

# **|REPORT FOR: CABINET**

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<b>Date of Meeting:</b>	7 April 2011
<b>Subject:</b>	Grants and Assistance Regime for Disabled Adaptations to Housing in Harrow
<b>Key Decision:</b>	Yes
<b>Responsible Officer:</b>	Paul Najsarek, Corporate Director Adults and Housing
<b>Portfolio Holder:</b>	Councillor Bob Currie, Portfolio Holder for Housing Councillor Margaret Davine, Portfolio Holder for Adults Social Care, Health and Well-Being Councillor Thaya Idaikkadar, Portfolio Holder for Property and Major Contracts
<b>Exempt:</b>	No
<b>Decision subject to Call-in:</b>	Yes
<b>Enclosures:</b>	EQIA, Policy document

## **Section 1 – Summary and Recommendations**

This report sets out why and how Harrow Council's approach to the delivery of its service to customers who require adaptations to their home will change if members support the recommendations.

### **Recommendations:**

Cabinet is requested to support and approve the attached policy which contains the following key changes:

- 1 Introducing a tenure neutral approach as far as possible
- 2 Providing clarity on the decision making process for different levels of grant and providing an appeal process
- 3 Simplifying the enhanced scheme
- 4 Introduction of Emergency DFG/ adaptation process
- 5 Introduction of Relocation grant
- 6 Withdrawal of discretionary Renovation grants--Except in exceptional circumstances
- 7 Inclusion of handyman scheme in the policy
- 8 RSL's to be encouraged to contribute towards DFG's
- 9 Support of the Lean review to enhance service delivery.

Cabinet is also requested to give delegated authority to the Corporate Director, Adults & Housing for the following:

1. To approve minor changes to the policy resulting from changes imposed by legislation and Government best practice, in consultation with the Portfolio Holder for Housing.

**Reason: (For recommendation)** The existing policy was written in 2003 and is overcomplicated and difficult to understand. There have also been a number of legislative changes since then and changes to best practice recommendations.

## **Section 2 – Report**

### **Introductory paragraph**

Delivering aids and adaptations such as level access showers and stair lifts is about providing our residents with the freedom and ability to continue to live an independent life in their own homes.

This is a high profile service with the public and the improvement of this area is one of the council's Priority Actions.

The recommendations within the report will not only help maintain our resident's quality of life but also reduce the burden otherwise placed on the Borough's other support services. This proposal supports the council's

commitment to improve support for vulnerable people and improve people's lives by giving people more choice and control in the services they use.

## **Options considered**

### **Status Quo**

We need to change the policy to ensure we comply with legislative changes and good practice therefore the status quo is not applicable..

## **Current situation**

### **Why a change is needed**

The existing policy was written in 2003 and is overcomplicated and difficult to understand. There have also been a number of legislative changes since then and changes to best practice recommendations that will assist in our delivery of better performance in this area.

The attached policy contains the following key changes:

### **1 Introducing a tenure neutral approach as far as possible**

Currently there are 2 different approaches to how we process applications for assistance based on the applicants' tenure i.e. owners and private tenants are dealt with through the Disabled Facilities Grant (DFG) team and council tenants are dealt with by the adaptations team. The policies and procedures the teams work to are separate which has resulted in disparities in performance outcomes. It is therefore proposed to deal with all applications from the same team and as far as possible according to the same process, although adaptations to council properties will continue to be funded from the Housing Revenue Account and other adaptations will be funded from general fund. Both areas are capital expenditure; the General Fund is funded partly by Government Grant.

Despite aiming for a tenure neutral approach the proposal to means test council tenants was eventually rejected on the basis that there is no financial gain for the tenant i.e. any improvement of the asset is to the benefit of the Council as landlord and could assist in making best use of our asset in the future. In addition it is the council's intention to make better use of adapted property through the use of the adapted property register and recycling items such as stairlifts where possible, which will remain the property of the Council. The cost burden of administering means tests for a client group that is known to be heavily benefit dependant was also felt to be prohibitive.

### **2 Mandatory DFG/ Adaptation Limit to be officially raised to £30k**

If the criterion is met, the Council is obliged to approve a mandatory DFG up to a maximum of £30k inclusive of fees. The existing policy documents still refer to the old limit of £25k. The new policy refers to the new limit and also the fact that this can be changed by Government from time to time. It is also proposed to introduce the maximum of £30k limit to council house adaptations.

In order to avoid the policy having to be approved by Cabinet every time the limit is changed or other minor changes are recommended, it is proposed that delegated authority is given to the relevant Corporate Director to enable minor changes to the policy to be made.

### **3 Changes to the enhanced scheme process.**

Previously if an applicant wished to go over the agreed specification assessed as being needed by the Occupational Therapist (OT) there was considerable bureaucracy involved.

The new policy provides clarity that the council will in future provide the applicant with the amount of allocation ie; up to £30k (either grant or council funding for Harrow tenants) they may receive for the eligible scheme; this is based on standard prices for similar schemes the council has approved in the past. They are then free to appoint an architect or builder to commission works in the knowledge of what contribution the council will make.

### **4 Introduction of Emergency DFG/ Adaptation process**

The type of works that could be funded are:

- Stair lifts for access to the property
- Stair lifts where living on the ground floor is not possible.
- Ramping
- Other works which in the opinion of an OT are needed urgently

For adaptations funded via the scheme, the normal adaptation process will be bypassed in order to install the adaptations as speedily and efficiently as possible. However, the means test will still apply as with standard DFG's for private owners or tenants.

As well as assisting applicants this process will considerably reduce the time spent by Local Authority officers processing full applications and improve overall performance.

### **5 Introduction of Relocation grant**

Undertaking major adaptations may not always be recommended. Subject to the applicant and/or disabled person's agreement, re-housing or re-locating the disabled person will be the preferred option in some circumstances:

- Where the existing property is not suitable for adaptation within the available resources to meet long term needs or
- Where it is not economically viable to do so.

Re-housing for council tenants or a re-location grant for owners or private tenants will be considered to address the housing needs of the whole household. If the applicant does not agree to re-housing or re-location, they are still entitled to apply for a mandatory DFG [up to £30k max]. In the case of council tenants, the applicant will require the consent of the council as their landlord. Consent will only be withheld if it is reasonable to do so. The attached policy explains the process for making this decision.

It is not anticipated that we will get many applications for this grant as most people will prefer to “stay put”, however it will be useful to have the flexibility to respond to specific circumstances where recommended by the special needs housing panel.

## **6 Withdrawal of discretionary Renovation grants**

For clarity around the council’s priorities for future investment it is proposed to withdraw discretionary renovation grants except in exceptional circumstances

## **7 Inclusion of handyman scheme in the policy**

The Harrow Handyman Scheme is a free service funded through the Supporting People budget aimed at homeowners or persons in rented/leased accommodation with responsibility for the upkeep of their living area living in Harrow, who are without regular help and support from family and friends and are unable to carry out the work themselves. The scheme has been operational for some time but the proposal is to formalise its existence and broaden awareness of its operation

## **8 RSL’s to be encouraged to contribute towards DFG’s**

After meetings with our RSL colleagues we have failed to reach a formal agreements on funding of DFG’s. Our discussions with other LA’s indicate we are not alone in this regard with the exception being where following a stock transfer a condition has been applied to the transfer agreement. The policy has therefore been adjusted to reflect that individual negotiations will continue to take place with RSL landlords on receipt of applications from their tenants to achieve a cost effective solution. This will not affect the tenants’ statutory rights. In the current financial year to January’11 we have assisted 23 tenants of 7 RSL’s with a total cost of £164,845.

## **Consultation Feedback**

Formal consultation has taken place with the Tenants and Leaseholders Consultative Forum TLCF, Harrow Association of Disabled People (HAD) and Harrow Older Peoples Assembly (HOPA) and the staying put advisory cttee through formal presentations and an opportunity to comment on the draft report. Suggestions were received on plain English versions of some statements as well as formatting changes but all parties were supportive of the changes, with no concerns raised.

## **Legal implications**

The Housing Grants, Construction and Regeneration Act 1996 provide the current legislative framework governing DFGs. This requires local authorities to provide grant aid to disabled people for a range of adaptations to their homes. This obligation remains irrespective of whether other assistance is provided by the council under its social services duties or by RSLs. In relation to RSLs, there is no specific obligation on an RSL landlord to fund adaptations

work, although it may be considered good practice for them to respond to the needs of their disabled tenants. Individual tenants of RSLs should not suffer detriment through the absence of any formal agreement with the RSL landlord to fund or part fund work.

Associated regulations specify the financial means test that will apply to owner-occupiers and tenant applicants, with the exception of applications for disabled children, where no means test will apply. The Government good practice guide “Delivering Housing Adaptations for disabled people” states that access to assistance in the provision of adaptations should not depend upon the tenure of the disabled person. Whilst the Council can choose to fund adaptations in its own properties other than through the DFG mechanism, this should not result in a worse service to their occupants than that received by applicants who live in other tenures. It is therefore recommended that applications are determined on a “tenure-blind” approach, until costs are allocated to the HRA or general fund. The guide also confirms that it is for the local authority to decide whether to apply a test of resources to those whose adaptations are funded by means other than DFGs, but that it may be regarded as good practice that all recipients of assistance from public funds should be assessed in a comparable fashion.

The Council also has discretionary powers to provide assistance in the form of a grant or loan under other housing legislation. If discretionary powers are used, the Council is expected to publish a policy setting out the circumstances when additional help will be offered. This policy seeks to provide clarity on when these powers will be exercised.

## **Financial Implications**

The capital budget is currently managed on a cash limited basis ie; adaptations will be approved and delivered within the financial envelope available.

There is work underway to establish the likely annual flow of referrals, to establish, within the policy framework, the ongoing level of resources required to deliver the performance detailed in the paragraph below. This will include consideration of whether it is possible to resource discretionary schemes in addition to the mandatory schemes, and in the first instance mandatory grants will be the first priority for all available funding, this will assist the process of managing expectations.

It is proposed therefore to offer discretionary grants in the following priority order subject to available resources:

1. Discretionary Disabled facilities grants to supplement £30k mandatory grant limit
- 2 Home Repair Grant
- 3 Home Safety Grant
- 4 Empty Property Grants

The policy aims not only to help maintain the residents quality of life but also reduce the pressures otherwise placed on the Boroughs other revenue

supported services. e.g.; by providing a level access shower we may reduce the need for domiciliary care etc.

Until an appropriate annual budget has been set, it may not be possible to achieve the performance targets detailed.

## **Performance Issues**

If cabinet approves the new policy the proposals contained within will maintain or improve on current performance as follows.

We are working towards an improved performance on delivery of the service and are aiming for a target of 35 weeks. At the same time we are confident that average prices will be reduced as a result of the new policy and revised procurement arrangements.

The proposed changes in the new policy are part of a wider set of improvements to the service. A lean review of the overall service will develop additional performance measures covering the following: programme delivery, budget, customer satisfaction and waiting times.

Compliance with best practise will also enable us to benchmark with other organisations in order to further improve performance and value for money.

## **Environmental Impact**

There are no direct environmental implications arising out of this proposal.

## **Risk Management Implications**

If cabinet approves the policy it will help us manage risks arising from challenges from customers in relation to performance.

## **Equalities implications**

EIA has been carried out and a draft is attached. The policy will provide clarity on how the Council assesses applications for adaptations and the circumstances when discretionary assistance will be provided. By definition the policy will affect people with disabilities, but it is also likely to impact on older people more than other age groups, although adaptations will be provided based on need irrespective of the age of the disabled person. The principles of the policy confirm the council's commitment to improve people's lives by giving people more choice and control and to assist people to remain in their own home wherever practicable. The EIA does not indicate that any group will be adversely affected by the changes to the policy and no information has been provided during the consultation to indicate that any particular group will be adversely affected.

## **Corporate Priorities**

The new policy will improve support for vulnerable people by ensuring better performance and higher quality outcomes.

### **Section 3 - Statutory Officer Clearance**

Name: Donna Edwards

on behalf of the  
Chief Financial Officer

Date: 28 March 2011

Name: Sarah Wilson

on behalf of the  
Monitoring Officer

Date: 24 March 2011

### **Section 4 – Performance Officer Clearance**

Name: David Harrington

on behalf of the  
Divisional Director  
Partnership,  
Development and  
Performance

Date: 28 March 2011

### **Section 5 – Environmental Impact Officer Clearance**

Name: Andrew Baker

on behalf of the  
Divisional Director  
(Environmental  
Services)

Date: 25 March 2011

### **Section 6 - Contact Details and Background Papers**

**Contact: Maureen Harkin Senior Project Manager Asset Management extension 8177**

**Background Papers:** For further information please refer to the Housing Grants Construction and Regeneration act 1996

<http://www.legislation.gov.uk/ukpga/1996/53/section/51>



**Call-In Waived by the  
Chairman of Overview  
and Scrutiny  
Committee**

**NOT APPLICABLE**

*[Call-In applies]*