



CABINET

Report of: Councillor Nick Neilson Cabinet Member for Communities and Wellbeing

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| Report to: | Cabinet |
| Date: | 12 October 2017 |
| Subject: | Private Sector Housing Assistance Policy – Independent Living (ENV669) |

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|---------------------------------|--|
| Decision Proposal: | Key decision |
| Relevant Cabinet Member: | Councillor Nick Neilson, Cabinet Member for Communities |
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| Approved for publication | Councillor Mr Nick Neilson, Cabinet Member for Communities Date: 25 September 2017 |

SUMMARY

This report presents the draft Private Sector Housing Assistance Policy for Independent Living for consideration by the Cabinet.

Government funding for Disabled Facilities Grants (DFGs) changed significantly in 2015/16 when it became part of the Better Care Fund (BCF), a pooled budget between the NHS and upper tier councils. The aim of the fund is to provide more joined-up and customer focused services to reduce hospital and care admissions and enable people to return from care more quickly.

The Central Government allocation for South Kesteven in 2017/18 is £733,770, an increase of over 50% on the amount received in the previous year. This increase is in recognition of the rising need for adaptations and to encourage a more joined up approach.

A draft policy which will effectively utilise the increased allocation has been developed with the Communities and Wellbeing Overview and Scrutiny committee. The policy seeks to support a timely and streamlined service which aims to prevent, reduce or delay the need for interventions by health and social care services, and support vulnerable individuals to remain safe and well in their own homes.

RECOMMENDATION

It is recommended that:

1. Cabinet approves the Private Sector Housing Assistance Policy – Independent Living.
2. That the Council's Capital programme for 2017/18 be amended to recognise the increased funding of £733,770 which is available from the Better Care Fund for Disabled Facilities Grants.
3. That delegated authority is given to the Cabinet Member for Communities and Wellbeing to make any minor amendments to the policy that may be required to support its continued effectiveness.

1. BACKGROUND TO REPORT

- 1.1 Local housing authorities have a statutory duty to provide disabled facilities grants (DFGs), however, there is also a general power under the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 to give financial assistance for home repair, improvement and adaptation, provided it is given in accordance with a published policy. This assistance can be unconditional or subject to conditions, such as repayment if the property is sold within a number of years or a means test.
- 1.2 On 28 June 2017, the Council received a grant allocation of £733,770 from Lincolnshire County Council in respect of the District Council's entitlement from the Government Better Care Fund. This is a significant increase on the previous year's allocation (£376,000).
- 1.3 The increased funding allocation for 2017/18 provides an opportunity for a more holistic, proactive and flexible approach to supporting independent living and providing disabled adaptations.
- 1.4 The accessibility of the home is important for successful hospital discharge, to enable care to take place at home, and to allow people to live independent lives wherever possible. The majority of disabled people are not in specialist accommodation, but live in their own homes and wish to remain there, or have limited opportunities to move to more suitable accommodation. Offering preventative solutions can help older and disabled people maintain their self

respect, reduce injury and hospital admission costs to the NHS, reduce reliance on social care, and stay in the community.

1.5 Based on the current demand for mandatory disabled facilities grants it is forecast that there will be an under spend in 2017/18. This is despite the increased national demand for adaptations due to people living longer, living with more complex needs and the reduction in care and nursing home capacity. To utilise the funding beyond mandatory DFGs a Private Sector Housing Policy – Independent Living has been developed with the Communities and Wellbeing Overview and Scrutiny Committee. Options were presented to the Committee at their meeting of 11 July 2017 (see background papers) and following feedback, a draft policy was presented at the meeting on 5 September 2017. The Communities and Wellbeing Overview and Scrutiny Committee have recommended to Cabinet that the draft Private Sector Housing Assistance Policy for independent living is approved for adoption.

1.6 The draft policy proposes amendments to the current discretionary assistance which is already available and introduces new forms of assistance. The assistance focuses on key areas which aim to speed up the process by reducing administration relating to the means test and broadening the scope of work undertaken. With the exception of mandatory disabled facilities grants, all of the forms of financial assistance in the policy are at the Council's discretion and subject to available budget and will be withdrawn once available funds are exhausted. The table below summarises the proposed changes:

| Type of assistance | Means test | Land charge | Mandatory/discretionary | Key outcome | Max. funding | New/existing/amended |
|---------------------------------|------------|-------------|-------------------------|--|--------------|----------------------|
| Disabled Facilities Grant (DFG) | Y | Y | Mandatory | Adaptations to enable independent living | £30,000 | Existing |
| DFG top-up | Y | Y | Discretionary | Top up of mandatory DFG which exceeds grant limit | £10,000 | Amended |
| Disabled Adaptation Assistance | N | Y | Discretionary | Minor adaptations for those eligible for a DFG without means testing | £7,000 | New |
| Moving on Assistance | Y | Y | Discretionary | Financial assistance to move to more suitable accommodation | £10,000 | Amended |
| Hospital Discharge Assistance | N | Y | Discretionary | Prevent Delayed Transfers of Care associated | £10,000 | New |

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|-------------------------------|---|---|---------------|--|--------|--|
| | | | | with housing disrepair or access issues | | |
| Safe, Warm and Well | Y | Y | Discretionary | Minor essential repairs to make homes safe for vulnerable owner occupiers | £8,000 | Amended (replacement for Essential Home Repair Assistance) |
| Dementia Aids and Adaptations | N | N | Discretionary | Enable people with a diagnosis of dementia to manage their surroundings and retain their independence. | £750 | New |

2. Review of the existing means test for lower value work

2.1 The contribution a disabled person has to make towards an adaptation is determined by a prescribed means test. This is based on what the Government considers a person needs to live on per week, the income of the disabled person and their partner, and how much they could raise in a loan from a commercial bank. The majority of grant applicants are elderly and would be unable to access most commercial finance options. In addition, as the means test does not take account of actual living costs, those with high mortgage or rent payments will be hugely affected and unlikely to be able to raise the funding. As a result, many disabled people who are not necessarily "well off" have a large contribution to make or do not qualify for a disabled facilities grant (DFG). This leaves them at continued risk as they are unable to fund any works themselves.

2.2 Administration of the means test itself is time consuming for both the Council and the disabled person as they must produce evidence of their income (bank statements, benefit statements, wage slips, pension details etc.) which are then used to calculate the contribution. This causes delays to the process, particularly when the greatest proportion of disabled people who were referred had no contribution. For example, in 2016/17, 122 referrals were received from Occupational Therapy, of these 10% failed the means test (their contribution was greater than the cost of the works), 20% made a contribution to the works (median contribution was £500), 3% had a contribution but did not proceed with the works, and 67% received full grant funding.

2.3 The proposal is to introduce Discretionary Disabled Adaptations Assistance which will remove the means test for adaptations with a total value of up to £7,000. This will reduce the time taken to process applications and assist in early intervention to prevent hospital admission/reduce reliance on carers.

3. Broadening the scope of work

3.1 Mandatory disabled facilities grants only address the needs of a person in respect of their disability. The ability to use the BCF capital grant to support wider social care outcomes means that additional works can be funded that support independent living, hospital discharge and health and safety issues where prevention is key.

3.2 The draft policy proposes the introduction of several new forms of financial assistance which align with this:

- Hospital Discharge Assistance
- Safe, Warm and Well
- Dementia Aids and Adaptations

4. OTHER OPTIONS CONSIDERED

4.1 The Council does not have to offer discretionary financial assistance, but failure to do so could leave vulnerable people at risk of avoidable harm. There is an expectation from Government that the increased funding levels will lead to better outcomes for residents and reduced reliance on health and social care services.

5. RESOURCE IMPLICATIONS

5.1 Any additional financial assistance would be discretionary and dependent on available capital budget. The policy will support best use of the increased budget from the BCF, with DFGs expected to remain part of the BCF with a further uplift in 2018/19.

5.2 The service will be provided within existing staff resources in the short to medium term.

6. RISK AND MITIGATION

6.1 Risk has been considered as part of this report and any specific high risks are included in the table below:

| Category Risk | Action / Controls |
|----------------------|--|
| Financial | Financial assistance beyond mandatory disabled facilities grants is discretionary and subject to funding |
| Reputational | An approved policy which supports residents to manage their independence |

7. ISSUES ARISING FROM IMPACT ANALYSIS (EQUALITY, SAFEGUARDING etc.)

7.1 Equality analysis has not identified any potential for discrimination or for negative impact, and all opportunities to promote equality have been taken.

8. CRIME AND DISORDER IMPLICATIONS

8.1 There are not considered to be any direct crime and disorder implications arising from this report.

9. COMMENTS OF FINANCIAL SERVICES

9.1 The budget allocation for 2017/18 is £733,770 which has now been received from the Better Care Fund. The spend against the budget will be monitored through the usual budget monitoring processes.

10. COMMENTS OF LEGAL AND DEMOCRATIC SERVICES

10.1 Article 3 of the Regulatory reform (Housing Assistance) (England & Wales) Order 2002 provides the power for local authorities to provide financial assistance for home repair, improvement and adaptation. However, a local housing authority may not exercise the power conferred by Article 3 unless they have:

- a. adopted a policy for the provision of assistance under that article;
- b. given public notice of the adoption of the policy;
- c. secured that a document in which the policy is set out in full is available for inspection, free of charge, at their principal office at all reasonable times; and
- d. the power is exercised in accordance with that policy.

11. COMMENTS OF OTHER RELEVANT SERVICES

11.1 None

12. APPENDICES

12.1 Appendix 1- Draft Private Sector Housing Assistance Policy – Independent Living

13. BACKGROUND PAPERS

13.1 ENV661 – Private Sector Housing Renewal – Independent Living report to Communities and Wellbeing Overview and Scrutiny Committee, 11 July 2017: <http://moderngov.southkesteven.gov.uk/ieListDocuments.aspx?CId=628&MId=3438&Ver=4>

13.2 ENV666 – Draft Private Sector Housing Assistance Policy – Independent Living report to Communities and Wellbeing Overview and Scrutiny Committee, 5 September 2017: <http://moderngov.southkesteven.gov.uk/ieListDocuments.aspx?CId=628&MId=3439&Ver=4>