

Private Sector Housing Assistance Policy

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1. Introduction and Legal Framework

The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (RRO) enables local authorities to be flexible in the assistance they provide to people to improve their housing conditions. This can include repair, improvements, adaptations and assistance to acquire accommodation.

Disabled Facilities Grants (DFGs) are governed by Part I of the Housing Grants, Construction and Regeneration Act 1996. This Act explicitly covers mandatory DFGs that can be used towards the cost of works required for the provision of facilities for disabled persons in dwellings and the common parts of flats. This typically means meeting the cost of providing adaptations to the homes of people with disabilities. DFGs are subject to the strict requirements of the Act which contains eligibility criteria. There is a test as to financial resources and also the adaptations must satisfy the criteria of being both 'necessary and appropriate' and 'reasonable and practicable'.

In 2008, the government extended the scope of the RRO to include the use of DFG money. This enables authorities to use specific DFG funding for wider purposes.

The Council has carried out a review of its existing policy for housing adaptations, repair and improvements.

The proposed policy is designed to promote independence and wellbeing. In particular, it is designed to establish a person-centred approach that simplifies the process and speeds up the delivery of adaptations, improvements and repairs. The policy will enable more flexible use of the funding to provide improved solutions, speed up hospital discharge and reduce wider demand on hospital and care services.

This document sets out the main elements of the proposed policy. Grants and services are available to both owner occupiers and tenants.

2. Major adaptations - Mandatory Disabled Facilities Grant

DFG applications are processed in accordance with the Housing Grants, Construction and Regeneration Act 1996 and associated guidance.

The dwelling should be free from serious (HHSRS Category 1) hazards, except where insistence on remedying such problems would prevent completion of the DFG works and therefore compromise the disabled person's ability to remain at home.

The mandatory grant limit is £30,000. A discretionary grant may be available on top of this depending on the scope of works, up to a maximum of £25,000. Please refer below for further information.

For owner occupied properties, a local land charge will be placed on the property for work over £5,000 up to a maximum of £10,000. This is repayable on sale of the property for a period of 10 years (subject to certain exemptions).

DFG's cover the following, in line with section 23 of existing regulations:

- Access by a disabled occupant to and from the dwelling
- Access by a disabled occupant to and from the garden
- Making the property safe for a disabled person and others living with them
- Access by a disabled occupant to a room used or usable as the principal family room
- Access by a disabled occupant to a room used or usable for sleeping
- Access by a disabled occupant to a room in which there is a suitable WC, wash hand basin and level access shower
- Facilitating the preparation and cooking of food by a disabled occupant
- Improving or providing a heating system in the dwelling to meet the needs of a disabled occupant
- Access and movement by a disabled occupant around the dwelling to enable them to care for someone dependent on them, who also lives there and is in need of such care

It is also important to note:

- Grant calculations are based on what the Council considers to be a reasonable price for the work.
- Written consent will be required of the owner(s) of the property
- Applications for adaptations will only be considered for funding where they are 'necessary and appropriate' and the most 'reasonable and practicable' option
- Applications cannot be considered for the provision of repair of domestic appliances
- Applications cannot be considered for the provisions of portable disability equipment
- Where the Council is managing the works, payment will normally be made direct to the main contractor(s)
- Payment will only be made if acceptable invoices, certification and approval (e.g., electrical, gas, planning, Building Control) are submitted prior to or on completion of the grant aided work
- **Assistance cannot be given towards any work carried out before grant approval**

2.1 Means Testing and Assessed Contributions

In applications for a DFG where the necessary conditions are fulfilled, DFG's are mandatory subject to a means test (except applications for children) and an upper grant limit. The test of resources for grant applicants is set out in the Housing Renewal Grants Regulations 1996 (SI 1996/2890, as amended). The test largely mirrors the system of calculating entitlement to Housing Benefit. Grant applicants may receive a full grant or may be required to make a contribution towards the cost of the works.

Applicants on a 'passporting' (means-tested) benefit or applications for disabled children will continue to be funded by mandatory DFG.

Discretionary grant assistance may be available to cover any assessed contribution of £5,000 or less towards mandatory DFG works.

2.2 Applicants Own Preferred Scheme

A grant applicant can propose a scheme of adaptations that is an alternative to the scheme put forward by the Council or exceeds the criteria of an adaptation being 'necessary and appropriate' and 'reasonable and practicable'. It will not be possible to use Bexley's in house surveying services for an own scheme proposal. The Council will put the amount of grant that would have been paid, had the Council's scheme been executed, towards the clients preferred scheme under the following conditions:

- The applicant(s) must show they have sufficient funds available to complete the additional/alternative works they are proposing, including a contingency sum for any unforeseen works. Grant money will only be paid once the client has fully met their financial contribution towards the cost of their preferred scheme. All work completed must fully comply with all relevant standards, legal requirements and have all certification necessary to ensure the Council can satisfy itself as to its integrity and compliance. Works must be completed to the satisfaction of the Council's building surveyor and be agreed as meeting the client's disability need by the Council's Occupational Therapist (OT) where sufficient work has been completed for this judgement to be made
- On completion the scheme of work must fully meet the client's disability need. The Council's OT will judge this criterion
- On completion the scheme of work must fully comply with all relevant standards and legal requirements and have all the certification necessary to ensure the Council can satisfy itself as to its integrity and compliance. Work must be completed to the satisfaction of the Council's building surveyor
- The applicant will as part of their DFG application submit all documentation required for an application to be considered for approval. In addition to the documents required for the Council to determine eligibility for a DFG, the following will need to be provided:
 - Details of the costs of any ancillary services and charges in respect of the works for which grant funding is being requested, e.g., architect / surveyor or building professional being used to design or supervise the scheme of adaptations
 - Two copies (or electronic copy) of 1:50 existing and proposed layouts for the whole scheme of adaptations, sufficient to demonstrate the proposed adaptation will meet Building Regulations and any OT specification that applies
 - Two copies (or electronic copy) of 1:20 detailed layouts such as for shower room or access ramp sufficient to demonstrate the proposed adaptation will meet the requirements of Building / Planning regulations and any OT specifications that apply
 - Two competitively priced itemised estimates from building contractors, with the contractors covering letters signed and showing full company contact and registration details. All estimates will be subject to a check by the Council to ensure they are bona fide
- All adaptations to be completed within 12 months of a grant approval.
- When a grant applicant employs a private architect / surveyor, the Council acts only as the administrator of the grant for the project and the emphasis is on the applicant to monitor the performance of both their contractor and architect / surveyor to ensure good workmanship standards are achieved. If the works do not conform to a reasonable standard or meet the applicants disability need as identified by the occupational therapist, on completion of the works, then grant funds could be withheld.

- The grant funding towards this scheme is based solely on the estimated cost of a feasible standard adaptation. The grant surveyor will calculate this cost.
- Final payment of grant money is only made on completion of works and only once the following conditions are met:
 - Completed works are signed off by a grants officer and occupational therapist as being built as per supplied documentation and deemed to meet disability need.
 - A contractor's invoice has been provided.
 - A building control completion certificate has been provided (if applicable)

3. Discretionary adaptation grants, loans and conditions

Due to a loosening in the regulations under the RRO in relation to what Better Care Fund DFG funding can be spent on, Bexley propose to introduce a range of discretionary grants with a view to speed up adaptations within the home and to assist with other works that will make the client's property safer, assist them in moving to a more suitable property or helping them with works required to enable them to be discharged from hospital.

The following grants are discretionary and may be withdrawn, revised or prioritised without prior notice as they are subject to the Council having sufficient financial resources. In the event that discretionary grants are withdrawn, all applications will be assessed solely under the mandatory grant requirements.

Any approved discretionary grant must be completed within 12 months of the date of approval. Should this period expire, a new application must be made.

For owner / occupied properties, unless otherwise stipulated, all grants issued within this section are subject to a local land charge for the value of the grant being placed on the property for a period of 5 years. This charge is separate from the charge placed as part of the mandatory DFG. Should the property change ownership within this period, then the Council may request the grant be repaid. The charge will expire after 5 years and will no longer be repayable. This condition will not be applicable should the applicant be a tenant.

Unless otherwise stipulated, the qualifying criteria, including a means test where applicable, will apply for these grants, as per requirements under the mandatory DFG.

In circumstances where a client has an excessive contribution, defined by an assessed contribution exceeding the estimated cost of required adaptations by a factor of three (for example, if your assessed contribution is £45,000 however the estimated cost of required works is £15,000) then no grant assistance will be available. The Council may still be able to provide assistance to a full cost applicant. Please refer below.

Surveyor and project worker involvement is available to specify works, obtain quotes and manage on site the above work. The fees charged for this would be as per Bexley's published fee schedule on the Council's website.

3.1 DFG Top Up Grant

A discretionary grant may be available where necessary to “top up” the mandatory grant by a further £25,000, thus bringing the grant limit for any individual DFG up to £55,000. This is explicitly tied to mandatory DFG works and as such, the same qualifying criteria applies.

Any allocated top up grant amount will be placed as a local charge on the property as outlined above.

3.2 Client Contribution Grant

In circumstances where an applicant for a mandatory DFG is assessed as having a financial contribution, a Client Contribution Grant of up to £5,000 may be available to cover the cost of the client’s contribution. Any assessed contribution in excess of £5,000 must be met by the applicant, or if applicable, loan funding may be available to assist with the contribution in excess of £5,000 (refer below).

This element is not means tested, however the value of this grant will be placed as a local land charge as outlined above.

3.3 Stairlift / Ceiling Track Hoist Replacement Grant

In circumstances whereby a stairlift or ceiling track hoist has been installed previously under a DFG, and that installation has reached the end of its working life, then a non means tested discretionary grant may be available to cover the replacement installation of a new piece of equipment.

This grant is only applicable if the previous installation was done under a DFG. If the original installation was carried out privately, then a mandatory DFG application must be made to seek grant funding to replace the defunct equipment.

This grant will not involve a charge being placed on the property.

3.4 Special consideration for applicants with Motor Neurone Disease

Where an applicant for DFG has a confirmed diagnosis of Motor Neurone Disease, the mandatory DFG criteria will be applicable however for the purpose of the means test, the applicant’s current income at the time of application will not be taken into consideration as part of the means test.

3.5 Interest Free Loans

For owner occupier applicants, where mentioned that loan assistance is available, the discretionary loan can be used for all elements related to the required work (i.e., to cover the cost of any contribution beyond the first £5,000, or to top up total grant funding if required).

The offered loan is interest free up to a maximum of £30,000. It can only be used to fund elements necessary to the adaptation. The final loan is placed as a charge on the property at land registry, repayable when the property changes ownership (subject to conditions). This loan has no

expiration period, nor any discretion by the Council to potentially waive the repayment of this element.

3.6 Hospital Discharge Works

The assistance would be offered in special circumstances where a vulnerable person is unable to be discharged from hospital due to issues relating to housing disrepair or safety. This is a prioritised route. Applicants must be referred by a Care or Health Professional from either Bexley Council or its NHS partners. As with all grants, the service would be available to vulnerable people who do not live with non-vulnerable joint owners.

“Vulnerable” means;

- People in receipt of pension credit, or
- People who have been in receipt of income support or ESA for over a year and receive Child Benefit for one or more children aged 16 or under. Or.
- People who are in receipt of Income Support or ESA and are disabled. “Disabled” means either;
 - Receiving Severe Disablement Allowance
 - Receiving Personal Independence Payment (PIP) or Disability Living Allowance (DLA) of any sort

Examples of works that may be considered include but are not limited to;

- Home deep cleans
- Installation of telecare / smart home technology services including on costs for the first 6 months
- Minor adaptations to the home (rails, small ramps)
- Extra electrical sockets for equipment

Applications would be assessed on a case-by-case basis in consultation with the relevant healthcare provider. It may also be possible in certain circumstances to emergency fast track a Discretionary Facilities Grant should such adaptations be required to assist in facilitation of a hospital discharge.

3.7 Moving Home

In a situation where the applicant’s existing property is deemed to not be adaptable, a means tested, non-repayable discretionary grant covering reasonable expenses up to a maximum of up to £7,500 may be available to assist the applicant in moving to a more suitable property. This grant will be available to both owner occupiers and tenants. The applicant could then apply for a DFG at their new property independent of this grant, should adaptations be required.

3.8 End of Life Scheme

In instances where a client is terminally ill, a non means tested, non-repayable discretionary grant may be offered where the required adaptations are not permanent installations.

Possible adaptations that may be considered include but are not limited to;

- Modular ramped access into the property instead of concrete ramps

- Shower cubicles instead of full bathroom adaptations

Removal of the adaptations at a future date would be the responsibility of the applicant's family and no grant assistance will be available for this.

3.9 Lift and Hoist Repairs

All newly installed stair lifts, step lifts, through floor lifts and hoists under either the mandatory or discretionary grants will come with a 5-year service and repair warranty. At the end of this 5-year period, the responsibility and cost of annual or bi-annual servicing of this equipment will fall to the client.

However, Bexley will continue to provide grant funded 24/7 repairs should the equipment break down during the duration of that equipment's life.

Should the item not be repairable, the applicant can apply for grant assistance to replace the item as required.

3.10 Safe and Secure Grant

The Safe and Secure Grant is designed to reduce admissions and re-admissions to hospital, improve health and wellbeing, to promote independence and to ensure that the person can remain in their own home as long as possible. This grant, of up to a maximum of £5,000 is to be used in association with major adaptations being carried out under a DFG. As such, the qualifying criteria for the DFG will apply.

Repairs to the house and its environs could include:

- repairs or modifications to stairs, floors and steps
- boiler installation or repairs
- safety and security repairs, including the provision of doors and windows
- electrical rewires
- any other works that are deemed necessary to enable the person to remain in their own home and prevent hospital admission or readmission within the scope of this Policy (to be agreed by the Grants Manager)

In general, the project building surveyor or occupational therapist would identify these works.

Any funds allocated under this grant will be placed as local charge, as outlined above.

3.11 Adaptations to support people diagnosed with Dementia

A non means tested, non-repayable grant of up to £1,000 is available for minor adaptations to help dementia sufferers and their families cope with the challenges presented by this condition.

Referrals can be made by health professionals including hospital consultants, hospital discharge teams, OTs, and GPs.

Adaptations are those recommended by the health and social care professionals and can include but not be limited to:

- Changes to lighting in improve visibility
- Removing hazards that may prevent safe access to the property or safe movement around the home
- Signs to aid recognition
- Telecare / smart home technology

3.12 Minor adaptation works

A non means tested grant funding is available to carry out minor adaptation works under £1,000. Requested works must be referred to the Grants Team following assessment by an occupational therapist, rehab assistant, trusted assessor or NHS partner.

Works carried out under this scheme include but are not limited to;

- Mop stick grab rails on stairs
- Galvanised rail on external paths & steps
- Small access ramps / modified steps
- Grab rails
- Fold up shower seats
- Lever taps
- Intercoms

No charge will be placed on the property under this grant.

3.13 Landlord Re-statement Grant

A non means tested grant may be available in instances where major disabled adaptations have been carried out for a tenant within a privately rented property. A grant of up to £2,500 may be available to landlords to assist with the costs of removing adaptations at the end of the tenancy of the disabled grant applicant.

This will only apply to the removal of adaptations previously carried out under a prior DFG.

This assistance is specific to private landlords and is not applicable to Housing Associations.

No charge will be placed on the property as a result of this grant.

3.14 Out of policy consideration

In exceptional circumstances where a request is received by a medical professional which falls outside the scope of this policy, a panel will convene involving the Grants Manager, a relevant Adult Social Care or Children's Services Manager, and the requesting professional to consider whether grant funding can be considered. The decision of the panel in these instances is final.

4. Full Cost Adaptations

In instances where a client is not eligible for either grant or loan assistance, then the grants team will continue to offer the same level of assistance for full cost paying clients. The works must still be adaptation related. The team can assist with the design of the adaptation, sourcing of contractors and the overseeing of works.

The fees charged for this would be as per Bexley's published fee schedule on the Council's website.

5. Home Repair Grants and Loans

In owner occupied properties, grant and loan assistance may be available to carry out home repairs deemed to have a health safety implication, or on non-urgent major repairs that require attention. This grant will be administered by the Council's Grants team. The following grants and loan are discretionary and may be withdrawn, revised or prioritised without prior notice as they are subject to the Council having sufficient financial resources.

To be eligible, an applicant must be:

- Homeowners aged 60 and over
- Homeowners where the household includes a disabled person of any age

The grant and loan will be subject to a means test and an upper grant limit. The test of resources for home repair applicants is set out in the Housing Renewal Grants Regulations 1996 (SI 1996/2890, as amended). The test largely mirrors the system of calculating entitlement to Housing Benefit.

The grants available are as follows:

- Home Repair Grant - Up to £8,000 within any 3-year period

A local land charge will be placed on the property for any grant funded works up to the maximum of £8,000. Should the property change ownership within this period, then the Council will request the grant be repaid. The charge will expire after 10 years and will no longer be repayable.

Should the cost of works exceed the above amount, at top up loan up to a maximum of £12,000 may be available. The final loan is placed as a charge on the property at land registry, repayable when the property changes ownership. This charge does not expire.

Whilst the works carried out under this scheme will be strictly assessed on a case-by-case basis, works deemed to have health and safety implications that may be considered include but are not limited to:

- Boiler not working (no hot water / heating)
- Timber and damp (part of property)
- Outside WC
- Unsuitable location of bath/wash hand basin
- Very dangerous electrics
- Inadequate cold-water supply
- Structural instability with immediate risk of collapse
- Property is uninhabitable due to fire, flood or other major problems

Major repairs works that may be considered include but are not limited to:

- Repairs (including windows) allowing substantial water penetration
- Rewire
- New roof
- Timber and damp (all of property)
- Major structural defects

Surveyor and project worker involvement is available to specify works, obtain quotes and manage on site the above work. The fees charged for this would be as per Bexley's published fee schedule on the Council's website.

6. Empty Property Grants and Landlord Loans

Grants and loans may be available to assist in essential maintenance of privately owned, empty properties. The grant and loan are discretionary and may be withdrawn, revised or prioritised without prior notice as they are subject to the Council having sufficient financial resources.

To qualify for assistance, the landlord must:

- Be the freeholder of the property or have a lease with at least 5 years unexpired at the time of the application; and
- The property must be vacant prior to making the application
- Agree to lease the property to the Council for Private Sector Leasing or to house key workers for a period of 3 years

The eligible works are:

- All those required to make the property fit
- Provision of central heating
- Provision of adequate cooking facilities

The empty property grant and loan will be administered by the Council's Private Sector Leasing (PSL) team and unlike other forms of assistance, will not require any involvement from the Council's Grants team. Officers in PSL will inspect the property and determine the eligible works. Officers within the PSL will negotiate the leasing arrangements under the Private Sector Leasing Scheme. The amount of grant and loan awarded is agreed with the landlord through negotiation and confirmation that the loan is repayable from the amount of rent that could be charged. The loan is fully repaid within the period of the lease agreement by deducting a fixed amount from the rent normally paid for this type of property.

7. Changes to Policy

Where any significant changes are made to the published policy, these will be formally adopted and published. Significant changes include those to eligibility and scope as well as any new forms of assistance introduced. Minor changes which do not affect the broad thrust of policy direction will be accommodated without a formal re-adoption process.