

# CANNOCK CHASE COUNCIL HOUSING ASSISTANCE POLICY

This policy document sets out the way in which Cannock Chase District Council will provide both mandatory and discretionary Disabled Facilities Grant (DFGs) for private sector residential adaptations.

*INDEPENDENT  
LIVING -2020*

# 1. Introduction

Cannock Chase District Council, in its role as a local housing authority, has a statutory duty to provide Disabled Facilities Grants (DFGs) to qualifying applicants under the Housing Grants, Construction and Regeneration Act 1996.

In addition to providing mandatory DFGs, the Council has the power to offer discretionary financial assistance by virtue of the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002.

This policy document sets out the way in which Cannock Chase District Council will provide both mandatory and discretionary Disabled Facilities Grant (DFGs) for private sector residential adaptations.

This document contains information on eligibility criteria for grant assistance, conditions relating to applications, approval and payment of grant and other relevant conditions and requirements.

## 2. Purpose

The purpose of this policy is to enable the Council to provide more flexibility and discretion in the allocation and delivery of the Disabled Facilities Grants, thereby providing residents of the District greater access to home adaptations, in order to support people living safely, independently, confidently and with dignity in their own homes for as long as possible.

## 3. Policy Statement

Cannock Chase District Council is committed to ensuring that all eligible Disabled Facilities Grants applicants receive the appropriate home adaptation to meet their needs.

Where residents have a disability we will work with them and other agencies to arrange adaptations or provide advice about moving to a more suitable home.

## 4. National Context

Cannock Chase District Council, in its role as a local housing authority, has a statutory duty to provide Disabled Facilities Grants (DFGs) to qualifying applicants under the Housing Grants, Construction and Regeneration Act 1996.

The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 gave councils the power to provide financial assistance for home repairs, adaptations and other improvements to reflect local needs, conditions and resources.

The assistance provided under this Policy is subject to individual terms and conditions, including a requirement to contribute or repay some or all of the assistance in certain circumstances.

From the 1<sup>st</sup> April 2015 there was a significant change in the way that national government funding for the provision of home adaptations grants (DFGs) is paid to local authorities. Instead of making a direct payment to the local housing authority (Cannock Chase District Council) to meet the cost of providing DFGs, the allocation of the funds is now made through the Better Care Fund managed by Staffordshire County Council.

However the statutory duty to deliver DFGs for residents of this district remains with Cannock Chase District Council.

## 5. Local Context

Cannock Chase Council is ranked overall as the 126<sup>th</sup><sup>1</sup> most deprived local authority district in England where 1 is the most deprived and 317 the least deprived. Cannock Chase is also ranked 13<sup>th</sup> most deprived in the Region.

The IoD 2019 ranks Cannock Chase 106 out of 317 districts in England for health deprivation and disability. The District is within the more deprived 50% of local authority districts for this domain which measures the risk of premature death and the impairment of quality of life through poor physical or mental health<sup>2</sup>

Life expectancy at birth in Cannock Chase was below the England average for both men and women between 2015 and 2017.

Men living in the most deprived areas of Cannock Chase had a life expectancy 6.9 years below that of their peers living in the least deprived areas of the District during 2015 – 2017. This was similar for women in Cannock Chase with those living in the most deprived areas of the District estimated to have a life expectancy shorter by 6.8 years.

The proportion of Cannock Chase population aged 65+ is forecast to increase by nearly fifth by 2027 (19.8%), with a rise of 37.7% estimated in residents aged 85+<sup>3</sup>

This increase in older age people raises the profile of health conditions associated with older age, particularly dementia. Cannock Chase is a dementia friendly district supported by the Dementia Action Friendly Alliance formed in 2016.

The estimated dementia diagnosis rate for people aged 65+ in the District in 2019 is 73.9% - above the England average of 68.7%.

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<sup>1</sup> English Indices of Deprivation 2019 (IoD)

<sup>2</sup> Ministry of Housing, Communities and Local Government, The English of Indices of Deprivation 2019 (September 2019)

<sup>3</sup> Staffordshire County Council, Cannock Chase Locality Profile Data Pack (September 2018)

Health related quality of life for older people in the District was below the England average in 2016-17 when around 17.9% of people aged 60+ were living in income deprived households.<sup>4</sup>

The 2011 Census revealed that a high proportion of Cannock residents provided substantial amounts of unpaid care.

Cannock Chase District Council is committed to ensuring that all eligible Disabled Facilities Grants applicants receive the appropriate home adaptation to meet their needs, in order that they and their families can remain living in their own homes safely, independently, confidently and with dignity for as long as possible

In 2017 Cannock Chase District Council withdrew from the Staffordshire-wide Home Improvement Agency and since then Council officers have been working closely with Occupational Therapists (OTs) to deliver DFGs to disabled residents of the district.

## 6. Links to Council's Strategic Objectives

This policy supports the Council's Strategic objectives of increasing housing choice, sustaining safe and secure communities and supporting the elderly and vulnerable, given that its intention is to enable residents who choose to live independently in their own home, have the ability to do so rather than being obliged to move into residential or nursing care homes.

## 7. Equality Impact Assessment

This revision of the Housing Assistance Policy has been subject to an Equality Impact Assessment which may be viewed at [\(LINK\)](#)

## 8. Principles of Assistance

The Council is a Housing Authority and under the Housing (Grants, Construction and Regeneration) Act 1996 has a statutory duty to provide grant aid to disabled people for a range of adaptations to their homes.

The Council recognises the vast majority of disabled people (all ages) live in general, non-specialist, housing. Home adaptations therefore play a key role in enabling these residents of the district to live a safe, healthy and independent life at home.

Home adaptations can be effectively used to reduce health and social care costs, decrease the risk of injuries in the home, e.g. from falls, enable faster hospital discharge, delay the point at which residential care is required and support individuals who experience functional and cognitive difficulties or have long-term chronic conditions e.g. dementia.

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<sup>4</sup> Public Health England, Public Health Outcomes Framework <https://fingertips.phe.org.uk/profile/public-health-outcomes-framework> (September 2019)

The Council is committed to using the available public funds to fulfil its statutory responsibilities towards the adaptation of the homes of eligible residents living with a disability through its Disabled Facilities Grant programme.

The policy aims to provide flexibility in order to deliver an efficient and effective response to the need for property adaptations for disabled persons, to reduce the number of people living in homes in the private sector that have category 1 hazards and to increase the number of people able to live independently at home. The provision and performance of mandatory grants and financial assistance in accordance with this policy will be subject to regular monitoring.

The Council recognises that these policies cannot cover every likely situation and there will be people who genuinely are in need of some form of urgent support or assistance that they are precluded from accessing. In these situations this policy provides the opportunity to consider offering assistance in exceptional circumstances as determined by the Head of Service.

Such circumstances may include, but are not limited to the following:-

- the needs of the individual applicant are extreme
- the adaptations or equipment required are of a specialist nature .
- the adaptations or equipment is expensive

## 9. Better Care Fund (BCF) Supporting Measures

### Agency Fees and charges

The Government funding made available through the Better Care Fund (BCF) to the Council in support of its Disabled Facilities Grant (DFG) Programme may be used for activities in addition to the provision of mandatory DFGs where the activities support the national aims of the Better Care Fund. This includes reasonable agency fees and charges (staffing and resources costs) associated with delivering this policy, including managing the adaptation project on behalf of the applicant, providing OT advice and support, scheme design and specifications, appointing the contractor, applying for Planning and/or Building Control permissions, agreeing a commencement date, supervising the works on site by carrying out regular site visits, agreeing the completion of the works and making grant payments.

Although the demand for DFGs must be met first, the Council's agency fees and other charges (OT provision) associated with the delivery of the DFG programme and this policy will be assessed in total and drawn down from the annual DFG allocation, rather than being charged to each individual grant, thereby reducing the full grant entitlement to the applicant. Qualifying applicants will therefore be able to utilise the full amount of their grant entitlement on the provision of the necessary adaptations

and, in the absence of the administration fees, the ongoing financial burden (land charges) on them will be lower.

It is accepted that the Council's fees and costs will not be fully recovered, as they do not take account of the full staff time engaged in the process of administering and delivering DFGs in accordance with this policy. The proportion of the annual BCF used to contribute towards the administration processes includes the costs incurred by the Council for abortive work, namely work undertaken in good faith which does not conclude in the successful completion of an adapted home. This may arise at any stage in the process, from initial enquiry to final completion, normally as a result of a change in the applicant's circumstances, such as they enter nursing/residential care, are taken into hospital or sadly pass away.

Monies reimbursed to the Council in accordance with the application of the local land charge following the sale or disposal of a property which has been the subject of a Disabled Facilities Grant are returned to the Service's budget, to fund further grant applications.

The Council reserves the right to review the level of reclaimed costs for administering and delivering this policy as part of its annual budget setting process.

Other schemes targeted at supporting the aims of the BCF and included in this policy are:

- **Hospital Prevention and Discharge Assistance** - aimed at providing minor adaptations and other works designed to prevent admission to hospital, care or nursing home or to assist with speedy discharge from hospital
- **Discounting Applicants Contribution up to £5,000** – aimed at providing assistance to applicants who are required to make a significant or unaffordable contribution to the adaptations following the means test.
- **Dementia Friendly Grant** – aimed at providing adaptations required to assist the person diagnosed with dementia or cognitive/behavioural conditions to manage their surroundings and retain their independence.
- **Relocation Grant** - To meet the reasonable costs associated with moving where the existing home is considered not suitable for adaptations
- **Passported Benefits** – To include entitlement to Local Council Tax Reduction as a passported benefit
- **Assistive Technology Grant** – aimed at supporting a technology based approach to keeping people safe and well in their homes. For example, the provision of life line, fall detectors and key safes.
- **Carer Support Grant** – aimed at providing appropriate accommodation for a carer where they are required to provide 24/7 care
- **OT Assessment assistance** – to provide Occupational Therapy assistance in the development of reports for non for charitable organisations/institutions operating in the Cannock Chase District.

- **Extended warranties** – assistance with the provision of extended warranties for 3 years for all adaptations which require electrical installations such as through-floor lifts, step lifts, stair lifts, closomats etc.

## 10. Mandatory Disabled Facilities Grant

Cannock Chase District Council, in its role as a local housing authority, has a statutory duty to provide Disabled Facilities Grants (DFGs) to qualifying applicants under the Housing Grants, Construction and Regeneration Act 1996.

The purpose of the mandatory grant is set out in section 23(1) of the Housing Grants, Construction and Regeneration Act and includes:-

- Facilitating access to and from the dwelling
- Making the dwelling safe
- Facilitating access to a room usable as a principal family room
- Facilitating access to a room used for sleeping
- Facilitating access to a room in which there is a lavatory
- Facilitating access to a bathroom
- Facilitating access to a room in which there is a wash hand basin
- Facilitating the preparation and cooking of food
- Improving or providing a heating system to meet the needs of the disabled occupant
- Facilitating the use of a source of power, light, or heat by altering the position of controls
- Facilitating access and movement around the dwelling to enable the care of a person who is normally resident there and is in need of such care
- Access to the garden

Further detail on the nature of the work that may be grant aided is provided at **APPENDIX 1**

The provision of a DFG is dependent on the work being both necessary and appropriate and reasonable and practicable

**Necessary and Appropriate** – in order to determine if the works are ‘necessary and appropriate’ the Council has engaged an Occupational Therapist to assess the disabled person’s needs and provide a report indicating the nature of the adaptations and aids required to meet the needs identified.

**Reasonable and Practicable** – the Council must decide whether the works required are ‘reasonable and practicable’ considering the age and condition of the dwelling, along with the nature and cost of the works required.

## Amount of Mandatory DFG

The maximum mandatory grant payable for a single application is set by order and is currently £30,000. This amount is reduced by any contribution assessed as payable by the grant applicant.

## Mandatory Assistance Requirements

- Disabled Facilities Grants (DFGs) are grants that local Housing Authorities must make available to residents who meet defined disability and financial criteria.
- The applicant for a DFG must be assessed as being disabled in accordance with the provisions of Section 100 of the Housing (Grants, Construction and Regeneration) Act 1996.
- For the purposes of the legislation a person is disabled if:
  - Their sight, hearing or speech is substantially impaired;
  - They have a mental disorder or impairment of any kind; or
  - They are physically substantially disabled by illness, injury or impairment present since birth or otherwise.
- A person aged 18 or over is considered to be disabled if:
  - They are registered as a result of any arrangement made under section 29(1) of the national Assistance Act, or
  - They are a person for whose welfare arrangements have been made under that section or might be made under it
- A person aged under 18 is considered disabled if:
  - They are registered in register of disabled children maintained under the Children Act, or
  - In the opinion of the social services authority (Staffordshire County Council) they are a disabled child as defined for the purposes of Part III of the Children Act 1989.
- The proposed work must meet one or more of the assessed needs of the disabled occupant.
- The grant is subject to a means test for adults and this will determine what, if any, financial contribution the applicant must make towards the cost of the adaptation work are exempt from the means test.
- Applications from adults in receipt of specified (“passported”) benefits and for children under the age of 19 are exempt from the means test. Further information on passported benefits can be found at **APPENDIX 2**.



- Assistance is available to an applicant who currently does not live in the district but intends to relocate, either alone or with family, to a property which is, and requires adaptations to the property to meet his/her identified needs. This is subject to all other criteria for the grant being met.
- The disabled person must intend to remain in the property as their only or main residence for a minimum period of five years or such shorter period as health and other relevant circumstances permit.
- The Scheme of adaptation work must be necessary and appropriate to meet the assessed needs of the disabled occupant.
- The work must also be determined by the Council as being reasonable and practicable, having regard to the age and condition of the property to be adapted and the nature of the proposed adaptation(s).
- Any charges and fees associated with the administration of the grant application will be drawn directly from the Better Care Fund allocation to the Council and will not affect the grant maximum value.
- In the event that available funds are limited, applications may be placed to a Waiting List and subject to prioritisation. Further information on the prioritisation process can be found at “ Prioritisation and Waiting list”
- Where the applicant is the owner, or has an owner’s interest in the property, a land charge for between £5,000 and a maximum of £10,000, depending on the cost of the works will be applied for a period of 10 years following the completion of the work. Further information on the application of land charges can be found at “Repayment of Grants and Land Charges”

## 11. Discretionary Disabled Facilities Assistance

In addition to providing mandatory DFG’s, the Council has the power to offer discretionary financial assistance by virtue of the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002.

Using these powers and in certain specific circumstances, this policy includes discretionary DFG assistance for private sector adaptations that do not meet the criteria for a mandatory grant, or exceed the maximum level of funding available (currently £30,000).

All discretionary grants are subject to sufficient funds being available for the Council to meet its legal duty to provide adaptations for cases where a mandatory grant is required.

In cases where funds are limited, new enquiries will be placed on a Waiting List and the Council will assess each case on its own merits and the priority of each case will be determined in accordance with the Prioritisation Criteria set out at “ Prioritisation and Waiting list”

### Discretionary Top-up Assistance to Mandatory DFG Grant

A top-up grant up to a maximum of £20,000 (previously £15,000) in those cases where the proposed works identified a part of a comprehensive adaptation scheme exceed the maximum grant limit applicable to the Mandatory Assistance grant.

Each case will be considered on its own merits by the Head of Service and one or more of the following criteria must be met :-

- The applicant has been assessed and is eligible for a mandatory grant
- The household is considered to be in financial hardship
- All other means of funding have been explored and discounted.

Successful applications will receive the funds in the form of a discretionary grant.

Where the applicant is the owner or has an owner’s interest in the property a land charge for the full amount of the discretionary top-up grant will be applied for a period of 10 years following the completion of the work.

Grant maximum £20,000

### Discretionary Hospital Prevention and Discharge Assistance

This discretionary grant is available for cases where the disabled person is in urgent need of adaptation work to assist them to live independently in their own home, to prevent them from becoming an in-patient in a hospital, care home or nursing home or to assist with their discharge from hospital at the earliest opportunity.

The maximum grant is £12,000 and will include adaptations such as:-

- Stair lifts (straight or curved)
- Vertical “through floor” lifts
- External step lifts and ramps
- Door widening
- Small scale bathroom, bedroom or kitchen adaptations
- Ceiling track hoists

The type of works may also include, but are not limited to, repairs to bring a property up to decent homes standard, to remove identified Category 1 hazards, for example boiler/central heating repairs, house clearances/disinfestations, structural repairs to address damp and mould.

The grant will not be subject to a means test to enable it to be processed as quickly as possible.

As a discretionary grant, if the applicant is the owner or has an owner's interest in the property, a land charge for the full amount of the discretionary top-up grant will be applied for a period of 10 years following the completion of the work.

Grant maximum £12,000

### Discretionary Assistance discounting up to £5,000 contributions

For those applicants undergoing the Test of Resources, contributions may range from "nil" to several thousands of pounds and is calculated based on their financial status and assumed capacity to secure a loan for the relevant contribution.

In many cases this is not feasible and consequently a proportion of grant applications do not progress to completion, because the applicants do not have the financial resource to meet the assessed contribution.

This discretionary assistance is aimed at discounting the first £5,000 of the applicants assessed contribution thereby reducing the number of abortive applications and encouraging a greater number of applications progress through to completion; resulting in more disabled residents being able to live independently and safely in their home for longer.

Grant maximum £5,000

### Discretionary Dementia Friendly Assistance

Where the disabled person is diagnosed with dementia, or other cognitive impairment or a recognised long term behavioural condition including but not limited to such conditions as Autism, Attention Deficit and Hyperactivity Disorder (ADHD) etc., works to make homes friendly and to help the person live safely, manage their surroundings and retain their independence for longer will be eligible for funding.

The types of works available may include:-

- Provision of a safe space
- Colour and contrast decorating
- Carbon monoxide/ cold/heat alarms
- Lighting
- Safety flooring

- Digital assistive technology

This list is not exhaustive and each case will be considered with the assistance and advice from the Council's external Occupational Therapist.

The grant will not be subject to a means test.

Grant maximum £10,000

### Discretionary Relocation Assistance

A relocation grant may be available to an applicant who owns or privately rents their property and the identified adaptations involve substantial structural alterations or extensions that are considered not to be feasible or reasonable.

Applicants must be 18 or over on the date of the application and in the case of a disabled child, the parent(s) would make the application.

Any application must be supported by a recommendation made by an Occupational Therapist and the Council and the OT must be satisfied that the proposed property already meets the needs of the disabled person without further adaptation or are satisfied that it can be adapted at a reasonable cost. (If the combined cost of adapting the new home and specific relocation expenses are less than the cost of the adaptation of the existing home).

Applicants must be relocating within the Cannock Chase District.

Applications must be submitted prior to relocation; grants cannot be paid retrospectively and assistance will not be given towards the purchase price of the new property.

The new property must be the disabled person's main residence.

The specific eligible relocation expenses are:-

- Estate agents fees
- Solicitors costs
- Survey costs stamp duty
- Removal expenses
- Disconnection/reconnection of appliances

The relocation grant will be subject to the same test of resources as the mandatory DFG unless the relocation is for a disabled child in which case no test will be applied.

Grant maximum £7,000

### Discretionary Assistive Technology Assistance

Advances in assistive technology are currently available to support disabled and older people living in their own home. This discretionary grant of up to £3,000 is designed to cover the purchasing of such technology including life lines, fall detectors, flood detectors, extreme temperature sensors, GPS Tracker pendants, key safes and for the payment of the monthly monitoring fee to the call centre (if required) for a period of up to 3 years. However following the expiry of this period, the applicant will be responsible for continuing with the monitoring fee.

Any application must be supported by a recommendation made by an Occupational Therapist or GP.

The grant will be subject to a means test and a land charge for the full amount of the discretionary top-up grant will be applied for a period of 10 years following the installation of the required equipment.

Grant maximum £3,000.

### Discretionary Carer Support Assistance

In the relatively rare cases where the disability of an individual is so profound that care for that person is required 24 hours per day, and no existing provision is available to accommodate the carers providing such care, the cost of the adaptation to property in order to accommodate the carers may be met from the grant.

Such costs may include adaptation of a suitable room within the existing dwelling, the provision of a bed and locker for personal items.

The grant will be subject to the same test of resources as the mandatory DFG unless the grant is for a disabled child in which case no test will be applied.

As a discretionary grant, if the applicant is the owner or has an owner's interest in the property, a land charge for the full amount of the discretionary top-up grant will be applied for a period of 10 years following the completion of the work.

Grant maximum £15,000

### Discretionary OT Assessment Assistance

This discretionary assistance is available to charitable organisations /institutions that are operating in the Cannock Chase district and require an OT Assessment Report in order to assess adaptation schemes to meet the needs of their residents.

An application can be made for assistance of up to £200 towards the cost of the OT assessment.

The grant will not be subject to a means test or a land charge.

Grant maximum £200

## Local Council Tax Reduction (LCTR)

Applicants in receipt of LCTR will be exempted from the requirement of the Test of Resources. (Means Test) Prior to the Government's revision of the list of passported benefits in 1996, applicants in receipt of Council Tax Benefit were exempt from the Test of Resources. Council Tax Benefit is a similar benefit to LCTR, but is no longer available. Inclusion of entitlement to LCTR as a passported benefit restores the pre-1996 position and consequently will enable a number of residents receiving LCTR to apply without undergoing the Test of Resources.

### Extended Warranties.

Extended warranties for 3 years will be provided for all adaptations which require electrical installations such as through-floor lifts, step lifts, stair lifts, closomats

## 12. The Application Process

### (a) Eligibility

Any person who makes an application for mandatory and discretionary DFG assistance must

- (i) be disabled, as set out in criteria of Section 100 of the Housing, (Grants, Construction and Regeneration) Act 1996,
- (ii) be over 18 years of age at the date of the application,
- (iii) live in, or intend to live in, a dwelling, a qualifying houseboat, or a qualifying park home, within the district of Cannock Chase Council, as his/her only main residence.
- (iv) have an owner's interest in the dwelling (other than an interest by virtue of being a Registered Social Landlord under Part 1 of the Housing Act 1996 or being eligible for such registration), or be a tenant or licensee of the dwelling, alone or jointly with others but not being a member of the landlord's family, with a tenancy or licence permitting occupation of the dwelling for a minimum period of 5 years after the completion of the relevant works.
- (v) have the power or duty to carry out works and where appropriate the owner's consent in writing to carry out the works
- (vi) satisfy such test(s) of resources as the Council may from time to time have in place. Children and young people under the age of 19 are exempt from the test of resources.
- (vii) not be ineligible, by virtue of the Housing Grants, Construction and Regeneration Act 1996, or regulations made under the Act or any other enactment.

The Council acknowledges that homeowners have the primary responsibility for ensuring that their homes are properly maintained. However the Council reserves

the right to offer assistance to home owners deemed to be vulnerable or in cases of hardship, where the works would ensure that the home is made safe, healthy and appropriately adapted to meet the needs of the disabled individual.

## (b) Enquiry

Initial enquiries from adult Disabled residents are directed to Staffordshire Cares, part of Staffordshire County Council, who has a responsibility as Social Care Authority to provide community care equipment and minor adaptations (which a person has been assessed to need and for which he/she is eligible) free of charge, provided the cost is less than £1,000.

If a more comprehensive scheme is required to adapt the person's home because the person's needs cannot be fully met in this way and it will cost more than £1,000 Staffordshire Cares will refer the person to Cannock Chase Council for a Disabled Facilities Grant.

Enquiries in relation to DFGs for disabled children and young people are generally received from Occupational Therapists in Staffordshire County Council's Children's Disability Service.

## (c) Referral

For DFG cases Staffordshire Cares will complete a form providing Cannock Chase Council with their contact details and identifying the person's needs. If the disabled person is a Council tenant, the referral will be forwarded to the Council's Housing Maintenance Team, which is responsible for carrying out adaptations to council properties and the case will not progress into the DFG system.

## (d) GDPR and Data Protection

New legal requirements apply to the sharing of sensitive personal information which is required to ensure that the home adaptation meets the identified needs of the disabled person. An appointment will be made with the person to explain the data protection requirements and obtain written permission to share medical information about the disabled person with the Council's appointed Occupational Therapy Service, suppliers of specialist equipment and building contractors who will be engaged to carry out the necessary construction work.

**In the absence of this permission no further progress can be made on the referral.**

## (e) Test of Resources (Means Test) and Benefits Check.

In the case of adults it is necessary to carry out a Test of Resources (means test) to determine if the person is required to make a contribution towards the cost of the works adapt their home. If, however they are in receipt of particular benefits they are “passport” through the means test and will not have a contribution to make. Further details on “passport” benefits are available in **Appendix 2**

Similarly children and young people under the age of 19 years are not required to make a contribution.

The means testing is conducted by the Council’s Benefits Team and is an essential part of the process. If people require assistance in completing the mean test, arrangements are made for an officer to visit and assist as far as possible. Where people are unwilling to provide the necessary financial information, the Council will unfortunately, be unable to proceed to the next stage of the process.

If a person is required to make a contribution, this will be explained by one of the Service Technical officers. Contributions are collected by the Council and placed in an account ready to transfer to the building contractor on satisfactory completion of the works.

**In the absence of a means test result, where one is required, no further progress can be made on the referral.**

## (f) OT Assessment

The Council’s Occupational Therapy Service will be notified of the person’s details and will arrange to visit the property to assess the person’s needs and how they may be met in their particular home circumstances. The Occupational Therapist (OT) will determine what is “**necessary and appropriate**” and will then produce a report which is submitted to the Council’s Technical Officers.

## (g) Design of Scheme



The Council's Technical officers work with the recommendations of the OT to design the scheme of works to adapt the home to meet the needs of the disabled resident.

In doing so the Technical Officer must assess whether the works required are both "**reasonable and practicable**". The Technical Officer will explain the proposed scheme to the disabled person and will endeavour to answer and questions that arise.

This assessment must consider:-

- The layout, construction age and condition of the accommodation.
- The number, ages and needs of the other occupants of the accommodation.
- The use of the accommodation by the disabled person and any other occupants
- The location of the accommodation e.g. steep access to the property.
- Any other options that have been considered less practicable than the proposed work
- The cost of the proposed work is assessed as reasonable having regard to the likely cost of any alternatives.
- The success of adaptations carried out in similar types of accommodation
- The implications of carrying out the required adaptation with regard to its future use and classification and potential hardship issues, particularly with regard to spare room subsidy.

Where it is not reasonable and practicable to adapt the property to meet the identified needs other options, for example relocation may be considered.

If other work, not specified by the Occupational Therapist, is requested by the disabled person, the homeowner may make arrangements directly with the building contractor to carry out the works. However, the Council will be unable to supervise such additional work, nor will it be able to fund them as part of the grant and the cost must be met by the homeowner/applicant.

## (h) Estimation of Costs

The Council will provide details of the proposed scheme to one or more building contractors who are experienced in carrying out adaptation work so that an estimate of the cost can be made. The Council is legally obliged to allocate the work to the contractor offering the lowest estimate.

Applicants may, if they wish, select their own building contractor to carry out the work. This is called a “**preferred scheme**” and the Council would not be involved in managing the delivery of the scheme or works in such cases.

The Council will only be able to fund the work to the value of the lowest estimate. Consequently, any additional cost must be met by the applicant.

## (i) Grant Application

Once the scheme has been designed and the estimates produced, a formal application can be made. In addition to the scheme and the estimate the following information will be required in support of an application:-

- A certificate Future occupation (confirming the applicant’s intention to stay in the property for at least 5 years)
- An Owners certificate from either the applicant (if an owner) or the relevant landlord (if the applicant is a tenant).
- Confirmation of ownership, e.g. land registry certification or equivalent; or permission from the owner.
- Proof of financial information and a test of resources to determine grant eligibility, or alternatively proof of a qualifying benefit dated within 3 months of grant approval.
- A completed referral from a suitable qualified person (The OT Assessment report).

If any of this information is not available it will delay progress of the application for a grant.

## (j) Grant Determination

On receipt of a full and valid grant application the Council must issue a decision on approval within 6 months. The Council aims to provide a decision on urgent applications within 3 working days and all other cases within 20 working days.

All applicants will be advised in writing of the outcome of the application.

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 prior to a formal refusal being made.

Where the Council has no option but to refuse an application for a grant, the Council will advise the applicant of the reasons for the refusal.

## (k) Appeals and Reviews

An applicant has a right to request a review of this decision which should be made in writing to the Private Sector Housing Team Leader within 28 days of the date of the refusal letter.

Where a Review of a refusal is requested the private Sector Housing Team Leader will provide a written response to the applicant within 10 working days.

If the applicant is dissatisfied with the response they have the right to escalate the matter to the Head of Service.

Where the applicant remains dissatisfied they may pursue a complaint through the Council's Corporate Complaints procedure, a details of which are available on the Council's website.

## (l) Unexpected Additional Costs

In circumstances where, following the approval of the grant, additional unforeseen works are required to address problems or issues that arise on site, such as poor ground conditions, unknown locations of utilities, dry/wet rot, etc. the Council will have due regard to the increase of the level of funding awarded to ensure that the issue does not prevent the completion of the agreed scheme of adaptation work.

The applicant will be notified in writing of any amendment to the grant award.

## (m) Additional Client Works

Applicants may, if they wish, have the work done to a higher specification than that of the proposed scheme. This is called a "preferred scheme" and may include the use of higher value or non-standard items than have been estimated for by the Council's contractor, such as decorative tiles, or other specific equipment or aids.

The Council will only be able to fund the work to the value of the lowest estimate. Any additional cost must be met by the applicant.

## (n) Permissions and Consents

Some schemes of work will require permission or consent from a range of organisations. These consents may include, but are not limited to, building regulations approval, planning permission, build-over agreements, and Party Wall Act agreements. In addition where gas and electrical systems are affected, gas and electrical safety certificates will be required. The Council will ensure that the specific permissions/consents/certificates required will be

obtained by the contractor and provided to the applicant on completion of the work.

## (o) Supervision

Site supervision will be carried out by the Council's Technical Officer who will make records of the visits made, and of any advice or instructions given to the contractor and any complaints or concerns of the applicant.

In particular site supervision will cover the following:-

- A full inspection of the works carried out to date.
- An assessment of the standard of work and in particular an assessment of whether the works carried out complies with the specification and plans
- Any concerns or complaints of the applicant.
- The availability of services; e.g. water, gas, electricity and heating whilst the works are in progress.
- Any problems with the proposed works specification that would require the input of the OT or the owner of the property; e.g. the landlord.

## (p) Completion of Works

Adaptation schemes must be completed within 12 months of the approval date. However in exceptional circumstances this period may be extended.

On notification of the completion of the approved work the Council's Technical Officer will visit the adapted property to confirm that it has been completed in accordance with the approved plans and specifications and has been done to a satisfactory standard.

The Council will issue a completion pack to the applicant containing all the documentation in relation to the permissions, consents, warranties and certificates generated during the course of the work.

## (q) Payment of Grant

Where an application for a Disabled Facilities Grant (mandatory or discretionary) has been approved, the grant may be paid

- In whole after the satisfactory completion of the eligible works, subject to any delayed payment notification in the approval document; or
- In part by instalments as the work progresses to an approved standard and the balance after the

satisfactory completion of the works subject to any delayed payment notification in the approval document.

If a grant is paid by instalments, the aggregate of the instalments paid before completion of the eligible works shall not exceed 90% of the amount of the grant awarded.

Where a dispute arises regarding the standard of the works the Council will withhold any payment until the works have been satisfactorily completed in the professional opinion of the Council's Technical Officer.

If the works meet the Council's approval but the applicant is not satisfied the Council will not unreasonably withhold payment to the contractor.

## (r) Maintenance and Warranties

All equipment and fixtures, and associated modifications to properties undertaken as part of a DFG are "gifted" to the applicant. Cannock Chase Council is not responsible for the maintenance or repair of items or the restoration of properties to their condition prior to the award of a DFG

Equipment supplied such as ceiling track hoists, step lifts, through floor lifts stair lifts, Closomat toilets and various other items will be subject to an extended 3 year manufacturer's warranty including servicing. The grant funding covers this extended warranty. However following the expiry of this period, the applicant will be responsible for the servicing and maintenance of any equipment provided.

Staffordshire County Council is notified of the installation of all ceiling track hoists, step lifts, through floor lifts, because as the Social Care Authority it is responsible for ensuring that such equipment is subject to regular safety checks.

## (s) Changes in Circumstances

Certain changes in the applicant's circumstances may affect the payment of grant.

Such changes, prescribed by legislation, are:

- where the works cease to be necessary or appropriate to meet the needs of the disabled person;
- the disabled occupant ceases to occupy the dwelling; or

- the disabled occupant dies.

In such circumstances the Council can decide:

- not to pay the grant, or pay any further instalments;
- that some or all of the works should be completed and grant or partial grant will be paid; or
- that the grant application should be re-determined.

## (t) Repayment of Grant/Land Charges

Where the Council approves an application for a mandatory grant amount exceeding £5000 and the applicant has an owners' interest in the premises on which the works are to be carried out, the Council will demand the repayment of the grant which exceeds £5000 up to a maximum of £10,000 if-

- a) the recipient disposes (whether by sale, assignment, transfer or otherwise) of the premises in respect of which the grant was given within 10 years of the certified date; and
- b) the Council is satisfied that it is reasonable in all the circumstances to require the repayment having considered-
  - i. The extent to which the recipient of the grant would suffer financial hardship were s/he to be required to repay all or some of the grant;
  - ii. 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;
  - iii. Whether the disposal is made for reasons connected with the physical or mental health or wellbeing of the recipient of the grant or a disabled occupant of the premises; and
  - iv. 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 the reason of disability or infirmity.

This condition places a local land charge on the property which is binding on any person who is the owner of the dwelling or building.

In cases of financial hardship and on representation from the grant recipient, consideration will be given on a case by case basis to further reduce the grant repayable, however this is likely to only occur if the recipient is in negative equity.

The Council may demand the repayment of a grant that has already been paid, together with any interest in the circumstances outlined above. However, each case will be considered on its merits.

The right to demand repayment also applies where an applicant ceases to be entitled to a grant before completion of the works. An example of where this may apply would be if the applicant ceases to own or have the tenancy of the dwelling to be adapted.

The Council may refuse to pay the full grant, pay any further instalments or recalculate the grant in such circumstances if:

- The grant was approved on the basis of inaccurate, incomplete or false information
- The cost of works is less than the original estimates

The Council will register a charge with Land Registry in respect of all mandatory grants discretionary grants, and the charge will remain indefinitely

## 13. Prioritisation and Waiting List

Where there is a waiting list, cases will be split into High, Medium and Low priority groups and will be moved off the waiting list in batches on the basis of the oldest cases within that group.

**Higher Priority** Cases will include:-

All children's cases

Cases where the person has two or more needs as defined under the Care Act;

Any Medium Priority Cases which have been waiting over 6 months;

Any Lower Priority Cases which have been waiting over 12 months.

**Medium Priority** Cases will include:-

Cases where the person has only one need as defined under the Care Act;

Any Lower Priority Cases which have been waiting over 6 months.

**Lower Priority** Cases will include:-

Cases where the person doesn't have any needs defined under the Care Act.

**Armed Forces Personnel**

Cannock Chase District Council has marked its support for the local armed forces services community by adopting the Armed Forces Community Covenant<sup>5</sup>. The covenant is a voluntary statement of mutual support between a civilian community and its local armed forces representatives. It not only recognises the contribution of serving personnel, their families and veterans but importantly it identifies practical ways the Council can help them access support to help them adjust to life after leaving the services.

In this regard, where a priority system is in place this policy will class an application made by or on behalf of ex-service personnel as a priority 1 providing the priority status is supported by an Occupational Therapist and/ or GP.

## 14. Complaints

Complaints about service delivery should be made in writing or by phone to the Private Sector Housing Team Leader. Efforts are made to resolve complaints informally at the initial stage. However, if the complaint is not resolved in this manner, it will be investigated in accordance with the Council's Corporate Complaints procedure, a copy of which is available on the Council's website.

## 15. Policy Audit, Amendments and Review

The provision and performance of mandatory grants and financial assistance will be subject to regular monitoring and to internal and external auditing in order to ensure adequate procedures are in place and followed and that there is an appropriate use of public funds.

The relevant Head of Service acting in conjunction with the Portfolio Leader may from time to time make minor policy amendments which do not affect the broad thrust of the policies purpose and direction.

This Policy will be reviewed every 3 years or following significant changes to relevant legislation, Government guidance and local conditions and circumstances.

**Next Review Date: March 2023**

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<sup>5</sup> Cabinet on 20<sup>th</sup> December 2012 resolved and delegated authority to the Chief Executive to sign the Armed Forces Community Covenant (Minute 103A)



## Appendix 1

### Works Eligible for Grant Aid

Examples of the type of work that may be included in each of the purpose categories is listed below. It should be this list is not exhaustive and other adaptations/aids may be considered if recommended by the Occupational Therapist.

#### **Facilitating access to and from the dwelling**

- Ramped access to the main entrance door
- Widening doors
- Resurfaced path to the entrance door
- Structural alterations for the installation of a stair lift or step lift
- Handrails

#### **Making the dwelling safe**

- Provision of lighting where safety is an issue
- Adaptations designed to minimise the risk of danger where a disabled person has behavioural problems

#### **Facilitating access to a room used for sleeping**

- Provision of door widening
- Installation of a through-floor lift where the living area is on the 1<sup>st</sup> floor.

#### **Facilitating access to a room usable as a principal family room**

- Provision of a room usable for sleeping where the adaptation of an existing room in the dwelling (upstairs or downstairs) or the access to that room is unsuitable in the particular circumstances.

#### **Facilitating access to a room in which there is a lavatory**

- Provision of access to a room in which there is a lavatory.
- Provision of door widening or a through floor lift
- Provision of an adapted toilet

#### **Facilitating access to a bathroom**

- Provision of a level access shower or wetroom
- Provision of a thermostatically controlled shower or specialist bath

- Door widening

### **Facilitating access to a room in which there is a wash hand basin**

- Provision of a wash hand basin, normally in the same room as the toilet.
- Relocation of a wash hand basin
- Replacement with a more suitable type.

### **Facilitating the preparation and cooking of food**

- Alteration to the height of the kitchen sink
- A cooker point and oven-housing in a safe position and the provision of worktops either side if possible
- Work surfaces located beside the sink and each side of the cooker having a total length of 1.5m where spacing allows
- Accessible cupboards for food storage on an essential basis and space for a refrigerator

#### **Please note**

- Full adaptation will only be considered where the disabled person is the main or only user of the kitchen.
- Certain adaptations may be carried out to enable the disabled person to perform minor functions in the kitchen, such as preparing light meals or hot drinks, where most of the cooking and preparation of meals is done by another household member drinks
- Hobs, ovens, extraction systems and white goods are not provided under a DFG

### **Access to heating, lighting and power**

- Provision or improvement the existing heating, lighting or power system in the dwelling to meet the disabled person's needs.
- relocation of power points or controls.

#### **Please note**

- A grant will not be given to adapt or install heating in rooms which are not normally used by the disabled person.
- The installation of central heating to the dwelling will only be considered where the well-being and mobility of the disabled person would otherwise be adversely affected.

### **Access to a garden**

- Improving existing access where access cannot be gained via the main entrance.
- Provision of a suitable outdoor space that can be accessed safely from the dwelling to allow appreciation of the outdoor area by the disabled person.

## Appendix 2

### Test of Resources (Means Test)

A standard test of resources is undertaken for all applicants applying for a DFG in accordance with the Act to determine what, if any, contribution they are expected to make towards the cost of the adaptation work.

Children and young persons (under the age of 19 years) are exempt from the means test.

The Test of Resources only takes into account the resources of the disabled applicant and their spouse or partner, where applicable. It does not take into account the applicant's outgoings.

Applicants in receipt of one of the following types of income will be 'passport' through the means testing process:

- Income Support
- Income Based Job Seekers Allowance
- Income Based Job Employment Support Allowance
- Guarantee Pension Credit
- Housing Benefit
- Working/Child Tax Credit (if income for tax credits is below a specified amount)
- Universal Credit
- This list is prescribed by Central Government and may be amended from time to time.

#### **Please note**

Cannock Chase Council has resolved to remove the requirement for a Test of Resources for the following cases:-

- Applicants in receipt of the benefit called "Local Council Tax Reduction"
- Applications for Discretionary Hospital Prevention and Discharge Assistance and Dementia Friendly Assistance.

## Appendix 3

### Summary of Assistance available

The tables below summarise the measures covered in the Housing Assistance Policy

Description	New /Existing	Funding	Means Test	Land Charge	Objective
DFG (Mandatory Assistance)	Existing	£30,000	Y except where a child or on passported benefits	For cost over £5,000 Max charge £10,000 Duration 10 years	Adaptation of the home in accordance with the criteria in the Housing (Grants, Construction and Regeneration) Act 1996
Discretionary Assistance - Top- up grant	New Limit raised from £15,000	£20,000	As above	Y Full amount of grant	Provide for cost of the adaptation scheme where works exceed the Mandatory £30,000 limit
Discretionary – Hospital Prevention and Discharge Assistance	New	£12,000	N	Y Full amount of grant 10 years	Minor adaptations and other works designed to prevent admission to hospital, care or nursing home or assist with speedy discharge from hospital
Discretionary – Dementia Friendly - Dementia Cognitive and Behavioural Adaptations Grant	New	£10,000	N	Y Full amount of grant 10 years	Adaptations to assist the person diagnosed with dementia or cognitive/behavioural conditions to manage their surroundings and retain their independence.
Discretionary – Relocation Grant	New Limit raised	£7,000	Y except where a child or on passported benefits	Y Full amount of grant 10 years	To meet the reasonable costs associated with moving where the existing home is not suitable for adaptations

Description	New /Existing	Funding	Means Test	Land Charge	Objective
Discretionary – Carer support assistance	New	£15,000	Y except where a child or on passported benefits	Y Full amount of grant 10 years	Provision of appropriate accommodation for a carer where required to provide 24/7 care.
Discretionary – OT Assessment assistance	New	£200	N	N	Provision of Occupational Therapy report where an organisation/charity is to fund adaptation scheme
Discretionary – Assistive technology assistance	New	£3,000	Y	Y Full amount of grant 10 years	Supports a technology based approach to keeping people safe and well in their homes. eg life line, fall detectors, key safes – for purchasing equipment and monthly fee to connect with call centre (if required)

### Other measures

Extended warranties: 3 years	New	As appropriate	Included in grant	As per grant	For all adaptations which require electrical installations such as through-floor lifts, step lifts, stair lifts, closomats etc.
Local Council Tax Reduction to be considered a DFG passport benefit	New	Not applicable	N	Not applicable	Anticipated to help people in sole receipt of this benefit to access necessary adaptations.
Discounting of first £5000 of applicants contribution following means testing	New	£5,000	Y	N	Anticipated to help people who are obliged to make a significant or unaffordable contribution to the adaptations required.