

Amber Valley Borough Council

HOUSING RENEWAL POLICY

March 2021

Document Control Information			
Business Unit		Housing	
Version		2021 Draft for Consultation	
Last Updated		March 2021	
Planned Review		March 2022	
Author		Head of Housing Services	
Classification		Public Document	
Is any part of the document redacted		No	
Reason for Classification		Transparent System	
Document History			
Version	Date	Author	Comments
1	04/02/2021	Head of Housing Services	Draft prepared for consultation in advance of Cabinet March 17th 2021. Changes marked in red
2	24/03/21	Head of Housing Services	Version approved by Cabinet March 17th 2021

Introduction

This Housing Renewal Policy is an amended version of the Policy approved in March 2020. The Council is required to have a Policy that transparently sets out the principles of how public funds will be used to support those with a range of housing needs.

Strategic Aims

Within the Council's Corporate Improvement Plan one of the key long-term outcomes is that people have access to affordable, decent, suitable housing that they can keep warm within their financial means.

This policy considers the growing recognition of housing's role in supporting the health and social care system. It also reflects the ability afforded by the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 for the Council to use funds available in a more flexible and responsive manner.

The housing renewal policy supports delivery of the objectives and ambitions of Derbyshire's continuing improvement programmes, helping to keep residents healthier, safer, warmer and independent for longer. The Council is an active participant in the development of Place which brings together partners to improve integration and joint work on improving outcomes for residents of Amber Valley.

The Policy will also coordinate with the Housing Strategy, Empty Property Strategy, Derbyshire Older Persons Housing Strategy (adopted by AVBC), Affordable Warmth Plan and the Private Rented Plan.

Better Care Fund

The largest source of funding to support the policy is the Better Care Fund allocation. The funding is primarily to fund disabled facility grants, but guidance permits a flexible local approach.

The Council aims to increase the options that are available to support residents to remain safe and warm and living independently for longer, in keeping within the aims of the Better Care Fund. It also aims to innovate and improve the service delivered for vulnerable people and/or those requiring financial support to improve the condition of their home or to provide adaptations to help meet their needs. The Council will use Regulatory Reform Order powers to deliver the best possible outcomes for residents.

The Council will work with partners to provide more effective responses to meeting the needs of residents that need to remain independent and at home. The avoidable costs to the NHS and Social Care are recognised and where possible the Council will seek to exercise statutory powers to support the objectives of the Better Care Fund.

The primary focus will be through the delivery of Disabled Facility Grants (DFGs) but there are other circumstances where investment in an applicant's home will be an appropriate response. The future of the Better Care Fund is not known beyond 2022 and the Policy will have to be reviewed in light of any changes.

The Better Care Fund allocation is subject to an agreement between the Better Care Fund Partnership Board and the District/Boroughs and will require councils to continue to report on various performance measures to the Board.

The Council will continue to work with Derbyshire County Council and a range of partners to deliver assistance to the disabled, elderly and other vulnerable people. All forms of discretionary assistance beyond the Mandatory Disabled Facilities Grant are dependent on the availability of funding.

This policy will remain in force until such time as it is reviewed and amended. It is intended that it be reviewed within 2 years so that demand for the revised assistance can be assessed and the policy amended accordingly to account for this and any further funding changes.

Mandatory DFG applicants will not be disadvantaged by discretionary grants.

Area Based Programmes for Investment

The Council published a private sector house condition survey in 2020 to provide an assessment of the overall house conditions with a view to keeping house conditions under review as part of its duty under section 3 of the Housing Act 2004. A link can be found to the survey below;

The Amber Valley Health Profile suggests that there are health inequalities in the Borough and in future the prospect of targeting assistance to those areas of health inequality could be justified. The Council is supporting a countywide stock condition survey that will use existing and local data to support the evidence base of key housing issues both in Amber Valley and Derbyshire. It is anticipated that further sharing of data in collaboration with Public Health will enhance the ability to identify and target interventions.

The Government in 2021 has released funding streams for investment in energy efficiency in accordance with the terms of the allocation of the funding. The allocation is subject to a memorandum of understanding with BEIS.

Types of Assistance Available

Disabled Facility Grants

The provisions governing mandatory Disabled Facilities Grant (DFG) are contained in the Housing Grants, Construction and Regeneration Act 1996 (the 1996 Act), as amended by the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002. The Order extended mandatory DFG eligibility to those occupying park homes and houseboats.

Provided they meet the defined criteria, all owner-occupiers and tenants, licensees or occupiers are eligible for DFG. Private Sector landlords and Register Providers (RP) may also apply for a DFG on behalf of a disabled tenant, but the tenant must also satisfy the relevant requirements under the same means testing arrangements.

Appendix 1 to the policy contains a guide to the type of adaptations that would be considered to fall within the above criteria and a list of some of the requests that have been turned down and considered not to fit within the above criteria. It is not an exhaustive list.

The need for the adaptation is determined by an Occupational Therapist (OT) or Community Care Worker usually from Derbyshire County Council, (assessments may also be submitted from OT's within the NHS or Privately procured OT's). Amber Valley Borough Council will only award the DFG if the suggested work is reasonable and practicable and falls within the qualifying criteria for a mandatory DFG, specified in the Housing Grants, Construction and Regeneration Act 1996. All DFG's will be assessed and administered in accordance with legislation and guidance.

All adult DFG applicants are subject to an assessment of their financial situation. A Test of Resources is undertaken to determine whether they will be expected to contribute towards the reasonable cost of the necessary works.

From 1st April 2021 the Council will waive the contribution where the assessed amount is less than £5,000 and in these circumstances a grant will be awarded for the full cost of the necessary works up to the maximum grant limit.

The maximum grant amount that can be awarded is £30,000, this policy introduces a temporary increase of the maximum award to £40,000.

It is anticipated that these changes will continue for as long as Better Care Funding allows.

For any application for DFG funding, it must be determined that:

- The disabled person intends to live in the property to be adapted for a period of at least 5 years (except where the person is terminally ill), and
- the property is the disabled person's only or main residence, and in the case of a disabled child is the property where child benefit is paid
- any adaptations requested must be deemed to be 'necessary and appropriate' to meet the needs of the disabled person (as determined by an Occupational Therapist and with consultation to Social Services); and

- it is considered to be 'reasonable and practicable' to carry out the works, giving consideration to the property involved.

Reasonable and Practicable

Where the Occupational Therapist has identified that it is necessary and appropriate to request an adaptation on behalf of the disabled person, consideration must then be given – in consultation with the Housing team and the architects – to whether it is 'reasonable and practicable' to adapt the disabled person's current home.

In making this judgement, the following criteria (plus any other relevant information) will be considered:

- whether the property itself is considered to be free from category 1 hazards (as assessed under the Housing Health and Safety Rating System). Judgement will be used as to the severity of any hazards identified and the complexity of remedying them. Wherever possible, the home owner will be assisted by the Home Improvement Agency to access help and possible funding to remedy any hazard identified.
- the age, location, level of occupation and any limitations due to the layout of the property. In some cases it may not be possible to fully meet the disabled persons needs without a disproportionate amount of expenditure, which may exceed the amount of grant available or may be considered to be unreasonable.

Overcrowding

It will not be considered reasonable or practicable to adapt a dwelling which is assessed as being overcrowded, and DFG funding must not be used for adaptations in order to remedy an overcrowding problem. This is particularly an issue in children's cases where a disabled child may need an additional bedroom due to their disability, but the family would have routinely needed an additional bedroom to meet the needs of their household regardless of disability.

Any adaptation considered must be the most cost effective way of meeting the needs of the disabled person. Wherever possible, needs should be met within the existing footprint of the property. This may require rooms currently being put to alternative uses, such as a dining room, play room, music room, study etc to be converted into use as a bedroom.

Therefore, the Council would normally request that other occupants of a property share rooms to allow a disabled person access to a bedroom, provided that by doing so the other occupants would not exceed the occupancy limit for those rooms.

However, if a separate bedroom cannot be made accessible within the existing property without also providing a separate bedroom for the following groups then an extension will be considered:

- Married/co-habiting couple ;
- Pair of children of the same sex between 10-20
- Pair of children aged under 10, and
- Unpaired child over 1
- Any other relevant person aged 21 or over.

Alternative Schemes

Where the situation occurs that the Council have agreed with the Occupational Therapist, a scheme which meets the needs of the Disabled Person, but the Disabled Person and/or their family wishes to meet their needs in an alternative manner then this should be made possible, provided that;

- a detailed design (suitable for the purposes of obtaining planning/building regulations approval) is submitted to the Council and is considered by the Occupational Therapist as being suitable to meet the identified needs of the disabled person.
- It is agreed that the DFG budget will only fund the method of meeting the disabled person's needs which has been identified as being the most cost effective. A budget cost for this scheme will be provided by the architects and this will be the agreed Cost of Works for the purposes of the Grant Approval, in addition a contribution can be made towards a private architect's fees at a rate of 5% plus VAT.
- In respect to any DFG approval, the approval is only valid for 12 months, and the works must be completed and paid for within this time. In exceptional circumstances, the approval can be extended.
- Where works are to be carried out by immediate family members, the DFG approved amount will only be based on the required materials and will not pay labour costs.
- It is accepted that, especially in the case of owner occupied properties and especially where young families are involved that the disabled person and their family should be supported in pursuing an alternative scheme where this is appropriate. Support can be offered through the Home Improvement Agency, and this should be encouraged to ensure quality and consistency.
- Upon completion of an alternative scheme it must be ensured that the work carried out meets the needs of the disabled person as identified in the initial assessment and documented on the Derbyshire Adaptations Partnership Form.

Pre-Assessment Triage

The Home Improvement Agency carry out 'triage' visits to disabled people who are waiting for an OT assessment. It is now standard procedure that cases received by the Duty Occupational Therapist will be routinely referred to the Home Improvement Agency for a 'triage' visit from a project worker, prior to an OT assessment being carried out. In exceptional cases, such as urgent cases where immediate risk is identified, the OT will judge that this is not appropriate and this element of the process will not be pursued.

Upon receipt of the referral from the Duty OT, the project worker will visit the disabled person and carry out a brief and basic assessment of their needs. During the triage they will identify whether any minor adaptations or equipment may be appropriate in addition or as an alternative to major works, and facilitate this if identified. They will make a brief assessment of whether a full OT assessment is necessary. They will also discuss housing options with the disabled person with a view to assisting them with giving consideration to relocating.

Where the property is owned by Futures Housing Group (FHG), the OT/CCW will contact Futures to discuss options and consider whether permission would be likely to be given for an adaptation or whether or to FHG would consider withholding consent to adapt the property due to occupancy concerns etc. FHG can and will continue to support with rehousing to more appropriate accommodation.

This method has already been proven to have helped many tenants both private and social, as well as owner occupiers to make a decision and access the help that they need to move to a property that meets their needs for the future.

The above steps are now considered to be a key part of the DFG process and there have been many successes and agreeable outcomes. It is fully accepted that in some cases it will not be possible to facilitate a move, and the mandatory nature of the grant means that some properties will be adapted

despite not fully meeting the long term needs of the disabled person. This may commonly be the case where although the house may not be suitable long term, the disabled person may have a close support network which may be broken if a move were to be imposed.

Mandatory DFG's can be awarded for the following works:

- Facilitating access to and from the dwelling or the building in which the dwelling or, as the case may be, flat is situated;
- Facilitating access to a room used or usable as the principal family room;
- Facilitating access to a room used or usable for sleeping, or alternatively providing such a room for the disabled occupant;
- Facilitating access to a room in which there is an accessible lavatory, a bath or shower (or both) and a wash hand basin or providing a room in which there is such a facility or facilities;
- Facilities for the preparation and cooking of food; and
- Facilitating access to and from the garden and make access safe.

How to Apply

To apply for a Disabled Facility Grant you can either make an approach to Call Derbyshire or you can contact Amber Valley Borough Council directly. The key is that an assessment is completed to identify that you are eligible. A preliminary means test for adults will be completed at the earliest stage to give applicants and their families a guide as to their financial eligibility.

Assessment of Need

Whilst most requests for a DFG come to the Council via a Social Services assessment, applicants also have the right to make applications to the Council directly especially where there is an extensive delay for assessment.

Referrals for DFG applications may come from other organisations, including health professionals. Where applications do not come via a Social Services assessment the Council shall proceed with the DFG application in the normal way and help the client complete the necessary application.

The Housing Grants, Construction and Regeneration Act 1996 makes no reference to assessment of need for an adaptation, it only places a duty on housing authorities who are not themselves a social services authority to consult the social services authority on the judgement of whether the works are necessary and appropriate to meet the needs of the disabled occupant.

The Council will accept referrals from Private Occupational Therapists or other health specialists including trusted assessors who are engaged by the applicant to advise on what works are required to meet there individual needs. The costs of these professional assessments would be recoverable under the grant.

The Council has a legal duty to determine the application within 6 months of receipt. The Council has a duty to consult with Social Services department to ensure that the works being requested are necessary and appropriate. Where the Social Services department are unable to provide feedback to that consultation request within a reasonable timescale, the Council reserves the right to employ a private Occupational Therapist or other health professional to provide the necessary assessment.

For example, this may include a medical health professional's assessment that confirms, an individual is particularly at risk from excess cold due to a pre-existing medical condition. A DFG could be provided to improve any existing heating system or where there is no heating system, provide a system to meet there needs.

This policy does not include the costs of an Occupational Therapist acting on behalf of the social services authority in the discharge of their responsibilities under section 24(3)(a) of the 1996 Act (or any other enactment).

Discretionary DFG Top Up Payments

Where the maximum funding available through DFG is insufficient to cover the costs of the work required, Derbyshire County Council will support applicants and their families to examine options including hardship loans and charitable funding. The Council will consider reviewing the use of the Better Care Fund allocation to top up grants if there is consensus across Derbyshire Councils and would be subject to approval by the Executive Director (Operations).

Relocation Assistance as an Alternative to Adaptations

Consideration will be given to providing relocation grants for disabled owner occupiers who make the decision to move to a more suitable property as an alternative to adapting their existing home. A discretionary relocation grant may be offered in the following circumstances;

- An OT assessment must have been carried out upon the disabled person in their current home and their current home must be considered to be unsuitable or difficult to adapt.
- Where a new home is to be purchased, it must be demonstrated that the cost of adapting the new home is less than adapting the previous home. Where this is the case, there will be a payment of up to a maximum amount of £5000 towards moving expenses, subject to the usual means testing criteria. The total of works needed at the new property plus the discretionary relocation amount must total less than the cost of adapting the original property.
- In order to incorporate the costs associated with moving, a quotation must be submitted as part of the grant application process, eligible expenses to be considered will include:
 - Legal fees associated with the sale and purchase of the property;
 - Removal fees associated with moving from the previous to the current property. The amount submitted must be reasonable,
 - The cost of a bond for a privately rented property.
- The OT must have carried out and submitted to the Council, an assessment to confirm that the new property will meet the needs of the disabled person and is more suitable than their existing property, and a budget price must be obtained from DCC Property Services.
- Both properties must be within Amber Valley.
- The payment up to the maximum value of £5000 to the applicant will be made upon completion of the works to the new property.
- The discretionary relocation amount will not be placed as a land charge on the property – although the rest of the grant amount may be if it meets the criteria.
- Other than relocation grants the Council is unable to fund works that fall outside of the mandatory criteria, except in exceptional circumstances.

DFG Placed as Recoverable Land Charges

The Council were given powers under the Disabled Facilities Grant (Condition relating to approval or payment of grant) General Consent 2008, to place a limited charge on adapted properties of owner occupiers where the costs of the Disabled Facility Grant exceeds £5,000, which is limited to a maximum charge of £10,000 and will remain in force for a period of 10 years from the certified date of completion of your adaptation. The Council agreed that this charge would be placed and that the charge will be repayable if the owner sells the property within 10 years.

Upon completion of the adaptation, a local land charge will be placed. Upon sale or transfer of the property, the disabled person or their family will have the right to put forward a request to waive or reduce the amount of grant to be repaid. The request must be made in writing and will be considered by the Executive Director (Operations).

Where consideration for reducing or waiving the amount to be repaid is due to financial hardship then a hardship assessment will be requested from a partner organisation.

Minor Adaptations

Works estimated at costing less than £1000 should be carried out as a minor adaptation through the social services authority or by the landlord. Minor adaptations may be incorporated into a major scheme where this is necessary, however it would be more expedient to address a need to minor adaptation directly through these more appropriate channels.

Repair and Maintenance

The DFG does not fund the repair and maintenance of equipment such as stairlifts, ceiling track hoists and steplifts outside of the standard warranty period. Where the equipment is owned by the applicant it is the responsibility of the disabled person to purchase any extended warranty and service contract and they should be encouraged and assisted to do so. Where an item such as a shower is installed as part of an adaptation it becomes the responsibility of the disabled person to maintain that shower and a further adaptation would not be carried out if it fell into disrepair.

Where adaptations involve equipment that at some point becomes no longer required, the Council does not take responsibility for removing the equipment. This is the responsibility of the owner of the equipment which could be Derbyshire County Council or disabled person, or their family.

Disrepair

Cases arise where items of disrepair are identified within a property, for example rising damp or electrics which require upgrading.

Where it is essential that the work is done to facilitate the successful completion of an adaptation then this will usually be included in the DFG funded works, if considered reasonable and practicable to do so. However, if the adaptation can be carried out without the repair work then the homeowner will be made aware that it is their responsibility to fund the repair work needed to their property as a separate project.

Where disrepair is identified in a privately rented or social housing property then a referral will be made to the Council's Housing Officers to pursue with the landlord.

Stairlifts

From 1st February 2020 Derbyshire County Council will continue to offer stairlifts as equipment and not a DFG. This means that any stairlift installed will be the property of the County Council, will be loaned to the applicant. The County Council will be responsible for maintenance, repair and removal of the stairlift. All clients eligible for DFG will be eligible for the equipment but it is anticipated that the loan process will increase the number of households able to access a stairlift.

Eligible clients will still be given the option of applying for a DFG if they wish to do so.

The Council will provide an allocation from the Better Care Fund as a contribution towards the provision of stairlifts.

Prioritisation of Applicants

In the event that resources become limited in the future or demand increases significantly, the Council will allocate DFG funding based on their priority. Applicants may be placed on a waiting list prior to being invited to make a formal application. Where this occurs the applicant will be advised that they have been placed on a waiting list and will receive an update every 3 months as to the projected timescale for their application to be invited. Each applicant will be invited to make an application in date order. However, priority will be given to urgent applications as determined by both the Council and the Derbyshire County Council.

Successive Applications and Split Referrals

There is nothing in the law to prevent successive applications and it is fully accepted that in some cases a disabled person's needs will change, and that successive applications will be made. The Council will not accept applications that would cost over £30,000 being split to attract cumulative spending in exceedance of the maximum allowable grant.

DFG for Tenants of Registered Providers

Registered Provider tenants are eligible to apply for DFG and are assessed for needs on the same basis as private owners and tenants.

All Registered Providers operating in the area, will be encouraged to make a contribution if a tenant makes an application for a DFG. The receipt of any contribution entirely depends on the provider's financial and policy position to make any contributions to an adaptation at the point of application.

Fees for professional services connected to DFG's

The Council may charge professional fees for providing services to applicants which are subject to a DFG and fees may be taken directly from the Better Care Fund allocation rather than assigning costs to individual grants.

Compensation Payments

Where a disabled person receives a compensation payment which is directly related to their disability, they may be asked to repay or make a contribution towards their adaptation using this money.

Evidence should be obtained from the disabled person's solicitor which will clarify whether the amount payable is deemed to be sufficient to fund services, or whether the disabled persons should still have full access to the disability related services, which would be considered to include DFG.

Discretionary Assistance

Discretionary assistance will be made available under this policy, under the conditions and scheme criteria outlined, however in all cases the works or assistance being provided must meet the following objectives in order to satisfy the budgetary framework and policy arrangements of the Better Care Fund.

- Increased independence, safety and minimising the effects of disability
- Enabling the carer to continue care.
- Prevention of admission to more institutionalised care

Subject to the availability of funding, the Council reserves the right to use its discretion under the Regulatory Reform Order to pay for works under a DFG that may otherwise not be eligible for assistance.

New Build

The Council will work with partners to identify households whose needs may not be met cost effectively through adapting their home or they face a considerable wait in the hope that an adapted home becomes available. This policy gives the Council discretionary power to use part of the Better Care Fund allocation if available, to invest in new build adapted homes. Wherever possible, homes will be designed around individuals with specific housing needs and will be direct lets within the allocations policy.

Innovation

The Council will look at options to improve outcomes for disabled residents making the most of the flexibilities afforded by RRO to alter processes to speed up delivery of adaptations where deemed to be a positive step forward.

Technology

The Council will work with partners within Place and under the direction of the Better Care Fund Partnership Board to explore the use of technology to support clients. The Council will allocate a proportion of the Better Care Fund to trial the use of technology in the home. The scope will be developed with colleagues from the NHS and Derbyshire County Council. The client group will be wider than those with a disability and may include a range of clients that are housebound or socially isolated.

Works in Default

In some cases the Council may use a portion of the Better Care Fund allocation to finance works in default following enforcement of Housing Act 2004 notices. In such instances a charge will be placed on the property to recover all costs associated with the work. Priority will be given to those complex cases such as those involving hoarding and multi-agency approach to vulnerable residents.

Healthy and Warm Amber Valley

What help is available?

Healthy and Warm Amber Valley November 2020

The Council is amending its Housing Renewal Policy to increase eligibility for support to access funding to support interventions to help more vulnerable residents.

What help is available?

Assistance through **Healthy and Warm Amber Valley** has primarily been designed to enable low income home owners with an appropriate long term medical condition to access financial assistance to improve their ability to remain warm and safe in their home, promote independent living and assist with hospital discharge or prevent hospital admission.

In addition, assistance may also be available for families with a child under 18 where no one has a long term medical condition, but their household annual income is less than £20,000 with savings of less than £10,000 and they require assistance with repairs to/or supply of new heating system.

Applications are administered through the Home Improvement Agency, Derbyshire County Council's Healthy Homes Service or Amber Valley Borough Council.

This is a discretionary grant and therefore such assistance only remains available while funds permit. Funding may be withdrawn with immediate effect for grants yet to be approved.

To be eligible:

- You must be an owner occupier **or**
- have a license to occupy a park home on a licensed site, **and**
- have a long term health condition **or**
- be a family with a child under 18 **and**
- live in the local authority area of Amber Valley Borough Council

Financial Eligibility

You must also get one of the following benefits:

- Pension Credit with savings of less than £10,000
- Child Tax Credit (and your income is £20,000 or less with savings of less than £6,000)
- Working Tax Credit (and your income is £20,000 or less with savings of less than £6,000)
- Income Support with savings of less than £6,000
- Income-based Jobseeker's Allowance with savings of less than £6,000
- Income-related Employment and Support Allowance with savings of less than £6,000
- Council tax reduction and savings of less than £6,000

OR

For families with a child under 18 where no one has a long-term medical condition or is in receipt of a qualifying benefit, **but** they have a household annual income of less than £20,000 **and** savings of less than £10,000.

Eligible work:

At the Council's discretion, a grant will be considered for the reasonable cost of the work necessary to:

- reduce hazards or risks that are likely to cause serious harm or injury

- carry out a range of works to enable hospital discharge or prevent hospital admission
- provide repairs or new provision of heating where health and wellbeing for the child under 18 is a concern

Examples of eligible works may include:

- Heating repairs up to a maximum of £750 (incl VAT)
- Hot water repairs only if the primary source of heating is not working
- Provision of first time heating system
- Replacement or provision of additional heating controls that make installations more efficient
- Replacement of a heating system that isn't repairable at reasonable expense
- Energy efficiency measures such as cavity wall and loft insulation
- Contribution of up to £2,000 towards solid wall insulation
- Draught-proofing including glazing repairs
- Electrical and gas safety
- Safety and security repairs
- Top- up to other funding where there is a shortfall

Amount of Assistance

The maximum grant is £5,000. The grant may include the cost of the eligible works plus any agency fee which is normally 15% of the net cost of the works or charges for specific works as set annually.

What conditions are attached to the grant?

The application must be made on the approved referral form or other format agreed by the Council

Prior to works being carried out, two quotations from a bona fide contractor or other appropriate service provider shall be submitted for the cost of the eligible approved works.

No works shall be carried out without formal grant approval and no retrospective applications will be considered.

How do I make a completed application?

The following paperwork will be required in order to make a completed application:

Application form/referral form
 Two quotations for the cost of the eligible works demonstrating 'best value'
 Evidence from GP or similar health professional confirming eligibility based on the applicant's health conditions where required
 In complex cases a specification of eligible works

Once all the above paperwork is received or obtained by the Council or their agent to their satisfaction, then the application will be considered complete.

Once an application is considered complete, the Council will in eligible cases approve the assistance in accordance with any agreed response time

The assistance will only be paid upon the successful completion of the works to the satisfaction of the Council's agent and upon receipt of suitable invoice(s).

Grant monies will only normally be paid directly to the contractor who performed the eligible works.

Energy Efficiency Works

The Government is making available funding for energy efficiency works. This is described by the Government as the Green Homes Grant and the Council will seek to distribute funding that is available in accordance with the terms of the specific allocations through the Local Authority Delivery element of the scheme. The specific methodology will be approved by the Executive Director (Operations). The Department of Business Energy, Industrial Strategy funding the scheme will provide a memorandum of understanding (MOU) that the Council will have to sign and will need to return. This MOU will stipulate detailed requirements of the terms and conditions that apply to the investment and then there will be monthly updates to complete.

In specific circumstances the Council may seek to provide top up funding to support the use of the Green Homes Grant Local Authority Delivery in accordance with what is permissible within the scheme.

Other Housing Assistance

The following types of grant assistance may also be available, depending on the availability of external funding:

Bringing Empty Properties Back into Use

Empty Property Loans

The Council has **suspended** the Empty Home Renovation Loan but subject to Management Team approval may elect to reopen the scheme. In which case a specific policy will be published on the website.

Applications Falling Outside the Scope of the Policy

It is important that the policy should be sufficiently flexible to take account of exceptional circumstances and opportunities that arise to provide support to residents of the Borough. Exceptional applications will be assessed and, if appropriate approved in agreement with the appropriate Cabinet Member.

General

This policy or any part of it can be withdrawn with immediate effect for individual applications yet to be approved. In such cases applicants will remain eligible for the existing national mandatory Disabled Facilities Grant.

Complaints regarding housing renewal assistance should be made through Amber Valley Borough Council's formal complaints scheme.

Complaints and Redress

Any complaints, comments, suggestions about this policy should be addressed to;

David Arkle

Head of Housing Services
Amber Valley Borough Council
Town Hall
Market Place
Ripley
DE5 3BT

Grounds of Appeal

Grounds for appeal will be considered where the policy has not been consistently or correctly applied or where there are exceptional circumstances that arise outside the scope of the policy. Appeals should be addressed in writing to Julian Townsend, Executive Director (Operations) at the address above.

Amber Valley Guidance on Eligible Works for Disabled Facility Grants

Ramping

Ramping will only usually be agreed for disabled persons whose only means of mobility is with a wheelchair.

Where an individual has chosen to purchase a scooter for outdoor use then ramping will only be provided where they can demonstrate that their only means of mobility would be by use of a wheelchair as above. Where this is the case, the ramping provided will be of adequate construction to accommodate the chosen scooter. Ramping is provided to ensure that the disabled person has access to their property or to their garden.

A ramp will usually only be constructed to one entrance.

External Steplift

A steplift will be considered where the person meets the above eligibility for a ramp but it is not reasonable or practicable to construct a ramp due to technical difficulties.

Where a ramp or external steplift is provided it must be understood that this is the means of access for all occupiers and visitors to the property and an alternative route will not be provided.

Stairlift

A stairlift should always be the first option for access to the first floor where use of a second stair rail is not sufficient.

A stairlift will be considered suitable where the disabled person sleeps upstairs and their toilet and bathing facilities are also upstairs and are suitable to be adapted if required, or; the disabled person sleeps downstairs and the facilities are upstairs and are adapted for use. Where toilet and bathroom are located downstairs and there is a room available for sleeping (any room in addition to the one family room) downstairs it would be expected for the service user to sleep downstairs.

A stairlift may also be provided if it is demonstrated that the disabled person must sleep on the same floor as a carer, or as someone that they care for, and that safety will be compromised if this is not achieved.

In cases where a stairlift is not considered to be medically suitable or the construction of the property is such that a stairlift could not be installed, then alternatives must be explored. A through floor lift should be considered and installed if appropriate before the option of extending the property is discussed. The installation of a through floor lift should not be discounted due to the service users concerns that it will take up excessive space, unless safety is compromised by the presence of the lift. However, there must be sufficient space on the ground floor and first floor for the lift to be comfortably access and stored during the day in whichever location is more suitable.

Ceiling Track Hoists

The DFG will cover the cost of strengthening the ceiling if required where a ceiling track hoist is to be installed.

Overbath Shower

An overbath shower can be considered as an option where the disabled person has a non-progressive, stable condition, where an overbath shower will be considered suitable to meet long term needs.

Level Access Shower

A level access shower may be provided where the OT assessment confirms that the disabled person does not have adequate access to their current bathing facilities and that the provision of equipment, ie a bath board, seat or bathlift is not satisfactory or suitable. Where a free standing shower seat is considered appropriate as part of the assessment, this should be provided and funded by Social Services. A wall mounted seat may be funded through the DFG works.

It is usually the case that the level access shower will replace the bath. If the disabled person or their family wishes to retain the bath then all extra over costs associated with doing this must be funded separately. The only exception to this is where a member of the household has a medical need to access a bath – evidence may be requested to confirm this need.

The DFG will fund plain white tiles up to full height within the shower area. Where additional tiling or more expensive tiles are requested then this must be arranged separately with the contractor and the costs met by the disabled person/ family.

Additional WC

Where an additional WC is requested on the floor where there currently isn't one (ie could be upstairs or downstairs), the following criteria needs to be met:

- provision of a commode is not appropriate
- access to the existing toilet is not possible due to the length of time taken to get there.
- provision will promote the independence of the person and no other major adaptation will be required in the long term to meet this need.
- the length of time taken using the existing WC facility prevents reasonable access for the rest of the family.

Additional Bedroom

As discussed in the main body of the Policy, an extension will only be considered where it is not possible to meet the needs of the disabled person within the existing footprint of the property. Within this consideration should be given to changing the use of rooms and to adding partitions to existing rooms to create the required space within the existing footprint – subject to Building Regulation requirements etc.

Kitchen Adaptations

Kitchen adaptations will be considered for a disabled person who is a wheelchair user.

The extent of the adaptations agreed will depend on whether the person has a primary responsibility for the preparation of food for themselves or others within the household.

If the person is in receipt of a service such as meals on wheels and is not considered able or safe to prepare food then the person will not be eligible for access to cooking facilities. In certain cases it may be considered appropriate to provide access solely to an area of work surface to prepare a hot drink and snack, and a low level cupboard for the storage of relevant items that may be needed specifically by the disabled person.

Where the disabled person has the responsibility and is considered able to safely prepare hot food for themselves or the family then access to a low level hob, and oven housing (appliance to be provided separately) will be considered as well as access to a proportional amount of storage.

Heating

Where the disabled person is unable to operate their existing heating system due to their disability and does not have someone able to operate the heating system on their behalf then an adaptation may be carried out to ensure that the disabled person has access to a suitable form of heating which they are able to operate and control.

Where a property does not have any form of heating and there is medical reason to believe that their condition is affected by the lack of heating then a suitable form of heating will be provided to the rooms used by that person.

Adaptations not undertaken

There are a number of scenarios where it has been given consideration and judged that works are not routinely eligible for DFG funding. This list is not exhaustive:

- Dropped kerbs, including crossover to access hardstanding (funded by DCC)
- Storage and power supply for electric wheelchair/scooters
- Window openers
- TV sockets
- Garage door openers
- Property repairs, ie to paths, drives
- Additional bedrooms due to overcrowding

Summary of grant conditions for Disabled Facilities Grants awarded under the Housing Grants Construction and Regeneration Act 1996

Disabled Facilities Grants are subject to the conditions contained within the above legislation of which this is a **summary only** and is intended as a **general guide, not a complete statement of the law**. For more detailed information, you should refer to the Act and to any relevant Regulations made under the Act.

Carrying out and Completion of works (*applicable to all grants*)

1. In approving an application for a grant the Council may require as a condition of the grant that the eligible works are carried out in accordance with any specification they decide to impose.
2. It is a condition of grant that the eligible works are carried out within twelve months from the date of approval of the application or, where the delayed payment of a mandatory grant under section 36 applies, from the date specified in the Council's notification of decision. This period may, however, be extended by the Council if they think fit, particularly where they are satisfied that the eligible works cannot be, or could not have been, carried out without carrying out other works which could not have been reasonably foreseen when the application was made. If an applicant requires additional time a request must be made in writing before the end of the 12 month period, otherwise the right to a grant cannot be guaranteed.
3. The payment of a grant, or part of a grant is conditional on the eligible works being carried out to the satisfaction of the Council and the Council's being provided with an acceptable invoice, demand or receipt for payment for the works and any preliminary or ancillary services or charges. An invoice, demand or receipt will not be acceptable if it is given by the applicant or a member of the applicant's family, except in circumstances where materials only are being funded where works are carried out by the applicant's family.
4. An applicant should take reasonable steps to pursue any relevant insurance or legal claim and to repay the grant, so far as is appropriate, out of the proceeds of such a claim. If, after a grant has been approved, an applicant is successful in (a) an insurance claim or legal claim against another person in respect of damage to the premises to which the grant relates, or (b) a legal claim for damages in which the costs of the works to the premises is part of the claim, the applicant should notify the Council of that fact and will be required to repay the grant, so far as is appropriate, out of the proceeds of the claim.
5. Unless the Council direct otherwise the eligible works must be carried out by the contractor whose estimate accompanied the application, or where two or more estimates were submitted, by one of those contractors.
6. The Council will usually pay the grant directly to the contractor(s) who carried out the grant works or where an Agent has paid the contractor, the Council will reimburse that Agent. However, in certain instances the Council may make an indirect payment. In these instances, the applicant is sent a cheque which is made payable to the contractor or agent for the amount of grant works, this must then be forwarded onto the builder or agent by the applicant. In cases where the applicant has already paid the builder, they may be reimbursed only where evidence is provided that the transaction has taken place.
7. A grant cannot be paid in any case where the works to be grant funded have taken place prior to a grant approval notice being issued.
8. A charge will be placed on the adapted property of owner occupiers where the costs of the Disabled Facilities Grant exceeds £5,000. This is limited to a maximum charge of £10,000 and will remain in

force for a period of 10 years from the certified date of completion of the adaptation. The charge will be repayable if the owner sells the property within 10 years.

In the event of a breach of any of the conditions set out above the Council may demand repayment from the applicant of a sum equal to the amount of grant paid or, as the case may be, any instalment of grant paid.

The Council will inform an applicant in writing of any additional conditions they are imposing.

If you require any further information or are in any doubt about the conditions applying to your grant, please contact the Council.