


<b>Discretionary Disabled Facilities Grant Policy</b>	
<b>Executive Summary</b>	<p>The current mandatory Discretionary Facilities Grant (DFG) service delivered by the Integrated Housing Adaptations Team (IHAT) is valued, effective and efficient.</p> <p>Demand for mandatory DFGs is increasing due to an increasing older population and the desire by many people with disabilities and long term health conditions to remain in their own home rather than in residential or nursing care.</p> <p>A Discretionary DFG Policy is needed to widen the scope and services available through the DFG process. It will offer an early intervention service and contribute to the resolution of cases that require works outside the scope of the current DFG fund. A Discretionary DFG Policy will reduce the formal process and enable adaptations to be progressed more quickly for those with life limiting conditions.</p> <p>Overall the Discretionary DFG Policy will widen the DFG offer, improve customer service, reduce DFG process wait times and support the promotion of independent living.</p>
<b>Options considered</b>	<p><b>Not to adopt a Discretionary DFG Policy - not recommended</b></p> <p>Whilst there is no legal requirement for North Norfolk District Council (NNDC) to have a Discretionary DFG Policy, without one the DFG funding can only be used to fund eligible, mandatory DFG works. There is evidence of unmet need amongst clients who require adaptations that are outside the financial or eligible scope of current mandatory DFG works.</p> <p>Without a Discretionary DFG Policy, NNDC would not be able to access designated additional Better Care Fund funding for the period 2023 – 2025 as this is specifically for discretionary DFG works and is conditional on the Council having a Discretionary DFG Policy. The exact amount is to be confirmed but it is believed to be around £240,000 for the period 2023 – 2025.</p> <p><b>To adopt the Discretionary DFG Policy and utilise the additional Better Care Fund for the period 2023 – 2025 to allocation to expand the current DFG service to meet identified and unmet need. - Recommended</b></p> <p>NNDC will not be able to access the additional Better Care Fund discretionary allocation without a Discretionary DFG Policy. The Discretionary elements identified within the Policy are believed to be those that will have the most positive benefit for residents, will meet current unmet need and which can be delivered at this time within existing staff capacity and resources.</p> <p>The Discretionary DFG Policy will be reviewed annually and</p>

	recommendations for change made if appropriate.
<b>Consultation(s)</b>	Cllr Wendy Fredericks, Portfolio Holder for Housing and Peoples' Services
<b>Recommendations</b>	Recommendation - Cabinet to adopt the Discretionary DFG Policy.
<b>Reasons for recommendations</b>	To enhance and improve DFG provision with the aim of promoting independent living and wellbeing.  To increase the range of DFG Services that are available and to enhance the existing services offered to meet unmet need.
<b>Background papers</b>	<u>Adult social care system reform: next steps to put People at the Heart of Care</u>  NNDC Discretionary DFG Policy   DFG Discretionary Policy document SJ.dc

<b>Wards affected</b>	All wards in North Norfolk
<b>Cabinet member(s)</b>	Cllr Wendy Fredericks
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<b>Links to key documents:</b>	
Corporate Plan:	Quality of Life
Medium Term Financial Strategy (MTFS)	No
Council Policies & Strategies	Discretionary

<b>Corporate Governance:</b>	
Is this a key decision	No
Has the public interest test been applied	Yes
Details of any previous decision(s) on this matter	None

## **1. Purpose of the report**

To seek Cabinet approval to implement a Discretionary Disabled Facilities Grant Policy for North Norfolk.

A Policy is required to enable the Council to access additional Government funding identified in the “Next steps to put People at the Heart of Care” plan.

Nationally £102m will be available to top up Disabled Facilities Grants to fund eligible discretionary disabled facilities works for the financial period 2023 - 2025.

Based on NNDCs current core Disabled Facilities Grant (DFG) allocation it is envisaged that an additional grant of approximately £240, 0000 will be available for eligible discretionary DFG works subject to the Council having a Discretionary DFG Policy.

The policy sets out the mandatory legal framework for Disabled Facilities Grants (DFGs) and how the Council intends to use its powers under Regulatory Reform (Housing Assistance) (England & Wales) Order 2002 (RRO) to provide discretionary interventions to promote independent living and wellbeing.

Discretionary grants are subject to funds being available and for works the Council identifies as eligible.

## **2. Introduction & Background**

The Disabled Facilities Grant (DFG) is a mandatory grant, provided under the Housing Grants, Construction and Regeneration Act 1996.

DFG DFG are mandatory means tested grants available to both adults and children who are disabled and require works identified as eligible as set out in section 100 of the Housing Grants, Construction and Regeneration Act 1996.

Local Authorities have a statutory duty to provide DFGs to applicants who qualify. DFGs have been available for over 30 years to help people to stay safe and independent at home.

Statutory funding for DFG's is via the Better Care Fund. NNDC's current annual allocation is £1,354,615.00. NNDC can utilise a maximum of 15% of the DFG funding towards revenue costs to implement the fund.

During the financial year 2022 / 2023 NNDC completed 142 DFGs at cost of £1,248,131.00.

In addition to eligible mandatory eligible works, subject to the adoption of a Discretionary Disabled Facilities Grant Policy, the Council is able to use its discretionary powers under the RRO to fund discretionary works to enhance and facilitate a DFG offer. The overall aim of both mandatory and discretionary DFGs are to maintain independence and quality of life and reduce, delay or prevent the need for people to formal statutory interventions and the reduction in independence and quality of life.

The Policy sets out how the Council intends to use its discretion to enhance and expand the remit of the DFG service regard to the needs of the District, the availability of funding and the Council's priorities.

### **3. Proposals and Options**

The Council does not currently have a Discretionary Disabled Facilities Grants Policy.

The proposed discretionary elements of the Policy were identified following a review of applications and cases where the ability to provide additional discretionary services would have reduced process times, improved customer service, enhanced service provision, improved holistic outcomes for the customer and enabled the effective use of resources.

There will be no additional staff resources required to implement the Discretionary Policy. Implementation of some elements of the Policy could reduce officer time and input as certain processes and assessments would be reduced.

Subject to NNDC having a Discretionary DFG Policy, additional funding from the Better Care Fund of £240,000 for the period 2023-2025 will be received. This funding will be the primary source used to deliver the Discretionary DFG elements during the period 2023 – 2025.

Discretionary funding will be reviewed annually, the expiry of the policy is 31/03/2025 however funding may be withdrawn prior to this if all allocated funds have been committed or there is increased demand for mandatory DFGs.

The rationale for adopting a Discretionary DFG Policy at this time is to ensure that NNDC can access the additional funding from the Better Care Fund for Discretionary DFG works.

Discretionary grants can also be funded from the mandatory DFG budget but would be subject to surplus funds from within the core budget being available. Delivery of mandatory DFG grants will be prioritised first

It is proposed that any discretionary funding should be registered as a local land charge against the resident's (owner occupier's) property following the completion of work.

The local land charge relating to mandatory grants is up to a maximum of £10,000 when the cost of work is over £5,000. The proposed local land charge relating to identified discretionary grants would be applied for the full amount of discretionary funding provided to an applicant. This will be repayable when the occupancy condition is breached or upon the sale or transfer of the property.

This would give some protection to the discretionary projects and increase their longevity by recycling funds back into to the DFG Budget.

The Policy includes both the mandatory legal framework for DFGs in accordance with the Housing Grants, Construction and Regeneration Act 1996 and the proposed discretionary elements.

As there are no proposed changes to be made to the mandatory DFG process, only the Discretionary DFG proposals of the Policy are itemised in the Cabinet report.

### Discretionary Policy elements

The following Policy proposals were deemed as eligible and of most benefit to customers and the service:

#### **Partial Waiver of up to £5000 contribution following the means test**

The first £5000 of an assessed contribution will be waived and the applicant will not be required to fund this portion of the contribution towards the cost of works.

#### **DFG architects and Surveyors Fees Grant**

The Council at its discretion may pay professional fees and associated charges up to a **maximum** of £5000 required for DFG work. The fees must be reasonable and agreed with the Council before any work takes place in order to be eligible and this will be done/agreed on a case by case basis.

For this discretionary element, a financial means test will be undertaken on the owner or the registered tenant of the property irrespective of whether they are considered the relevant person for the purposes of the mandatory Disabled Facilities Grant application.

#### **Funding in excess of the statutory maximum mandatory grant of £30,000 (also known as top-up funding)**

This grant is intended to assist in cases where a major adaptation has been identified as essential to meet the needs of the disabled person, where failure to have the work carried out would mean that the disabled applicant is unable to remain living in the community. All other options for funding and/or seeking alternative accommodation have been considered and are not accessible to meet the disabled applicant's needs.

The grant is a maximum £30,000 **per property**. The additional £30,000 can only be accessed where the full £30,000 of mandatory grant has been utilised. The maximum amount of DFG assistance may therefore be £60,000. Top up funding will only be considered or approved by the Housing Adaptations Team Leader.

For this discretionary element, the financial means test will be on the owner or the tenant of the property irrespective of whether they are considered the relevant person for the purposes of the mandatory Disabled Facilities Grant application.

A local land charge for the full discretionary grant amount will be placed on the owner occupied property in addition to any mandatory grant local land charge, which will be repayable when the occupancy condition is breached or upon the sale or transfer of the property.

The provision of this top up funding ensures that where a need has been identified, and work has been recommended as being necessary and appropriate but the DFG mandatory maximum amount does not cover the full cost of the adaptation the Council fulfils its duty to assist with meeting need.

### **Fast track End of life grant**

Where there is an urgent exceptional need to progress works, usually due to medical circumstances. The Council recognises that some residents who require palliative care at the end of their lives may be unable to return home from hospital or remain in their home due to the lack of suitable aids and adaptations. A fast track end of life grant is available to fund this work, which enables the adaptations to be completed quickly outside the DFG regulations. Work up to the value of £5,000 will not be means tested and with minimal paperwork which means that single adaptations costing less than £5,000 such as a stair lift or ramp can be provided quickly. This will be at the discretion of the Housing Adaptations Team Leader.

### **Home repairs, safe and secure grant**

This discretionary grant offers provision of simple measures to ensure that the elderly, vulnerable or disabled residents can occupy their homes safely and reduce likelihood of developing ill-health or having an accident in the home. The grant may also be used for works to ensure that properties are suitable for people to be discharged from hospital without undue delay.

The grant available per household may be up to £10,000 depending on eligible works. Grant funded works will be delivered via the Council's approved contractors via existing measured term contracts.

To qualify for assistance an applicant must fall within one of the following three categories, A, B or C:

- a) Be a disabled adult or child i.e. registered as disabled. This will include those with a disability, chronic illness, mental health condition or sensory impairment, which restricts their functioning on a day to day basis.
- b) Be aged over 60 and require works available through the home repairs, safe and secure grant which relate to home safety improvements, repairs to essential items or required to facilitate hospital discharge.

To be eligible for the Home repairs, safe and secure grant the applicant is required to be in receipt of one of the following income or disability related benefits:

- Any of the pass-porting benefits for DFG eligibility
- Disability living allowance
- Personal Independence Payment (PIP)

- c) Be a person who is awaiting discharge from hospital but is unable to return home due to unsuitable conditions, which works or the provision of minor adaptations will resolve and who is in receipt of one of the income or disability related benefits listed in category B above.

### **Eligible works will include:**

- Provision and installation of equipment to help prevent the risk of falls or other accidents within the home, as well as promote independence. For example galvanised external hand rails.
- Repair work to help reduce the risk of accidents and hospitalization and to assist with hospital discharges such as essential repairs and minor adaptations.

- Minor works of home repair – minor plumbing or electrical repairs, installing carbon monoxide / smoke alarms etc.
- Works to improve door or window security where there is a risk of break in or following a break in/attempted break in.

The grant will fund up to £10,000 worth of work provided by the Council's approved contractors under the pre-existing measured term contract. This includes an initial visit and assessment of client's needs / risks, the provision of labour, materials costs, and VAT, up to a total of £10,000.

As with the other proposed discretionary elements related to DFGs, provision of the Home repairs, safe and secure grant will only be considered having regard to the available budget at the time. If the budget does not have sufficient resource in reserve to deal with the mandatory referrals that may present throughout the financial year, the Council reserves the right not to approve any discretionary elements including Home repairs, safe and secure grant.

A local registered land charge for the full discretionary grant amount will be placed on the owner occupied property, which will be repayable when the occupancy condition is breached or upon the sale or transfer of the property.

#### **Non-means tested minor adaptations works up to £1,000**

The grant will fund Minor adaptations up to the value of £1000 that have been identified as necessary and appropriate following an assessment with an appropriate practitioner. Applicants will not be subjected to a means test to access the grant which may delay the installation.

The maximum total grant award of £1000 includes the provision of labour, materials costs, and VAT and any other associated cost to complete the minor adaptation.

#### **4. Corporate Priorities**

The Discretionary DFG Policy will contribute towards the achievement of Corporate Plan priorities in relation to Housing and Quality of Life.

#### **5. Financial and Resource Implications**

Additional Government funding of approximately £240,000 will be available to deliver the elements of the Discretionary DFG Policy for the period 1.4.2023 – 31.3.2025.

It is not proposed to use mandatory DFG funding for discretionary works during the Policy implementation period.

Discretionary funding will be reviewed annually. The Discretionary DFG Policy clearly states that Discretionary DFG's may be withdrawn if all of the allocated funding has been used.

It is considered that there is sufficient capacity within the Integrated Housing Adaptations Team (IHAT) to implement the additional Discretionary DFG proposals. No additional staff resources will be required.

#### **6. Legal Implications**

None identified.

## **7. Risks**

The Council will not be able to access the proposed additional Government funding for discretionary DFG services without an approved Policy.

Discretionary DFG elements can also be funded from the annual mandatory DFG grant of approximately £1.3m. However demand for and the costs of mandatory DFG works is increasing and there is limited funding for discretionary works.

There is a reputational risk of NNDC not having a Discretionary DFG Policy and accessing associated funding to widen DFG scope and services.

## **8. Net ZeroTarget**

No adverse effects.

## **9. Equality, Diversity & Inclusion**

Implementation of a Discretionary DFG Policy will promote equality, diversity and inclusion and it will increase the DFG offer to residents identified as disabled due to disability or health.

## **10. Community Safety issues**

None

## **11. Conclusion and Recommendations**

- Demand for and the cost of mandatory DFGs is increasing.
- There is a need to widen the scope of works and services available through DFGs to improve customer service, increase eligible works and implement a fast track process for priority and life limiting cases.
- A Discretionary DFG policy will help to reduce the number of DFG cases that do not progress for reasons such as timeframe, above threshold costs or works being required that are outside scope of mandatory works
- It is considered that the implementation of the Discretionary DFG Policy could enhance the early intervention offer and contribute towards a reduction or delay in the need for some DFG works.
- A Discretionary DFG Policy includes elements to offer a range of additional DFG works and support services that will help maintain independence and improve quality of life.

Cabinet are asked to approve the Discretionary Disabled Facilities Grant Policy for the period 1.4.2023 – 31.3.2025.