

## DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
DEVELOPMENT SERVICES DIRECTORATE	ENVIRONMENT, HEALTH AND HOUSING COMMITTEE	5 JUNE 2018	6
<b>HOUSING SERVICES PRIVATE SECTOR HOUSING ASSISTANCE POLICY V.2</b>			

### PUBLIC ITEM

This item is for consideration in the public part of the meeting.

### SUMMARY

The Private Sector Housing Assistance Policy outlines the Council's policy in relation to the provision of information, advice and action to assist home owners and tenants requiring disabled adaptations, energy efficiency advice and assistance, and other support relating to their home.

This report sets out the scope of services provided by Housing Services under the Private Sector Housing Assistance Policy and highlights the main changes in terms of funding and service development since the previous policy produced in 2009 amended in 2012 and revised in 2017.

### RECOMMENDATIONS

#### The Committee is requested:

1. To approve the recommendations stated in this report and the draft Housing Assistance Policy.
2. To continue the flexible use of its Disabled Facilities Grant (DFG) budget during 2018-19. To facilitate the delivery of adaptations which will address Better Care Fund (BCF) priorities more effectively. This will include the removal of the "test of resources" for single adaptations under £6,000 and where two adaptations are required under £10,000.
3. To remove the "test of resources" process from adaptations where equipment requested from an Occupational Therapist and procured by Lancashire County Council are involved.
4. To support the recommendation for the Council to authorise a grant award of up to £20,000 in excess of the DFG mandatory maximum of £30,000, to carry out DFG eligible work as recommended by an Occupational Therapist.
5. That a targeted promotion of DFG's be undertaken through a defined social care capital project with Wyre Council to increase referrals from medical professionals.
6. To undertake capital projects with Registered Providers to improve the housing on offer within the boroughs sheltered housing schemes.

### SUMMARY OF PREVIOUS DECISIONS:

The previous housing policy which incorporated the grant assistance policy was produced in 2009 and amended 2012. Link to previous policy: <http://www.fylde.gov.uk/resident/housing/grants/privatesectorhousingpolicy/>

The existing assistance policy can be found here and was approved at Environmental, Health and Housing committee on the 20<sup>th</sup> June 2017. [Housing services private sector assistance policy.docx](#)

It was RESOLVED;

1. To approve the flexible use of its Disabled Facilities Grant (DFG) budget during 2017-18 to facilitate the delivery of adaptations which will address Better Care Fund (BCF) priorities more effectively. This will include the removal of the 'test of resources' for adaptations under £6,000;
2. To approve the authorisation of a grant award of up to £10,000 in excess of the DFG mandatory maximum grant of £30,000, to carry out DFG eligible work as recommended by an Occupational Therapist;
3. To review the administration fee which the Council receives for management of DFG works in conjunction with finance officers;
4. To approve a targeted promotion of DFG's be undertaken through partner and third sector agencies to increase referrals;
5. To explore the potential employment on a case-by-case basis of an Occupational Therapist to process the numbers of referrals received by the Council through a targeted promotion of DFG's by our partner, third sector agencies and potentially from county council, and report back to this Committee in due course;
6. To approve the commissioning of additional technical resources on a flexible basis to assist in the increased workload placed on the Housing Services Team to deliver Disabled Facility Grants, to be funded from additional administration fees receivable by the Council;
7. To explore the options to undertake capital projects with the approval of Registered Providers to improve the housing on offer within the boroughs supported housing schemes, and report back to this Committee in due course;
8. To recommend to Council the creation of a new scheme within the 2017/18 approved Capital Programme to be termed 'Housing Needs Grant' that will be funded from DFG grant repayments (those being in the event of the sale of a property for which a DFG was previously awarded) to be used to fund grants to qualifying persons in respect of affordable warmth measures, boiler servicing and repairs to vulnerable clients; and
9. To approve a review of the proposed changes and to report back to the Environment, Health and Housing committee in due course.

The new proposed policy can be found here: [Housing services private sector assistance policy v.2.1.docx](#)

The current Home Energy Conservation Act report was approved by committee on the 20<sup>th</sup> June 2017. A link to that document is here: [Item x- Decision item HECA report 2017.doc](#)

It was RESOLVED to approve the Home Energy Conservation Act 1995 further report of March 2017.

Fylde Council's affordable warmth "Green Energy Grant" was approved at Environment, Health and Housing committee on the 10<sup>th</sup> January 2017 and at the Finance and Democracy Committee on the 23<sup>rd</sup> January 2017.

It was RESOLVED

1. To approved the affordable warmth scheme as described in the report;
2. To recommend to Finance and Democracy Committee the approval of a new fully funded capital scheme in the sum of £28,210 in 2016/17 and £28,210 in 2017/18 in relation to the initiative, fully funded by a grant from Lancashire County Council in the same sum; and
3. To authorise the scheme expenditure as detailed in the report subject to approval of the scheme from the Finance and Democracy Committee.

CORPORATE PRIORITIES	
Spending your money in the most efficient way to achieve excellent services ( <b>Value for Money</b> )	✓
Delivering the services that customers expect of an excellent council ( <b>Clean and Green</b> )	✓
Working with all partners ( <b>Vibrant Economy</b> )	✓
To make sure Fylde continues to be one of the most desirable places to live ( <b>A Great Place to Live</b> )	✓
Promoting Fylde as a great destination to visit ( <b>A Great Place to Visit</b> )	

## **REPORT**

### **Background**

1. The Private Sector Housing Assistance Policy outlines Fylde Council's policy in relation to the provision of information, advice and action to assist home owners and tenants requiring adaptations (both major and minor), energy efficiency advice and assistance, and other support relating to their home. The policy is applicable across all tenures however private rented and social housing must also firstly comply with minimum standards as prescribed in the Housing Act 2004.
2. The Council takes the view that the home owners are responsible for maintaining their own properties. However, it is recognised that there are circumstances where some owners will have difficulty meeting their responsibility either through lack of resources, lack of knowledge or lack of support. In such cases the Council will offer appropriate forms of assistance.

### **Disabled Facility Grants**

3. The Disabled Facilities Grant (DFG) provides funding to eligible applicants to help them to make changes in their home environment, such as the installation of wet room showers, stairlifts and ramps, which allow them to live more independently in their homes.
4. DFG also has a key role to play in reducing admission to hospitals, providing safer and more effective discharge from hospital, preventing an increase in demand for social care and delaying or reducing admission to residential care.
5. Difficulties with DFG, particularly in a two tier local government setting, is that it crosses administrative and organisational boundaries. From the customer point of view, this has led to a complicated customer pathway which remains across District/County Council areas. In Lancashire, the situation is further complicated by the fact that Lancashire County Council outsource paediatric OT assessments to Lancashire Care Foundation Trust (LCFT) on an agency basis.
6. Initial customer requests are taken by Social Care teams (County Council), customer assessments are then carried out by Occupational Therapy teams (County Council) and adaptation recommendations are sent to the District Council who then provide casework support, carry out the customer 'Test Of Resources' (to establish eligibility), undertake technical surveys, contractor procurement and monitor quality of work.

### **Better Care Fund**

7. Whilst the complex arrangements described above still exist, the introduction in 2014 of the Better Care Fund (BCF), and the consequent substantial increase in central government funding, has given DFG a much more central position in the policy framework.
8. The BCF is a single pooled budget for health and social care services to work more closely together in local areas, based on a plan agreed between the NHS and Local Authorities.
9. The Better Care Fund Policy Framework 2016/17 confirms that upper tier authorities are required to pass on the DFG funding from the pooled budget to enable housing authorities to continue to meet their mandatory duty. Thus district councils now receive their DFG allocations via the Department of Health (DoH) - delegated to the local Health and Wellbeing Board (LCC)- whereas until 2015 DFG funding was provided directly to Councils by the Department of Communities and Local Government (DCLG).
10. The 2015 Autumn Spending Review contained a commitment to further raise the DFG budget nationally to £500 Million by 2019/20. In 2014/15 (the final year that the DFG was provided from the DCLG) the Council received £382,794 in DFG funds. In 2015/16 (the first year of the BCF funding arrangements) the Council received £467,963 in 2016/17 the Council received £848,621 in 2017/18 £929,565 and lately £1,010,510 for 2018/19.
11. The additional funding brings with it additional expectations in terms of how the Council is expected to play its part in addressing new conditions set out in the Better Care Fund Policy Framework, which are:
  - Reducing delayed transfers of care
  - Minimising avoidable hospital admissions and
  - Facilitating early discharge

12. Whilst the Better Care Fund Policy Framework does not set specific targets for use of DFG, district councils should be mindful of the BCF objectives which include several which are relevant to DFG services, such as reductions in the number of admissions to residential and care homes, reductions in delayed transfers of care and improvements in the patient/service user experience.
13. Similarly, the NHS 5 Year Forward View noted that a key condition for transformation across local health economies is a strong primary and out-of-hospital care system, with well-developed planning about how to provide care in people's own homes, with a focus on prevention, promoting independence and support to stay well. Home adaptations play a prominent role in meeting this condition.

#### **Proposals to optimise the use of the Council's DFG allocation**

14. The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (hereafter abbreviated to the RRO) removed most of the prescriptive housing renewal grant legislation in the Housing Grants, Construction and Regeneration Act 1996, and Article 3 of the RRO introduced wide ranging discretionary powers to develop different forms of assistance to meet local needs.
15. The government issued accompanying guidance about the use of RRO in 2003. The RRO is not new legislation, but to date the opportunity for the Council to consider more flexible use of DFG funds has been constrained by limited financial resources. However, the Council is now experiencing unprecedented high levels of DFG funding and therefore has the opportunity to continue a flexible use of its DFG budget to meet local needs.
16. If the Council is to achieve a faster, leaner service to speed up hospital discharge and to reduce pressures on health and care services, a more agile approach to its DFG provision needs to be continued and expanded.
17. Districts across Lancashire are now using the RRO to adopt more flexible approaches to the provision of adaptations, partly as a way of dealing with the problem of customers failing the DFG test of resources and partly as a general method of streamlining the process of applying for and obtaining an adaptation. Fylde Council now has an opportunity to use these DFG resources more effectively. It is important to minimise the prospect of failing to utilise these resources and avoid the possibility of unused funds being clawed back by LCC for re-allocation elsewhere. Although LCC has not yet indicated a definitive intention to 'claw back' any unused DFG funds at year-end, it would be prudent for the Council to take action to reduce the prospect of this eventuality.
18. Therefore a number of policy changes are recommended to take effect with the amendment of the Private Sector Housing Assistance Policy. The recommendations are predicated on an expectation that the current levels of funding for DFG are to be maintained and therefore are subject to review if funding levels change in the future.

#### **Recommendation 1: Removal of means test for certain types of adaptations (under £6,000) for single adaptations and £10,000 for two adaptations across all tenures (for 2018/19):**

19. To qualify for the non-means tested approach, it is recommended that the required adaptation work would consist of the following from the list below and that the total cost of adaptation would be under £6,000 for one or £10,000 where two adaptations are required. (not including any fee that the council would include). Adaptations below £6,000 are currently not means tested as agreed in the previous assistance policy of 2017.
  - Bathroom conversion (i.e. removal of bath and installation of Level Access Shower/Wet Room)
  - Door widening to allow wheel chair access
  - Providing access to properties such as low threshold doors and access to gardens
  - Hospital release cases identified by Health Professionals
  - Ramps to aid access to the property (over £1,000)
20. It is also recommended that within this policy the Council should continue to reserve the right, in exceptional circumstances, to consider a more flexible approach by offering customers other adaptation items that are not usually available under DFG. Such works would include the provision of safe rooms for children or adults with behavioural/mental health disabilities.
21. Clearly there are risks to the loosening of eligibility criteria. However, this would be mitigated by the fact that an occupational therapy referral would still be required in accessing an adaptation. The Council would still be confident that customers being referred for an adaptation would need them. Similarly, by loosening the

eligibility criteria there will be some customers who will receive an adaptation free of charge when they could afford to fund the work themselves.

22. However, in terms of addressing the prevention and early intervention agenda, if the Council facilitates the provision of adaptations to a household who would have been less inclined to self-fund, it would still have contributed to the prevention of potential falls in the home and thus helped to prevent lengthy and costly hospital stays.
23. Adaptations provided without carrying out a test of resources would not be classified as a DFG because the full DFG application process would not have been activated. Instead, such adaptations would need to be distinguished from DFG and be known by another title. The recommended suggestion is the "Adaptations Grant."
24. The relaxation of means test regulations allows the Council to address the BCF agenda more effectively, it also provides a better opportunity to maximise the DFG budget that the Council receives from BCF and increase processing times for delivery of the service.
25. Cases that are initially started under this type of grant but due to unforeseen works move above the £6-10,000 threshold would be reviewed by the Housing Services Manager and either allowed or moved to a standard DFG process. Such factors would include consideration over the possible extended time delays completing the works or the total financial amount that any additional works involve. It is recommended that a 10% variance on the maximum would be allowed but only with permission of the Housing Services Manager.

**Recommendation 2: Removal of the "test of resources" for the installation of equipment recommended by an Occupational Therapist and procured by LCC.**

26. Procurement, supply and installation of equipment is currently undertaken by Lancashire County Council. This is an agreed policy which is in place across Lancashire and allows County to negotiate better prices for the purchase of equipment from suppliers and speed up the installation process. The district authorities supply the funding through the Better Care Fund framework.
27. It is recommended that the "test of resources" for the supply of equipment is removed to further aid the speed at which this is installed. Often equipment is provided in addition to adaptations which are installed by the Council and it is recommended that this policy change will work in parallel to recommendation 1.

Equipment will include the following:

- Stairlifts
- Through floor lifts (for wheel chair use)
- Ceiling tracking
- Wash Dry toilets

**Recommendation 3: Introduce provisions to allow additional funds above the DFG maximum (subject to budget availability)**

28. The mandatory DFG maximum grant is £30,000. This upper limit has been in place since 2008. Previous housing services policies have allowed spend above this amount if finances have been available. In recent years the Council has handled a small number of complex adaptation cases where the tendered cost of works have exceeded the mandatory DFG maximum of £30,000. Additional funds for adaptations above the mandatory DFG limits are sometimes referred to as "Discretionary DFG". This term may give the misleading impression that the recommended works are discretionary. This is not the intention.
29. It is recommended that the Council permits the award of a supplementary grant, in cases where the list of works recommended by the OT has been market tested and exceeds £30,000, in order to enable all the recommended mandatory works to be undertaken. The funding for such works to be taken from the DFG allocation provided as part of the BCF.
30. As a caveat to ensure that the Council retains financial control of its resources, it is further recommended that the policy should clearly state that this facility would be subject to budget availability and that such additional grant should not exceed £20,000. This would require the Housing Services Manager to approve such grants.

The facility to be able to call upon up to an additional £20,000 would help to prevent time consuming delays in such cases, which otherwise would stall while other funding solutions were explored.

**Recommendation 4: Targeted promotion of Disabled Facility Grants through a social care capital project.**

31. Due to the increased levels of funding provided by the BCF and the removal of the Councils “holding list” of applicants it is now necessary for the Council to increase the level of referrals for adaptations in order to maximise the use of our BCF allocation. Rather than a “public advertisement” of the service it is recommended that a targeted promotion of the service to health professionals such as hospital nurses and General Practitioners (GP’s) be employed. This will ensure that the applicants have undertaken some form of prior assessment of need/disability assessment and that the Council are not inundated with unsuitable applications. This would be a joint pilot project in conjunction with Wyre Council and coordinated by Wyre and Fylde Care and Repair service. Funding this scheme would be joint between Fylde and Wyre Council and provision is made within the BCF that DFG funding can be allocated for such a “social care capital” project. Provisional discussions are already taking place with Wyre Council and the NHS for the launch of this scheme in 2018. In addition Wyre Council have sourced an additional £42,900 which will be provided to the project. Due to the annual nature of the BCF funding this scheme is proposed to the end of the financial year 2018/19 and for review at that time.

**Recommendation 5: Undertake a capital project with a registered provider to increase the numbers of adapted sheltered/temporary housing properties to improve the local housing offer.**

32. The flexibility within the DFG budget allows the Council to undertake certain capital projects which will meet the BCF priorities and local needs. The Council has made contact with our main registered provider to investigate the possibility of a capital project to convert suitable sheltered flats for disabled use. This would be through the supply of stairlifts to certain sheltered properties. Access to these flats would be through the ‘My Home Choice’ route and therefore be available to those in greatest need of adapted facilities.
33. This capital project would also include work to adapt flats used as temporary accommodation by the Council which are owned by our main registered provider.

**Other assistance covered by the policy**

**ENERGY EFFICIENCY: Cosy Homes in Lancashire (CHiL) <http://www.chil.uk.com/>**

34. This pan-Lancashire Energy Efficiency Pilot Project, under the banner of CHiL, operated from September 2015 to September 2016. Its primary aim was to test the ‘business model’ of installing energy efficiency and heating improvements in domestic properties through Energy Company Obligation (ECO) funding, and to achieve as many installs as possible into the homes of Lancashire residents, especially those in fuel poverty and/or with cold-related health issues.
35. During summer 2015 Blackburn with Darwen Council, acting on behalf of all the Councils in Lancashire, was successful in a £2,200,000 bid to the Department of Energy and Climate Change (DECC) for grant funding for first-time central heating systems. This project was delivered under the CHiL brand. The scheme did not officially launch until June 2016 and ended in April 2017 with over 670 installations conducted. The CHiL brand will be retained as an ‘umbrella’ for other Lancashire-wide energy efficiency projects or funding bids which may be submitted in the future.
36. In 2018 CHiL secured a further £1,000,000 to continue to undertake central heating installation through the Warm Home Fund. This was a joint bid between all Lancashire authorities and Sefton Council. Fylde Council continue to be members of the CHiL operations group and assist with funding bids as they become available.

**ENERGY EFFICIENCY: Green Energy Affordable Warmth Grant**

37. In September 2016 Lancashire County Council agreed to provide a total of £1M allocated equally in £500,000 tranches across 2016/17 and 2017/18 to District Councils to enable them to direct funding towards alleviating fuel poverty amongst the most vulnerable groups.
38. The funding distribution to the districts is based on the relative levels of fuel poverty across Lancashire. Under this formula, the Council received a total of £28,210 for use in 2016/17 and a further £25,479.50 in 2017/18. The funding was reduced in year two due to lowering levels of fuel poverty in Fylde. The funding can assist with the following activities, which have been approved by LCC:

Boiler servicing  
 Boiler replacements  
 Heating repairs and servicing  
 Cavity wall insulation  
 Loft insulation  
 Double glazing (replacing single glazed) in habitable rooms only

39. Funding for this project has been supplemented over 2017/18 by the Housing Needs Grant however County have now requested that the funding be fully allocated in 2018/19 as such the Council will now use a combination of Energy Company Obligation (ECO) funding and the Green Energy grant only to fund measures. Once the LCC funding is fully committed the Council can use funding from the Housing Needs Grant and ECO funding to continue to supply measures to vulnerable residents using the criteria for assistance already in place.

#### Housing Needs Grants

40. In 2017/18 the Housing Needs Grants have provided part funding to the measures undertaken from the LCC Green Energy Grants in addition to funding sourced from ECO. The Housing Need Grant is sourced from DFG repayments and to date £7,618.50 of this fund has been committed to assist in the installation of 29 measures typically boiler replacements. The use of this fund has allowed the Green Energy Grant to assist more residents at a reduced cost.

IMPLICATIONS	
Finance	<p>Finance for the delivery of the Disabled Facility Grant is externally funded from the Better Care Fund and our primary registered provider Progress Housing Group.</p> <p>Further removal of the 'test of resources' for certain adaptations will result in an increase of funds the council receives from acting on behalf of applicants.</p> <p>An increase in the maximum DFG awarded to £50,000 will increase the level of income the Council receive for these adaptations under the grant agency fee.</p> <p>The social care capital project joint with Wyre Council will result in an increase in the number of applications and therefore increase the level of funding the council receives from the grant agency fee.</p> <p>Finance for capital measures under the Affordable warmth scheme is funded by Lancashire County Council (LCC).</p> <p>Finance for capital measures using the housing needs grant is funded from DFG grant repayments and therefore at no cost to the Council apart from officer time.</p>
Legal	<p>It is a legal requirement for the Council to undertake Disabled Facility Grants.</p> <p>It is a legal requirement to comply with the Home Energy Conservation Act (HECA 1995) and account is to be taken of guidance issued by central government.</p>
Community Safety	None directly from this report.
Human Rights and Equalities	The failure or delays to the process of Disabled Facility Grants may affect an applicant's human rights or highlight equality issues in relation to disabled applicants.
Sustainability and Environmental Impact	Improvements in energy efficiency through the Affordable Warmth Project will have a beneficial impact on the environment and will contribute positively to sustainability. This will also contribute to lower CO2 emissions.
Health & Safety and Risk Management	None directly from this report.

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BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
Home Energy Conservation Act further report 2013	6/2013	Decision report produced 2013
Home Energy Conservation Act further report 2015	12/3/2015	Decision report produced 2015
Affordable Warmth scheme	10/1/2017	Decision report produced 2017
Housing Services Assistance Policy	June 2017	Decision report produced in 2017
Home Adaptations for Disabled People: A good practice guide"	2013	<a href="http://careandrepair-england.org.uk/wp-content/uploads/2014/12/DFG-Good-Practice-Guide-30th-Sept-131.pdf">http://careandrepair-england.org.uk/wp-content/uploads/2014/12/DFG-Good-Practice-Guide-30th-Sept-131.pdf</a>
The Disabled Facility Grant before and after the introduction of the Better Care Fund	2016	<a href="http://www-foundations.uk.com/media/4665/dfg-report-final-interactive-converted-draft-6-small.pdf">http://www-foundations.uk.com/media/4665/dfg-report-final-interactive-converted-draft-6-small.pdf</a>
Better Care Fund technical guidance	2016/2017	<a href="https://www.england.nhs.uk/ourwork/part-rel/transformation-fund/bcf-plan/">https://www.england.nhs.uk/ourwork/part-rel/transformation-fund/bcf-plan/</a>
The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002	2002	<a href="http://www.legislation.gov.uk/ukxi/2002/1860/contents/made">http://www.legislation.gov.uk/ukxi/2002/1860/contents/made</a>
Green Energy Fund: Strand 3, Supporting Domestic Energy Reduction	13/9/2016	<a href="http://council.lancashire.gov.uk/ieDecisionDetails.aspx?ID=9208">http://council.lancashire.gov.uk/ieDecisionDetails.aspx?ID=9208</a>
NHS 5 year Forward View	10/2014	<a href="https://www.england.nhs.uk/ourwork/futurenhs/">https://www.england.nhs.uk/ourwork/futurenhs/</a>

#### Attached Documents

Appendix 1 - Housing Services Private Sector Housing Assistance Policy