HOUSING ASSISTANCE POLICY 2027-2031

The Borough Council of Newcastle-under-Lyme

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DRAFT HOUSING ASSISTANCE POLICY 2027-2031

1.Introduction

This policy explains how The Borough Council of Newcastle-under-Lyme will provide financial help to improve and adapt homes in the Borough. It also outlines the conditions and rules for who can receive this assistance.

The Council acknowledges that property owners are primarily responsible for maintaining and repairing their homes. However, the council also has legal obligations to protect and assist vulnerable members of the community. We aim to provide guidance to all residents to help them take care of their homes and access government funding when needed.

Our focus is on supporting older and disabled individuals, along with their caregivers, to live independently, confidently, and safely in their own homes. Housing assistance can minimize the impact of a disabling environment and promote independence, aligning with the goals of the Care Act 2014 to prevent or delay the need for care and support.

Our housing assistance also supports caregivers in their roles and contributes to various positive outcomes, such as improved safety, increased independence, personal resilience, and overall well-being.

This policy does not work in isolation and should be considered together with other related documents to form a comprehensive approach to improving homes in Newcastle-under-Lyme.

2.The Legislation

This policy follows the rules set out in the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (the RRO). The RRO also aligns with the Housing Grants, Construction, and Regeneration Act 1996, which covers the mandatory Disabled Facilities Grants (DFG). This allows the council to use its discretion and funding wisely to provide adaptations for disabled individuals beyond the mandatory requirements.

The Housing Grants, Construction, and Regeneration Act 1996, with amendments from the Disabled Facilities Grants (Maximum Amounts and Additional Purposes) (England) Order 2008, makes it the council's legal duty to adapt homes for disabled people.

The Housing Act 2004 introduced the Housing Health and Safety Rating System (HHSRS) to establish minimum standards for housing. It also obligated the council to act if serious hazards (Category 1 hazards) are found in a dwelling. The Department for Local Government and Communities further established the standard for Decent Homes in 2006, specifying minimum requirements for housing quality, repair, facilities, and thermal comfort. Ensuring good housing standards is crucial for addressing health and wellbeing inequalities.

The Housing Act 2004 also introduced Houses in Multiple Occupation (HMO) licenses to ensure the safety of residents in properties rented to multiple people. Improving HMO standards

through landlord incentives is essential for meeting housing needs, especially for vulnerable households.

Under the Housing Act 1985, section 175, the local authority has the power to take over land, houses, or properties to increase available housing or improve housing quality by bringing empty properties back into use.

The Care Act 2014 states that local authorities must provide services and facilities that help people live independently. The core purpose of adult care and support is to assist individuals in achieving their personal goals. The "wellbeing principle" is central to this act, emphasizing the importance of promoting wellbeing and independent living.

According to the DFG Guidance 2022, if the social care authority confirms a need, they must provide assistance, even if the housing authority cannot fully approve or fund the application.

Under section 343 of the Armed Forces Act 2006 (as amended by section 8 of the Armed Forces Act 2021), The Borough Council of Newcastle-under-Lyme must consider the Armed Forces Covenant when allocating disabled facilities grants and may offer special consideration for veterans in certain situations.

Funding for assistance is provided through the Better Care Fund which combines money from health and social care budgets to successfully deliver the integration of health and social care in a way that supports person-centred care and better outcomes for people and carers. Any assistance provided from this fund must only be used for the specific purpose of funding adaptations for disabled people who qualify for a DFG made under the 1996 Act or the Regulatory Reform Order.

3. Alignment with key Council strategies and other plans.

This Policy aligns with several key Council strategies and plans, supporting their main priorities and goals. The main policies being:

Council plan 2026-2030

The new Council Plan is focused on a new Vision 'To build a better Borough: where local people come first, local places are clean and safe, local businesses can prosper, and council services deliver visible value for our residents'. This Vision is underpinned by four straightforward priorities:

People – A Borough of safe neighbourhoods, good-quality homes, strong communities and opportunities to live healthy and independent lives

Places – A Borough of high standards, clean neighbourhoods and pride in place

Prosperity – A Borough of thriving towns and villages, growing businesses and good local jobs

Performance – A Borough with efficient services, strong finances and respect for taxpayers' money

Healthy, active, and safe communities

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We will ensure everyone enjoys a safe environment and access to a wide range of facilities and activities to support and improve their health and quality of life.

Housing Strategy

Our housing strategy sets out our strategic housing priorities and details a range of actions we intend to take in partnership with relevant partners and stakeholders to support residents to access good quality, suitable and affordable housing while preventing homelessness and rough sleeping.

The strategy recognises Housing is fundamental to the wellbeing of people, their families and their wider communities. Poor housing can lead to health problems for residents.

This policy aims to address the connection between housing conditions, social care, and health. By providing adaptations for disabled people, we can help them live safely and independently in their homes. Additionally, we will work to reduce serious hazards in homes that could cause accidents and health problems, which, in turn, would increase the demand for social care services. This approach also aligns with the Better Care Fund priorities.

Better Care Fund Plan

The Better Care Fund combines health and social care funding to enhance outcomes for residents. By providing more disabled facilities grant funding, this policy provides a joined-up approach across health, social care and housing benefiting disabled, older and vulnerable residents in Newcastle-under-Lyme.

4.The Evidence

Newcastle-under-Lyme's Housing Assistance Policy is supported by local demographic evidence showing an ageing population and increasing need for accessible, safe and suitable homes. The Council's published local context states that the borough's population was 129,441 in 2019, an increase of 4% since 2012, equivalent to 5,337 additional residents. Of this population, 23,481 residents were children aged under 18, 79,198 were adults aged 18 to 64, 26,762 were aged 65 and over, and 3,562 were aged 85 and over.

The age profile is particularly relevant to Disabled Facilities Grant (DFG) demand. Residents aged 65 and over accounted for 20.7% of the borough's population, while residents aged 85 and over accounted for 2.8%. The Council's local context notes that Newcastle-under-Lyme has a higher proportion of residents aged 16 to 64 and aged 65 and over than the England average, and a lower proportion of younger children and under-16s. This indicates that the borough has a comparatively older population profile, which is likely to increase demand for home adaptations, falls-prevention measures, accessible bathing facilities, stair access solutions and other works that support independent living.

Population projections reinforce this policy need. Between 2017 and 2027, the overall population of Newcastle-under-Lyme was projected to increase by 5%, while the number of residents aged 65 and over was projected to increase by 15% and the number aged 85 and over by 27%. The projected growth in older residents is faster than the England average and equates to around 900 additional residents aged 85 and over by 2027. As the prevalence of mobility limitations, frailty,

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sensory impairment, dementia and long-term health conditions increases with age, this trend creates a clear evidence base for maintaining a responsive DFG service and related discretionary housing assistance.

5. Funding Sources for the Policy

DFG Better Care Fund

The funding for the Housing Assistance Policy is primarily provided by Central Government from the Better Care Fund. The fund has several components: the Minimum NHS contribution, Local Authority Better Care Grant and Disabled Facilities Grant component.

Local Authority Capital Funding

At the time of writing, the Council has no capital funding available for the purposes of this Policy. However, should capital funding become available, the Council may allocate such funding to projects and initiatives that support the health, wellbeing and independence of residents within the Borough, where these align with the objectives of this Policy.

National Schemes

Funding may also be available through national schemes, such as Energy Company Obligation (ECO) programmes, Warm Homes initiatives and other government-funded energy efficiency schemes. These programmes typically have specific eligibility criteria relating to fuel poverty, energy efficiency and affordable warmth, and contribute directly to the objectives of this Policy by helping residents to live in safer, healthier and more sustainable homes.

Whilst these schemes are supported through their own dedicated funding streams, the Council will consider opportunities to align and combine funding sources where appropriate. This may include the use of Better Care Fund resources and any available Council capital funding to develop and deliver projects and initiatives that maximise benefits for residents and support the strategic aims and objectives of this Policy.

Funding from Partners or Other Public Sector Organizations:

The Council may receive financial support from partners or other public sector organisations to address specific issues and projects that seek to improve the health and welling of residents within the Borough. The Council will consider opportunities to align and combine funding sources where appropriate.

6. Equality and Diversity

We believe in treating everyone fairly and promoting equality while preventing discrimination on any basis. This policy will be applied consistently to all residents, considering the unique needs of individuals and communities. We will not discriminate against anyone, and we will take proactive measures to reduce discrimination and harassment.

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7. Summary of Assistance

7.1 Mandatory Disabled Facilities Grants

These are grants that local authorities must make available to their disabled residents who meet the required qualification criteria as set out in the Housing Grants, Construction and Regeneration Act 1996, and the accompanying regulations and subsequent amendments.

Eligible works are contained in section 23 (1) of the Act which defines 12 classes of adaptations for disabled occupiers that are mandatory and are based around:

- Giving access into and around the dwelling;
- Making a dwelling safe for the disabled person residing there;
- Accessing sleeping and bathing facilities;
- Facilitating the preparation and cooking of food;
- Ensuring the power, heating and lighting system are suitable;
- Giving access to the garden.

In determining eligibility for a Disabled Facilities Grant, the local housing authority must be satisfied, that the 'relevant works' are 'necessary and appropriate' to meet the needs of the disabled occupant and it is 'reasonable and practicable' to carry out the works having regard for the age and condition of the housing to which the works will be carried out.

Grants for over 18s are means tested and repayment conditions may apply. There is a £30,000 maximum amount set for a mandatory DFG. Further details on the grant, eligibility criteria and terms and conditions are set out in appendix 1.

7.2 Discretionary Grants

It is the Council's primary responsibility to deliver Disabled Facilities Grants and control the budget accordingly to ensure its statutory duties are met in a timely manner. However, if the budget allows, the Council may decide there are sufficient resources to provide discretionary assistance. This is dependent upon the availability of funding and is not an entitlement. The Council will prioritise its mandatory grant obligations and reserves the right to limit, suspend or withdraw discretionary assistance where insufficient funding remains to meet these obligations.

The flexibility of the powers of the RRO has allowed the creation of discretionary grants that best meet local needs and priorities and to be more responsive to the needs of individuals. These have included funding arrangements in excess of the mandatory grant limit, and funding adaptations outside of the DFG system.

The aim of the discretionary grants is to help vulnerable members of the community where the Mandatory DFG is insufficient to cover the full cost of the works or where the works are outside of the eligibility criteria. However, completing them would provide significant benefits to the applicant and/or their family/carers and would create savings to the wider public purse. Further details on all the discretionary grants can be found below and in appendix 2.

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Means testing will apply to discretionary grant applications. However, if the grant is for top up assistance to a mandatory DFG where the applicant is subject to a means test and has a contribution no further contribution will be requested.

When Discretionary funding is awarded to an owner occupier, the discretionary funding shall be subject to a strict repayment condition if the property is sold, transferred or otherwise disposed of within 10 years of the certified completion date. This condition will be registered as a local land charge on the property register and the council may consider full repayment of the discretionary grant funding, subject to an assessment of individual circumstances or rules regarding exempt sales.

Note this is separate to any funds recoverable under a mandatory DFG which expires at 10 years from certification of works completion.

For discretionary funding the Council will assess each case on its own individual merits and has the discretion to refuse, part fund or fully fund a request.

Discretionary grants will be kept under review to understand how they contribute to supporting needs locally. Following assessment of needs and the resources available new forms of discretionary assistance may be proposed and added in the future.

7.2.1 Top-Up Assistance

To top-up the financial assistance for adaptation works where the cost exceeds the DFG maximum (currently £30,000). The amount of top-up assistance in such circumstances must be reasonable up to a maximum of £50,000. This is due to the impact of Covid and the cost of living increases that have drastically increased prices of building materials and labour and is aligned with other Local Authorities price increases for adaptations such as home extensions. The Council reserves the right to consider alternative solutions where they appear more cost effective, reasonable, practicable or appropriate. It is expected that other funding sources will also be sought by the applicant including landlord contributions and charity applications.

7.2.2 Relocation Grant

In some instances, it may not be possible to adapt accommodation to meet the needs of the disabled occupant or the works required would be so major that it would not be cost effective. A discretionary relocation grant of up to £5,000, which is means tested, provides assistance to move by helping with removal costs and legal expenses.

7.2.3 Support for Home Repairs Assistance (essential repairs that otherwise present hazards to health)

To assist residents whose health is being affected by hazards to health in the home that will otherwise exacerbate existing health conditions and create ill health or an unplanned hospital admission. Examples include repairs to heating and hot water provision, first time heating, preventing falls or accidents, preventing damp conditions and support to clear hoarded properties. This would be applicable where the hazard has been assessed under the Housing

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Health and Safety Rating system as a serious hazard to health (Cat 1) and can be a grant of up to £10,000.

7.2.4 Fees Grant

Fees can be charged on a grant for specific works set out in the legislation and the Disabled Facilities Grant (DFG) Delivery: Guidance for Local Authorities in England. Fees can limit the available grant to an applicant especially if the cost of works is approaching the mandatory limit. This discretionary grant can cover fees where this may adversely affect the works which can be completed or where there are upfront fees that need to be met to allow a grant to proceed ie occupational therapy report or architects' drawings.

7.2.5 Life Limiting Conditions Grant

The Council recognises that some residents will face life limiting conditions that may require urgent adaptations to allow them to continue to live in their home, whilst giving them and their carers the independence and dignity they deserve to do this.

The Department of Health and Social Care (DHSC) and other health care partners are working together to prioritise timely, straightforward assessment processes and deliver coordinated, responsive care and support for residents with urgent or high needs, including life limiting conditions. As recommended, this grant will provide a non means tested grant up to a value of £30,000 in appropriate circumstances, to provide essential adaptations more rapidly to reflect the urgency and trajectory of need for our residents that face life limiting conditions. Life limiting conditions would include diagnosis such as Motor Neurone Disease, Multiple Sclerosis or other terminal conditions (this list is not exhaustive and would be on a discretionary case by case basis).

7.2.6 Decanting Support Grant

This is a discretionary grant to support applicants who need to decant their main place of residence whilst they have their adaptations completed. This may be due to the complexity of the works undertaken, or the complexity of health condition the applicant may have. This grant could cover the cost of temporary accommodation charges, removals and storage up to a value of £5000.

7.2.7 Client Contribution Support

This is a discretionary grant to support applicants who are assessed as having a means tested contribution that is unaffordable. A client contribution may be considered unaffordable where, following the statutory DFG means test, the applicant is assessed as being required to contribute towards the cost of the eligible works but, having regard to their actual financial circumstances, they are unable to meet that contribution without experiencing financial hardship, being unable to meet essential household expenditure, or being unable to proceed with adaptations that are necessary and appropriate to meet the disabled person's assessed needs.

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The Council will consider the individual circumstances of the applicant, including available income and capital, essential household and housing expenditure, disability-related costs, existing financial commitments, the amount of the assessed contribution, the availability of alternative sources of funding and the urgency and significance of the identified need. Each application will be considered on its individual merits and in accordance with the Council's Housing Assistance Policy.

This is available to those who are eligible for a Mandatory Grant and of a value up to £10,000.

7.2.8 Adapting void properties for re-letting to disabled applicants

This is a discretionary grant of up to £30,000 for a registered provider, private landlord or other eligible property owner to adapt a suitable void property in order for it to be re-let to disabled applicants or households with an identified accessible need. (There is no need for the identified disabled occupant to already be occupying the property prior to the alterations,)

Eligibility for occupation may include households on the housing register, people living in unsuitable accommodation, and cases where an adapted property would prevent homelessness, reduce care needs, support hospital discharge or avoid more extensive adaptations elsewhere.

The Council may attach conditions to any assistance in order to protect public investment. Including nomination arrangements for 5 year period, a requirement that the property is made available to a disabled household or applicant with an accessible housing need for a specified period, and repayment or clawback provisions if the property is sold within 10 years.

The Council will determine the level and type of adaptation on a case-by-case basis, having regard to assessed need, property suitability, long-term use, available budget, value for money and the likelihood that the property will meet an identified local housing need.

The Councils nomination policy for this grant can be found here:

- **Nomination Rights**: Local authorities retain nomination rights for a period of five years to ensure DFG investment is protected and adapted properties are relet to other disabled people.

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7.2.9 Veterans and Armed Forces Community Grant

This grant is to assist veterans or serving members of the Armed Forces, where housing adaptations are needed as a result of service-related injury, disability or other circumstances associated with military service. These factors may be taken into account when determining the level of assistance to be provided and when assessing whether an application should be treated as urgent. The Council will also ensure that any Armed Forces compensation payments are treated in accordance with the relevant legislation and statutory guidance when undertaking financial assessments and means testing. By default, under national regulations, a statutory minimum of £10 per week from a War Pension or Armed Forces Compensation Scheme (AFCS) payment is disregarded as income during a Disabled Facilities Grant (DFG) financial assessment, while the remaining balance may be counted. The Council will use our local discretion to **fully disregard** military compensation payments as income.

This approach reflects the Council's commitments under the Armed Forces Covenant and supports consistency with the Council's wider housing policies.

8. How assistance is delivered

8.1 Direct application

This option is where an applicant completes all elements of the application themselves. This includes completing forms, obtaining competitive, itemised estimates, managing and overseeing contractors.

8.2 Specialist Equipment application

This option is for specialist equipment only applications for i.e. stair lift, step lift, through floor lift, modular ramp where the Council collaborates with specific contractors to supply the equipment. The applicant completes the application forms, and the contractor will provide the on-site support.

8.3 Landlord Application

This option is to allow registered provider landlords to manage applications on behalf of their tenants. This allows the registered provider to fully consider available housing options and to have greater involvement in the design and specification and delivery of works.

8.4 Supported Application

This option is where the local authority case workers and surveyors will manage the grant process, obtaining estimates from contractors and on-site supervision

9. Prioritisation

Where possible the Council will process requests for financial assistance in date received order following receipt of an initial enquiry. However, it may be necessary to prioritise applications at times of high demand.

An enquiry will be considered as urgent if the customer meets one of the criteria as outlined in the 2022 DFG Guidance;

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- Coming out of hospital and at risk,
- Living alone and deemed at risk,
- Severe cognitive dysfunction and at risk,
- Living with a carer who is elderly or disabled,
- Living without heating or hot water and at risk,
- Limited life expectancy,
- The property is in such a condition as to present an immediate and significant danger to the occupants or visitors

10. Fees

Fees can be charged on a grant for specific works set out in the legislation and the Disabled Facilities Grant (DFG) Delivery: Guidance for Local Authorities in England. Following detailed preparatory work, the proposed fee is 20% This will be kept under review as the service matures..

11. Applicant Responsibilities

Within the grant process there are applicant responsibilities.

- To have adequate resources available for any means tested contribution to the grant or to discuss any concerns at an early stage in the process.
- To respond to requests for information or appointments, case officer's time is taken up if we must chase for responses.
- To understand that compromises do often have to be made i.e. in moving furniture, re-arranging rooms, reducing stored items in order that all space can be fully and appropriately utilised.
- To notify the Council if any circumstances change i.e. change in financial or medical situation which may affect eligibility.
- If choosing to undertake a preferred scheme rather than a mandatory scheme to take responsibility for the scheme via a direct application.

12. Appeals / Complaints

Grant funding is limited to essential works to meet a need and therefore cannot cover desirable works or those not specifically covered by the eligibility criteria. Whilst there is no formal statutory appeal written directly into the law for DFG decisions, the Council will support a request to review a challenge of a funding decision made. If an informal review does not resolve the issue, the applicant may submit a formal complaint through the Councils complaints procedure. Complaints will be reviewed on a regular basis to inform improvements and developments to the service.

https://www.newcastle-staffs.gov.uk/customer-service/comments-compliments-complaints

This Housing Assistance Policy 2027-2031 cannot account for every situation, in determining appeals and complaints relating to any stage of the process the relevant legislation and guidance will be used to guide the determination.

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Appendix 1 - Mandatory Disabled Facilities Grant

1. Eligible works

The purposes for which adaptation must be provided are set out in section 23 of the Housing

Grants, Construction and Regeneration Act 1996 as amended, and are;

a) facilitating access by the disabled occupant to and from the dwelling or the building in which the dwelling or, as the case may be, flat is situated; including facilitating access to and from a garden by a disabled occupant and making access to a garden safe for a disabled occupant.

b) making the dwelling or building safe for the disabled occupant and other persons residing with him/her;

c) facilitating access by the disabled occupant to a room used or usable as the principal family room;

d) facilitating access by the disabled occupant to, or providing for the disabled occupant, a room used or usable for sleeping;

e) facilitating access by the disabled occupant to, or providing for the disabled occupant, a room in which there is a lavatory, or facilitating the use by the disabled occupant of such a facility;

f) facilitating access by the disabled occupant to, or providing for the disabled occupant, a room in which there is a bath or shower (or both), or facilitating the use by the disabled occupant of such a facility;

g) facilitating access by the disabled occupant to, or providing for the disabled occupant, a room in which there is a hand-wash basin, or facilitating the use by the disabled occupant of such a facility;

h) facilitating the preparation and cooking of food by the disabled occupant;

i) improving any heating system in the dwelling to meet the needs of the disabled occupant or, if there is no existing heating system in the dwelling or any such system is unsuitable for use by the disabled occupant, providing a heating system suitable to meet his/her needs;

j) facilitating the use by the disabled occupant of a source of power, light or heat by altering the position of one or more means of access to or control of that source or by providing additional means of control;

k) facilitating access and movement by the disabled occupant around the dwelling to enable him/her to care for a person who is normally resident in the dwelling and needs such care;

l) such other purposes as may be specified by order of the Secretary of State.

2. Qualifying Criteria

All owner-occupiers and tenants, licensees or occupiers who can satisfy the criteria in sections 19-22 of the 1996 Act are eligible to apply for a DFG, but applicants must be aged 18 or over (this does not apply to the disabled person, who may be younger).

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As a part of the application process, the Council will require certificates relating to property ownership and future occupation and will request permission from the owner for the work to be carried out.

3. Necessary and Appropriate

Works must be identified as necessary and appropriate by an Occupational Therapist or Trusted Assessor. Their report should include an analysis of options and justifications for the eligible works. These works must meet the eligibility criteria set out in legislation and be the simplest, most straightforward and cost-effective means to meet the need considering all available space and facilitates within the property.

4. Test of Financial Resources

A mandatory DFG will be subject to a test of financial resources in accordance with the regulations made under the 1996 Act, as amended. The maximum mandatory DFG award is £30,000 minus any contribution required by the test of financial resources. Successive applications may be awarded for those persons whose condition is degenerative, or they develop additional needs.

Where successive applications are awarded, the applicants' assessed contribution to the first grant award will be considered if within the time period of the contribution originally calculated (10 years if owner, 5 years if tenant).

Where an applicant is in receipt of a recognised, qualifying, means tested benefit they will not be further means tested and they will have no calculated contribution to make. Where works are for the benefit of a child or young person of 19 years age or younger at the date of application – they too will be exempt from a test of financial resources.

5. Conditions relating to Contractors, Standard of Works and Invoices

In approving an application for financial assistance, the Council will require that the eligible works be carried out in accordance with any specification provided.

Unless otherwise directed two competitive estimates for the work will be required broken down so that individual elements can be compared like for like and against standard costs. The amount of financial assistance will usually be based on the lower of the two estimates.

The grant approval will specify the amount of grant and the contractor(s) on whose estimate it has been based and who should carry out the work. Any changes to the contractor will require prior approval or the grant approval will be invalidated.

It is a condition of the financial assistance that the eligible works are carried out within 12 months of the date of approval of the application. This period may be extended by the Council if it thinks fit, particularly where it is satisfied that the eligible works cannot be completed for good cause, requests for additional time must be made in writing before the 12-month period ends.

The payment of the financial assistance to the applicant will be dependent upon the works being carried out to a standard that is satisfactory to the Council and upon receipt of a

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satisfactory invoice, demand or receipt for the works and any preliminary or ancillary services or changes.

The Council will usually make payments direct to the contractor on behalf of the applicant which will be by electronic means.

6. Unexpected works

Unforeseen works which arise during the carrying out of eligible works will be considered for assistance if the additional works could not have been reasonably foreseen before commencement and are vital to the completion of a safe and effective scheme.

Unforeseen works carried out without prior approval of the Council will not be eligible for assistance. Approval should always be sought in writing, timed and dated with details of the extra items and costs. Where unforeseen works are necessary these will be added to the grant up to the specified maximum for mandatory DFG. Costs above the mandatory grant maximum may be supported by discretionary assistance in accordance with this policy.

7. Repayment of Assistance

The Council will require that any grant amount over £5,000 given to a qualifying owner is repaid up to a maximum repayment of £10,000 if the recipient disposes of, (whether by sale, assignment, transfers or otherwise) the premises in respect of which the grant was given within 10 years of the certified date. Providing that:

- The recipient of the grant would not suffer excessive financial hardship were they required to repay all or any of the grant.
- The disposal of the premises was not to enable the recipient of the grant to take up employment, or to change the location of his employment.
- The disposal was not 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.
- The disposal was not 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.
- The Council is satisfied that it is reasonable in all the circumstances to require the repayment.

The condition requiring repayment will be a local land charge and will be binding on any person who is for the time being an owner of the dwelling or building.

8. Preferred Schemes

Under the grants process the Council will specify the works that can be funded both through mandatory and discretionary works. If the applicants chooses to fund an alternative scheme, termed a preferred scheme, then the grant amount can be put towards the alternative scheme. For example, if a through floor lift is identified as the eligible works for a disabled occupant to reach their bedroom however the applicant wishes to pursue an alternative approach of building an accessible ground floor extension. The identified cost of the through floor lift can be put towards the extension works. In such cases the Council will ask the applicant to follow the direct application route.

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9. Terms and Conditions

The Housing Grants, Construction and Regeneration Act 1996 lays down legal requirements for mandatory DFGs and the application and payment processes.

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Appendix 2 - Discretionary Disabled facilities Grants

1. Eligibility

Discretionary grants are designed to help those eligible for Mandatory DFG assistance.

2. Test of Resources

A test of resources will be applied to discretionary funding. This will be waived if the assistance is top-up funding where the applicant already has a means tested contribution to the mandatory grant.

3. Repayment clauses

Discretionary funding will be registered as a local land charge against the property and will be recovered on the sale or transfer of the property, subject to rules regarding exempt sales. Note this is separate to any funds recoverable under a mandatory DFG which expires at 10 years from certification of works completion.

4. Summary of Assistance

4.1 Discretionary Grants

It is the Council's primary responsibility to deliver Disabled Facilities Grants and control the budget accordingly to ensure its statutory duties are met in a timely manner. However, if the budget allows, the Council may decide there are sufficient resources to accept applications for discretionary aid.

The flexibility of the powers of the RRO has allowed the creation of discretionary grants that best meet local needs and priorities and to be more responsive to the needs of individuals. These have included funding arrangements in excess of the mandatory grant limit, and funding adaptations outside of the DFG system.

The aim of the discretionary grants is to help vulnerable members of the community where the Mandatory DFG is insufficient to cover the full cost of the works or where the works are outside of the eligibility criteria. However, completing them would provide significant benefits to the applicant and/or their family/carers and would create savings to the wider public purse. Further details on all the discretionary grants can be found below and in appendix 2.

Means testing will apply to discretionary grant applications. However, if the grant is for top up assistance to a mandatory DFG where the applicant is subject to a means test and has a contribution no further contribution will be requested.

When Discretionary funding is awarded to an owner occupier, the discretionary funding shall be subject to a strict repayment condition if the property is sold, transferred or otherwise disposed of within 10 years of the certified completion date. This condition will be registered as a local land charge on the property register and the council will require full repayment of the discretionary grant funding, subject to an assessment of individual circumstances or rules regarding exempt sales.

Note this is separate to any funds recoverable under a mandatory DFG which expires at 10 years from certification of works completion.

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For discretionary funding the Council will assess each case on its own individual merits and has the discretion to refuse, part fund or fully fund a request.

Discretionary grants will be kept under review to understand how they contribute to supporting needs locally. Following assessment of needs and the resources available new forms of discretionary assistance may be proposed and added in the future.

4.2 Top up Assistance

To top-up the financial assistance for adaptation works where the cost exceeds the DFG maximum (currently £30,000). The amount of top-up assistance in such circumstances must be reasonable up to a maximum of £50,000. This is due to the impact of Covid and the cost of living increases that have drastically increased prices of building materials and labour and is aligned with other Local Authorities price increases for adaptations such as home extensions. The Council reserves the right to consider alternative solutions where they appear more cost effective, reasonable, practicable or appropriate. It is expected that other funding sources will also be sought by the applicant including landlord contributions and charity applications.

4.3 Relocation Grant

In some instances, it may not be possible to adapt accommodation to meet the needs of the disabled occupant or the works required would be so major that it would not be cost effective. A discretionary relocation grant of up to £5,000, which is means tested, provides assistance to move by helping with removal costs and legal expenses.

4.4 Support for Home Repairs Assistance (essential repairs that otherwise presents hazards to health)

To assist residents whose health is being affected by hazards to health in the home that will otherwise exacerbate existing health conditions and create ill health or an unplanned hospital admission. Examples include repairs to heating and hot water provision, first time heating, preventing falls or accidents, preventing damp conditions and support to clear hoarded properties. This would be applicable where the hazard has been assessed under the Housing Health and Safety Rating system as a serious hazard to health (Cat 1) and can be a grant of up to £10,000

4.5 Fees Grant

Fees can be charged on a grant for specific works set out in the legislation and the Disabled Facilities Grant (DFG) Delivery: Guidance for Local Authorities in England. Fees can limit the available grant to an applicant especially if the cost of works is approaching the mandatory limit. This discretionary grant can cover fees where this may adversely affect the works which can be completed or where there are upfront fees that need to be met to allow a grant to proceed ie occupational therapy report or architects' drawings.

4.6 Life Limiting Conditions Grant

The Council recognises that some residents will face life limiting conditions that may require urgent adaptations to allow them to continue to live in their home, whilst giving them and their carers the independence and dignity they deserve to do this.

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The Department of Health and Social Care (DHSC) and other health care partners are working together to prioritise timely, straightforward assessment processes and deliver coordinated, responsive care and support for residents with urgent or high needs, including life limiting conditions. As recommended, this grant will provide a non means tested grant up to a value of £30,000 in appropriate circumstances, to provide essential adaptations more rapidly to reflect the urgency and trajectory of need for our residents that face life limiting conditions. Life limiting conditions would include diagnosis such as Motor Neurone Disease, Multiple Sclerosis or other terminal conditions (this list is not exhaustive and would be on a discretionary case by case basis).

4.7 Decanting Support Grant

This is a discretionary grant to support applicants who need to decant their main place of residence whilst they have their adaptations completed. This may be due to the complexity of the works undertaken, or the complexity of health condition the applicant may have. This grant could cover the cost of temporary accommodation charges, removals and storage up to a value of £5000.

4.8 Client Contribution Support

This is a discretionary grant to support applicants who are assessed as having a means tested contribution that is unaffordable. A client contribution may be considered unaffordable where, following the statutory DFG means test, the applicant is assessed as being required to contribute towards the cost of the eligible works but, having regard to their actual financial circumstances, they are unable to meet that contribution without experiencing financial hardship, being unable to meet essential household expenditure, or being unable to proceed with adaptations that are necessary and appropriate to meet the disabled person's assessed needs.

The Council will consider the individual circumstances of the applicant, including available income and capital, essential household and housing expenditure, disability-related costs, existing financial commitments, the amount of the assessed contribution, the availability of alternative sources of funding and the urgency and significance of the identified need. Each application will be considered on its individual merits and in accordance with the Council's Housing Assistance Policy.

This is available to those who are eligible for a Mandatory Grant and of a value up to £10,000.

This value would be placed as a 10-Year Land Charge in line with current Mandatory Grant requirements.

4.9 Adapting void properties for re-letting to disabled applicants

This is a discretionary grant of up to £30,000 for a registered provider, private landlord or other eligible property owner to adapt a suitable void property in order for it to be re-let to disabled applicants or households with an identified accessible need. (There is no need for the identified disabled occupant to already be occupying the property prior to the alterations)

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Eligibility for occupation may include households on the housing register, people living in unsuitable accommodation, , and cases where an adapted property would prevent homelessness, reduce care needs, support hospital discharge or avoid more extensive adaptations elsewhere.

The Council may attach conditions to any assistance, including nomination arrangements, a requirement that the property is made available to a disabled household or applicant with an accessible housing need for a specified period, and repayment or clawback provisions if the property is not used for the agreed purpose.

The Council will determine the level and type of adaptation on a case-by-case basis, having regard to assessed need, property suitability, long-term use, available budget, value for money and the likelihood that the property will meet an identified local housing need.

This grant requires the same residency and repayment rules as a mandatory DFG grant, with a repayment condition if the owner sells or transfers the property within 10 years of the grant being approved, the local council can demand the repayment of this grant, capped at a maximum of £10,000.

The Councils nomination policy for this grant can be found here:

Nomination Rights: Local authorities retain nomination rights for a period of five years to ensure DFG investment is protected and adapted properties are relet to other disabled people.

4.10 Veterans and Armed Forces Community Grant

This grant is to assist veterans, serving members of the Armed Forces and their families, where housing adaptations are needed as a result of service-related injury, disability or other circumstances associated with military service. These factors may be taken into account when determining the level of assistance to be provided and when assessing whether an application should be treated as urgent. The Council will also ensure that any Armed Forces compensation payments are treated in accordance with the relevant legislation and statutory guidance when undertaking financial assessments and means testing. By default, under national regulations, a statutory minimum of £10 per week from a War Pension or Armed Forces Compensation Scheme (AFCS) payment is disregarded as income during a Disabled Facilities Grant (DFG) financial assessment, while the remaining balance may be counted. The Council will use our local discretion to **fully disregard** military compensation payments as income.

This approach reflects the Council's commitments under the Armed Forces Covenant and supports consistency with the Council's wider housing policies.

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