property in question for at least five years, or for such a shorter period as their health and other relevant circumstances permit

The Council needs to be satisfied that the work:

- is necessary and appropriate to meet the disabled person's needs
- is reasonable and practical
- considers things such as the effect on other residents, limited access, conservation considerations, and the structural characteristics of the property
- is of good quality and meets other safety standards (applies where grants approved and adaptations or other works are undertaken)

Land Charges

If the DFG is for a homeowner and the adaptation is over £5,000, a land charge will be placed against the property (up to £10,000). The amount placed depends on the cost of the works and will decrease yearly over the next 10 years.

Should the property be sold within 10 years of the adaptation, the amount will be repayable.

In the event that the homeowner seeks to 'top up' their DFG, the total amount of the 'top up' will be placed on the property as a land charge. This charge will not benefit from any yearly decrease or expiration. Therefore, should the property be sold by the beneficiary of the grant, or their beneficiaries at any future date then the land charge will be repayable in full and the reasonable costs associated with recovery.

Aids and Adaptations Grant.

A Minor Aids and Adaptations Grant is available to Homeowners costing less than £2000 for a wide variety of other aids or adaptations. these include:

- works to make a home suitable for a disabled occupant's accommodation, welfare, or employment.
- providing small-scale adaptations to either fulfil needs not covered by mandatory DFG's
- avoiding the procedural complexities of mandatory DFGs, to deliver a much quicker remedy for urgent adaptations
- repairs to a previous DFG

Getting grant approval before starting work

If the work is started before a grant application is formally approved in writing the application will be disqualified.

What works are eligible?

Mandatory grants can be awarded for the following works:

- facilitating a disabled person's access to the dwelling for example, widening doors and installing ramps
- by providing or improving access to the bedroom, kitchen, toilet, wash basin and bath (and/or shower) facilities; for example, by installing a stair lift or providing a level access shower room
- facilitating the preparation of food by the disabled person.
- improving/providing a heating system to meet the disabled person's needs
- facilitating access and movement around the home to enable the disabled person to be cared for by someone dependent upon him or her needs.
- making the dwelling safe for the disabled person and others residing with him or her.
- facilitating access to and from a garden or making a garden safe.

Who can apply?

Grants are for disabled people and can be applied for by:

- the disabled person
- a person living with a disabled person,
- parent or guardian of a disabled child,
- the landlord of a property

How long will the process take?

- Spelthorne Borough Council have up to 6 months to approve a fully completed application form.
- Spelthorne Borough Council aim to complete the works within 12 months from receipt of the fully completed application in many cases these times periods are significantly shorter.

How to apply?

- speak to an Occupational Therapist (OT) who can advise on the application process.

Spelthorne Locality Team,
Ashford Centre,
Stanwell Road,
Surrey

TW15 3DU

Telephone: 01932 795 292

Email: Spelthorne.otduty@surreycc.gov.uk

- apply directly to the Independent Living Team at Spelthorne Borough Council.

Spelthorne Borough Council,
Knowle Green,
Staines-upon-Thames,
Surrey
TW18 1XB

Telephone: 01784 448 607

Email: dfg@spelthorne.gov.uk

Complaint procedure

Spelthorne Borough Council aim to provide a high-quality and value-for-money services to all our residents.

If Spelthorne Borough Council do get something wrong, the Council try to put it right quickly and learn from mistakes, to help improve services in the future.

Feedback from residents is an important part of helping the Council to do this.

The Council will deal with all complaints fairly, consistently, and professionally.

Ways that you can contact The Council.

- email Customer Services
- phone us on 01784 451499
- write to us at:

Customer Service Centre
Spelthorne Borough Council
Knowle Green
Staines-upon-Thames
Surrey TW18 1XB

Scheme	Amount Available	Eligible Works	Who is Eligible	Conditions / Notes
Disabled Facility Grant (DFG) <ul style="list-style-type: none"> • Mandatory • Main priority of the DFG Team 	Up to £30,000	<ul style="list-style-type: none"> • Access • Ramps • Concrete hardstanding • Stairlifts • Through lifts • Level access showers • Hoists • Door widening • Conversions • Extensions • Any larger adaptations 	<ul style="list-style-type: none"> • A disabled person who owns the property • A disabled tenant in a rented property • Parent or Guardian of a disabled child • A disabled person living in someone else's home 	<ul style="list-style-type: none"> • Occupational Therapist (OT) assessment • Work is necessary, appropriate, reasonable, and practical. • Fully completed application • Means tested (except in the case of an applicant with MND, palliative or end of life diagnosis as confirmed by a medical professional)
Aids and Adaptations Grant <ul style="list-style-type: none"> • Non-Means tested • Homeowner / Private tenant • One Grant per property 	Up to £2,000	<ul style="list-style-type: none"> • Small scale adaptations • Half steps • Ramps • Rails • Repairs to previous DFG • Warranties 	<ul style="list-style-type: none"> • A disabled person who owns the property • A disabled tenant in a privately rented property • Parent or Guardian of a disabled child • A disabled person living in someone else's home 	<ul style="list-style-type: none"> • Work is necessary, appropriate, reasonable, and practical. • Occupational Therapist (OT) assessment not necessary • This brings Spelthorne Borough Council in line with other Councils
Top UP <ul style="list-style-type: none"> • Spelthorne Borough Council Panel 	Up to £15,000 over the £30,000 DFG limit	<ul style="list-style-type: none"> • Flexibility outside mandatory grant 	<ul style="list-style-type: none"> • A disabled person who owns the property • A disabled tenant in a privately rented property • Parent or Guardian of a disabled child • A disabled person living in someone else's home 	<ul style="list-style-type: none"> • Occupational Therapist (OT) assessment • Work is necessary, appropriate, reasonable, and practical. • Fully completed application • Means tested

<p>Land charge</p> <ul style="list-style-type: none"> • Homeowner 	<p>Up to £15,000</p>	<ul style="list-style-type: none"> • Contributions • Top Ups • Nil Grants 	<ul style="list-style-type: none"> • A disabled person who owns the property • Parent or Guardian of a disabled child 	<ul style="list-style-type: none"> • Work is necessary, appropriate, reasonable, and practical. • In circumstances where occupants desire a higher specification to standard work • To Top Up if over the mandatory limit of £30,000 • Where if following a means test the applicant would have to contribute to the work
<p>Community Equipment Store (CES)</p>	<p>N/A</p>	<ul style="list-style-type: none"> • Ceiling Track Hoists • Ramps • Handrails 	<ul style="list-style-type: none"> • A disabled person who owns the property • A disabled tenant in a privately rented property • Parent or Guardian of a disabled child • A disabled person living in someone else's home 	<ul style="list-style-type: none"> • Occupational Therapist (OT) assessment
<p>Handy Person Service (Home Link)</p>	<p>Charged may apply</p>	<ul style="list-style-type: none"> • Dementia Service • Urgent Hospital Discharge / Palliative / Safety and Security • Minor Health and Safety work • General DIY • Skilled Electrical • Skilled Plumbing • Key Safes • Handrails 	<ul style="list-style-type: none"> • Elderly 60 Years + • Disabled in receipt of DLA or PIP • Vulnerable 	<ul style="list-style-type: none"> • Occupational Therapist (OT) assessment • Self-referral • Owner Occupier • Privet / Rented

Spelthorne Borough Council Panel,
DFG Officer,
Strategic Lead Independent Living,
Head of Service Independent Living,
Deputy Chief Executive.

Note – Changes to previous Policy are in Blue

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