



PRIVATE SECTOR RENEWAL POLICY

November 2023 (as amended)

CONTENTS

SECTION	DETAILS
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	<u>PART 1: INTRODUCTION</u>
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- | | |
|---|------------------------|
| 1 | Background and summary |
| 2 | Policy Aims |
| 3 | Legal & Policy Context |

	<u>PART 2: TYPES OF ASSISTANCE</u>
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- | | |
|---|---|
| 4 | Mandatory Disabled Facilities Grant |
| 5 | Discretionary Disabled Facilities Top –Up Grant |
| 6 | Discretionary Prevention Grant |
| 7 | Discretionary Minor Works Grant |

	<u>PART 3:</u>
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- | | |
|---|------------------------------------|
| 8 | Monitoring and revising the policy |
|---|------------------------------------|

PART I: INTRODUCTION

I Background and summary

- I.1** This policy updates the previous policy for the provision of mandatory Disabled Facilities Grants (DFG), discretionary Minor Works Grants (MWG) and discretionary loans for repairs and improvements.
- I.2** Prior to 2015 DFGs were funded via a direct allocation to the Council by the then Department of Communities and Local Government (DCLG), with a top up from the Council's capital budget, if required.
- I.3** In 2015, responsibility for funding DFGs was transferred to the Department of Health & Social Care (DHSC), who introduced the Better Care Fund (BCF). This changed the way funding is allocated and all BCF monies are paid to the first-tier authority, Hampshire County Council, who then allocate specific amounts to the districts. DFGs have become part of the housing, health and social care agenda, the purpose of which is to provide better health outcomes and reduce health and social care costs.
- I.4** In Hart the BCF is sufficient to fund the current demand for DFGs, therefore no additional contribution is required from the Council. It is expected that the BCF will continue to fund DFGs until at least 2025.
- I.5** In 2017 the Ministry of Housing, Communities and Local Government (MHCLG) and the DHSC published the '2017-19 Integration and Better Care Fund Policy Framework'. This outlines the policy framework under which BCF monies are allocated and their intended purpose and details the agreed National Conditions for its use. The purpose of the BCF is to provide funding to support the provision of DFGs, with the objective of:
- Facilitating timely hospital discharge
 - Reducing admissions to residential care homes
 - Reducing the cost of providing domiciliary care
 - Contributing to the wider prevention agenda of housing, social care and health authorities by facilitating improvements in individuals wellbeing, and reducing hospital admissions
- I.6** A change in policy is required which allows the Council wider scope to work outside of the Housing Grants, Construction and Regeneration Act 1996 (HGCRA). This means that the increased Better Care Fund (BCF) can be used for in more innovative and ways to assist Hart residents to remain independent and safe in their homes. Examples of this include:
- The maximum DFG which can be awarded is £30K and there are situations where essential works (particularly extensions) may cost more than this. There are occasions where the applicant is unable to raise additional funds

which results in distress, time delays, additional costs and in some cases works not proceeding.

- The administering of mandatory DFGs can be a complex and lengthy process which does not facilitate the provision of urgent adaptations which would allow residents to remain safe and independent in their home or prevent bed blocking.

2 Policy Aims

- 2.1** To fulfil the legal duty to administer mandatory DFGs.
- 2.2** To utilise powers under RRO to provide discretionary MWGS & loans to improve and maintain housing standards.
- 2.3** To promote independent/supported living at home by more responsive access to minor and urgent adaptations via discretionary DFGs.
- 2.4** To improve health and wellbeing by encouraging a more flexible approach and instant availability of DFG monies via discretionary DFGs.

3. Legal and Policy Context

- 3.1** Under the HGCRA the Council has a mandatory responsibility to administer Disabled Facility Grants (DFGs). Under the RRO the Council also administer discretionary Minor Works Grants (MWGs) and low-cost loans.
- 3.2** The updated policy will support the delivery of Council's Corporate Plan which includes the target to deliver 60 DFGs a year.
- 3.3** When framing the Private Sector Renewal policy for Hart, the Council also has had regard to the documents listed in Appendix I.

PART 2: TYPES OF FINANCIAL ASSISTANCE

4. Mandatory Disabled Facilities Grant

- 4.1** Under the Housing Grants, Construction and Regeneration Act 1996 (HGCRA) the Council has a statutory duty to provide mandatory DFGs for residents who need adaptations to their homes.
- 4.2** In order to establish what adaptations are needed an assessment is required by an Occupational Therapist (OT) from Hampshire County Council, a private OT, an OT from a Social Provider or a hospital OT. They will determine what works are necessary and appropriate to meet the person's needs. It is then up to the Council

to determine if the recommended works are reasonable and practicable. If adaptation are not feasible at that property then alternative solutions should be looked at e.g. moving house.

4.3 Eligibility for Mandatory DFG

These grants are available to

- Disabled owner-occupiers
- Disabled tenants living in social or privately rented housing
- Disabled people living in their family home
- Parents or guardians of disabled children

- 4.4** The statutory means test will apply unless they are in receipt of a means-tested benefit. The amount of grant will depend on the result of a test of financial resources (means test) carried out on the disabled person and any partner. This test will determine how much (if any) contribution they need to make towards the cost of the work. There is no means test for mandatory DFGs where the works are for a disabled child or young person (for the purposes of a DFG a child is 0-16 and a young person is 16-19 in full time education).

4.5 Qualifying works for Mandatory DFG

These works will be available for works of adaptation as recommended by an OT and include the following;

- Facilitating access to and from the dwelling by the disabled occupant; making the dwelling safe for the disabled occupant and other persons residing with him/her;
- Facilitating access to the principal family room by the disabled occupant;
- Facilitating access to or providing a bedroom for the disabled occupant; the provision of a new bedroom will only be considered if the adaptation of an existing room is unsuitable;
- Facilitating access to or providing a room containing a w.c. for the disabled occupant or facilitating the use by the disabled occupant of such a facility;
- Facilitating access to or providing a room containing a bath or shower for the disabled occupant or facilitating the use by the disabled occupant of such a facility;
- Facilitating access to or providing a room containing a wash-hand basin for the disabled occupant or facilitating the use by the disabled occupant of such a facility;
- Facilitating the preparation and cooking of food by the disabled occupant; in considering this work it is essential that the disabled person constantly cooks for the household; if this is not the case, facilities will be limited to the strict needs of the disabled person;
- Improving or providing a heating system in the dwelling to meet the needs of the disabled occupant; no provision will be made for heating facilities in rooms not normally used by the disabled person;
- Facilitating access to or control of the source of power, light or heat by the disabled occupant;

- Facilitating access and movement by the disabled occupant around the dwelling in order to provide care for a person who is normally resident in the dwelling.
- Facilitating access to and from the garden or making access safe.
- Facilitating applicant to move to a more suitable home if theirs cannot be adapted. This could include arrangement fee charged by a mortgage lender; conveyancing fees; Land Registry fees; Local authority searches; homebuyers or full structural survey; professional removal costs; estate agents' fees etc.

4.6 Amount of Assistance for Mandatory DFG

Grants will be available to the current statutory maximum grant of £30K and applicants will be subject to the statutory means test. In the case of applications by owners and tenants, the amount of grant will depend on the result of a test of financial resources (means test) carried out on the disabled person and any partner. This test will determine how much (if any) contribution they need to make towards the cost of the work.

4.7 Funding for Mandatory DFG

This funding will come from the existing Better Care Fund budget.

4.8 Repayment of Mandatory DFGs

In certain cases where DFGs are seen to add value to a property e.g. provision of an additional bedroom, applicants may be required to repay a percentage of the grant when they dispose of the property. Further information on the circumstances where grants require repayment can be found in Appendix 2.

5. Discretionary Disabled Facilities Top-Up Grant

- 5.1** In cases where the DFG works exceed the £30K maximum, the Council will consider giving additional discretionary funding.

5.2 Eligibility for a Discretionary Disabled Facilities Top-Up Grant

These grants may be available to:

- Disabled owner-occupiers
- Disabled tenants living in social or privately rented housing
- Disabled people living in their family home
- Parents or guardians of disabled children

- 5.3** The statutory means test will apply unless they are in receipt of a means-tested benefit. The amount of grant will depend on the result of a test of financial resources (means test) carried out on the disabled person and any partner. This test will determine how much (if any) contribution they need to make towards the cost of

the work. There is no means test for mandatory DFGs where the works are for a disabled child.

5.4 Qualifying works for a Discretionary Disabled Facilities Top-Up Grant

The type of work which will qualify for a discretionary top up DFG is as for mandatory DFGs. An example of where one may be necessary is where an extension to provide a bedroom or bathing facilities exceeds the £30K limit.

5.5 Amount of Assistance for a Discretionary Disabled Facilities Top-Up Grant

The maximum amount for a discretionary DFG top-up is £30K, this will be assessed on case by case basis and the following will be considered;

- Can the disabled persons needs be met in another way e.g. re-housing?
- Is there any other funding available, e.g. a loan, charity funding or a contribution from a social housing provider?

5.6 Funding for a Discretionary Disabled Facilities Top-Up Grant

Discretionary DFG top-ups will be funded from the same BCF budget as mandatory DFGs. The funding for these will be dependent on the available budget and each one will be considered on a case-by-case basis and where necessary needs to be agreed by the Head of Community Services.

6. Discretionary Prevention Grant

6.1 By utilizing the powers under the RRO and The Care Act 2014, the Council will provide Prevention Grants using the Better Care Fund.

6.2 The purpose of these grants is to enable vulnerable individuals to stay living independently in their homes, preventing them from becoming homeless or having to move into a less independent institutional setting with the objective of:

- Facilitating timely hospital discharge
- Reducing admissions to hospital and residential care homes
- Enabling vulnerable residents to remain safe and independent in their own homes
- Reducing the cost of providing domiciliary care

6.3 These grants are mainly for non-mandatory DFG works, except for hoists, ramps and stairlifts. They provide a fast-track grant for minor adaptations and improvements, they do not require a full OT assessment. However, a basic assessment and recommendations will be required from some form of health professional e.g. a GP, Occupational Therapist, health visitor or other agency involved in an individual's care.

6.4 Eligibility for a Discretionary Prevention Grant

These grants may be available to:

- Disabled, elderly or vulnerable owner-occupiers
- Disabled, elderly or vulnerable tenants living in social or privately rented housing
- Disabled, elderly or vulnerable people living in their family home
- Parents or guardians of disabled children

For works up to £2000 there will be no means test.

For works over £2000, those in receipt of a means tested benefit or those who have a contribution under the DFG means test of £5000 or less would not have a contribution and could be eligible for a further £3000 of assistance up to a maximum of £5000.

6.5 Qualifying works for a Discretionary Prevention Grant

These may include:

Hoists

Ramps (including modular ramps)

Stairlifts (including re-conditioned stairlifts)

Low threshold steps

Internal and external rails

Urgent repairs to existing equipment e.g. stairlifts or door openers

Urgent boiler repairs & replacement central heating

Urgent drainage or water supply repairs

Urgent electrical or gas repairs

Smoke alarms

Decluttering to improve access

Replacement of worn and dangerous flooring

Key safes

Assistive technology to overcome safety issues within the home

This list not an exhaustive list.

This grant will not be available to tenants where the necessary works are the responsibility of the landlord, either social or private. Also, for social landlords who have a budget for minor works then this should be utilized first before approaching the Council for assistance.

6.5 Amount of Assistance for a Discretionary Prevention Grant

The maximum amount of grant is £5,000 in any 3-year period.

6.6 Funding for Discretionary Prevention Grants

Prevention grants will be funded from the same BCF budget as mandatory DFGs. The funding for these will be dependent on the available budget and each one will be considered on a case-by-case basis.

7. Discretionary Minor Works Grants

7.1 Eligibility for a Discretionary Minor Works Grant

These grants will be available to owner-occupiers and tenants with a repairing responsibility who are 18 or over and in receipt of a means tested benefit. They will also be available to occupants of mobile homes.

7.2 Qualifying works for a Discretionary Minor Works Grants

Grants will be available for works to repair and improve and may include:

- Essential repair and improvement works
- Energy efficiency works
- Crime prevention works
- Payment of the minimum insurance excess where works required can be claimed on an insurance policy
- Payment for specialist surveys e.g. electrical, dampness or structural failure

This is not an exhaustive list and there may be other works considered on a case by case basis.

7.3 Amount of Assistance for a Discretionary Minor Works Grants

A maximum grant of £1000 is available. These grants are repayable, should the property be sold within 5 years of the works being completed and are limited to £5000 in any 3-year period.

7.4 Funding for Discretionary Minor Works Grants

These are funded from the existing Private Sector Renewal budget.

8. Monitoring & revising the policy

Any minor changes made to the policy will be made after consultation with the Head of Community Services and the relevant Portfolio Holder and will not require approval by Cabinet.

Appendix I – Reference documents for policy

- Housing Grants, Construction and Regeneration Act 1996. Part I.
- ODPM Circular 05/2003: Housing Renewal: A Strategic Approach.
- The Housing Renewal Grants Regulations 1996 (as amended).
- The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002
- The Disabled Facilities Grants (Maximum Amounts and Additional Purposes) (England) Order 2008
- Housing Grants Construction and Regeneration Act: Disabled Facilities Grant (Conditions relating to approval or payment of Grant) General Consent 2008.
- 2017-19 Integration and Better Care Fund Policy Framework.
- The NHS and Community Care Act 1990
- Equality Act 2010
- The Council's Corporate Plan
- The Community Service Plan

Appendix 2 – Disabled Facilities Grants – Provision to apply a charge on the property

Provisions of the consent

The consent is given under:

The Housing Grants, Construction and Regeneration Act 1996: Disabled Facilities Grant (Conditions relating to approval or payment of Grant) General Consent 2008

The consent is outlined below:

1.0 (1) Where:

- (a) a local housing authority approves an application for a grant under Part I of the Act;
 - (b) the grant is for a sum exceeding £5,000; and
 - (c) the applicant (“the recipient”) has a qualifying owner’s interest in the premises on which the relevant works are to be carried out,
- the local housing authority may impose the conditions (or conditions to like effect) contained in paragraph (2).
- (2) The local housing authority may demand the repayment by the recipient of such part of the grant that exceeds £5000 (but may not demand an amount in excess 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 local housing authority, having considered

- i. the extent to which the recipient of the grant would suffer financial hardship were he to be required to repay all or any 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 of 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 reason of disability or infirmity, is satisfied that it is reasonable in all the circumstances to require the repayment.

2.0 Types of grant work which will be subject to a charge on the property

The Council will require a charge to be put on a property where the nature of the works have added value to the property. This would include provision of an extension for additional sleeping accommodation and/or bathroom facilities. A charge cannot be placed on a property unless the amount of the grant exceeds £5000.

3.0 Amount of charges

The amount of a charge placed on a property will be equivalent to one third of the value of the grant.

4.0 Repayment of the charge

The grant is required to be repaid if the applicant (owner-occupier or private landlord) disposes of the property within 10 years of the certified date of completion, having due regard to the above considerations.

5.0 Exceptions to repayment requirement

Anyone who feels that the request for repayment is unjust is entitled to request a review. Where appropriate, the matter will be referred to the Council's Cabinet Member for Housing & Health.