

Appendix 1 – Amendments to the Private Sector Housing Renewal Policy 2012

TYPES OF ASSISTANCE AVAILABLE

5.5. MANDATORY GRANTS

POLICY PRIORITY

(iv) Providing disabled people with adaptations to their homes through the provision of mandatory grants.

ASSISTANCE AVAILABLE

5.6. DISABLED FACILITIES GRANTS

5.6.1. The provisions governing mandatory disabled facilities grants (DFGs) are contained in the Housing Grants, Construction and Regeneration Act 1996 as amended by the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002. Advice on delivery of DFG's and the role and responsibility of the council and Social Services is contained in the Department for Education and Skills/Department of Health good practice guides "Delivering Housing Adaptations for Disabled People".

Eligibility

5.6.2. All owner-occupiers, tenants, licensees or occupiers who can satisfy the criteria in sections 19-22 of the 1996 Act are eligible. Private tenants may apply following approval by the landlord to the adaptation work. Housing Association tenants are also eligible and are assessed for need and means tested on the same basis as private owners and tenants. The eligible works are set out in section 23(1) of the 1996 Act. The grant is limited to a maximum of £30,000.

Prioritisation

5.6.3. The council's policy is to prioritise, for DFG assistance, urgent cases as defined by the Occupational Therapist. Non-urgent cases may still qualify for a DFG but are referred to a general waiting list and dealt with as soon as resources permit. The council accepts referrals from Housing Associations for urgent cases but non-urgent cases are dealt with by Housing Associations themselves. Minor adaptations are dealt with by Social Services and implemented through a local Home Improvement Agency.

Grant Conditions

5.6.4. The amount of assistance in each case will be determined in accordance with the means test as set out in statutory regulations. The grant will also be subject to conditions as set out in Regulations and it is the council's policy to require a certificate of owner occupation or a certificate of future letting as a condition of the grant being approved. Where these conditions are breached, the grant funding awarded may be recovered in line with the statutory regulations.

Repayment of grant

5.6.5. The Disabled Facilities Grant (Conditions relating to approval or payment of Grant) General Consent 2008 set 10 year grant conditions from the certified date (the date works are completed) based on ownership and occupation of the property. If the grant conditions are breached during this period, any Grant award that exceeds £5,000 will become repayable where the applicant has an owners interest in the property. The council may demand the repayment by the recipient of the grant of such part of the grant that exceeds £5,000 if—

(i) 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

(ii) the Council, having considered—

a) the extent to which the recipient of the grant would suffer financial hardship if they were required to repay all or any of the grant;

b) whether the disposal of the premises is to enable the recipient of the grant to take up employment, or to change the location of their employment;

c) whether the disposal is made for reasons connected with the physical or mental health or well-being of the recipient of the grant or of a disabled occupant of the premises; and

d) 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,

e) is satisfied that it is reasonable in all the circumstances to require the repayment.

5.6.6. Taking the above factors into account, the council has determined that it will not be the policy to register the disabled facilities grant as a land charge nor to reclaim disabled facilities grants under the above legislation.

Relocation assistance

5.6.7. The council may not approve a grant where the work required to adapt a property is not reasonable and practicable. In these circumstances, applicants will be advised of the options open to them, including relocating to a more suitable or more easily adapted property. The council may provide financial assistance towards the cost of the move.

Discretionary Disabled Facility Assistance (DDFA)

5.6.8. The Council will consider applications for discretionary Disabled Facilities Assistance where the costs of the eligible works exceeds the maximum grant amount of £30,000. DDFA may be awarded and will be subject to the availability of resources. An extra £30,000 may be available as a top-up to those applicants that are eligible for a DFG.

5.7.8 In cases where a disabled facilities grant is unable to proceed due to the poor condition of the property, the council may provide the applicant with an Emergency Work Grant. It is a discretionary grant available to owner-occupiers in need where works of repair have been identified as being Category 1 hazards under the Housing Health and Safety Rating System that pose an imminent threat to the occupants of a property. The grant can be administered quickly to remedy urgent action. The grant is not for larger scale home improvements but can help to facilitate the implementation of a disabled facilities grant. The works could include:-

- providing essential repairs to electrical wiring where this has been assessed as dangerous.
- making essential repairs to heating or hot water systems in times of cold weather
- To qualify a person must be an owner-occupier (including a Park Home owner) in receipt of income related benefits and aged 60 and over or must be a disabled person in receipt of Disability Living Allowance or Attendance Allowance, who is also in receipt of income related benefits.

Minor Adaptations

5.6.9. The council supports the administration of minor adaptations through the work of the Home Improvement Agency with individual referrals funded by Social Services. The policy has worked well since its introduction and is considered to be an effective way of delivering minor and urgent adaptations to those people most in need, including urgent hospital discharges. The criteria for minor adaptations are those eligible works of adaptation up to £500. Above this amount, adaptations are dealt with through referrals for a disabled facilities grant.

Details of the council's mandatory disabled facilities grant assistance and assistance towards relocation and minor adaptations are attached to the main policy as Appendix 4.