

# **Housing Assistance Policy**

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Housing Service Area**

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## Housing Assistance Policy

This policy sets out the way in which Telford & Wrekin Council will provide both mandatory and discretionary grants in respect of private sector residential properties. The policy contains information on eligibility for grant assistance, conditions relating to applications, approval and payment of grant and other relevant conditions and requirements.

### 1. Introduction

The Council, in its role as a local housing authority, is under a statutory duty by virtue of the provisions of the Housing Grants, Construction and Regeneration Act 1996 to provide Disabled Facilities Grants (DFG) for private sector residential adaptations where the appropriate legislative conditions are met.

The purposes for which a mandatory DFG may be given are for the following categories:

- i) Facilitating Access: to help overcome any obstacles that may prevent the disabled person from moving freely into and around the dwelling, access to the garden and enjoying the use of the dwelling and the facilities and amenities within in.
- ii) Making a dwelling safe for the disabled person.
- iii) Access to a family room:
- iv) Access to a room usable for sleeping
- v) Access to a bathroom
- vi) Facilitating preparation and cooking of food
- vii) To facilitate the use or access by the disabled person of a source of power, light or heat.

In order to approve a DFG the Council will work with the Occupational Therapy Service to identify the works that are necessary and appropriate.

Under the Regulatory Reform (Housing Assistance) (England & Wales) Order 2002, local authorities are able to provide financial assistance through the provision of discretionary grants and loan scheme to the full range of applicants and can attach such conditions or terms that they consider appropriate in the circumstances.

Disabled Facilities Grants now remain the only national mandatory grant, with all other types of assistance being at each Council's discretion. Although the provision of mandatory DFG's is covered by the Act and the Council must comply with the legislation, this policy also sets out the steps that will be applied in the provision of DFG's with regards to matters not covered by the legislation.

## 2. Purpose of the Policy

This policy provides information to the residents of Telford & Wrekin Council on the financial assistance and advice service that may be available from the council to ensure their home is safe to live in and maintain their health and wellbeing. This policy is available to private sector home owners and tenants (subject to certain criteria) throughout Telford & Wrekin. The Policy will describe in details:

- The full range of assistance that may be available
- Who is eligible for this assistance
- The level of assistance being offered
- Legal conditions attached
- How to make an application

Assistance will be targeted at those households who by virtue of age, disability or financial disadvantage as being in most need.

The intention with this policy is to outline the mandatory and discretionary grants and loans available from the local authority including eligibility criteria, terms and conditions that the local authority places on those wishing to access this funding. This policy will replace those policies already in place for existing grants and loans the local authority currently offers.

Given that resources are limited and that there is a substantial demand, it is essential to ensure that financial assistance is offered on a fair, prioritised basis which proper regard to competing needs.

## 3. Policy Information

This policy covers:

- The arrangement and conditions for the administration of the Disabled Facilities Grant
- The criteria and conditions under which other discretionary financial assistance by way of both grants and loans will be offered and the arrangements and conditions for the administration of other discretionary financial assistance.

## 4. Policy Aims:

This policy supports the following aims:

- The Council aims to help disabled people adapt their homes to enable them to continue to live more independent lives. It does this by providing Disabled Facilities Grants, Discretionary Disabled Supplementary Top Up Grant, DFG Investigations Grant and Wellbeing Assistance
- The Council aims to help people to be discharged from hospital or reduce hospital admittance and reduce care support by providing financial assistance under Wellbeing Support. This will provide support which meets the above aims by carrying out emergency repairs in their home, carry out small adaptations and

other assistance works to ensure the home is in a condition to allow the client to live as independently as possible.

## 5 Financial Assistance Available

To meet the objectives of this policy the Council may provide the following grants and assistance (subject to budget availability)

### Mandatory Grants

- Mandatory Disabled Facilities Grant

### Discretionary Grants

- Discretionary Disabled Supplementary Top Up Grant
- Disabled Facilities Grant Investigation Grant
- Wellbeing Assistance

The availability of all grant and assistance will be subject to the Council's annual budget setting procedure. All non-mandatory grants or assistance are offered at the Council's discretion and the framework for this is subject to this policy. Details of each grant/assistance are attached in the appendices.

### **General Information about Grants.**

- With the exception of the Disabled Facilities Grants, all the grants described will be given at the Council's discretion.
- Funds will be prioritised due to limited resources.
- The grants are only available for properties which are located within the boundaries of the Borough of Telford & Wrekin Council.
- The Council will attach specific conditions to grants and tell applicants what these conditions are before it gives an approval for a particular grant.
- The Council will not accept grant applications from the owners or occupants of commercial premises, such as hotels or guest houses.

## 6. Applying for Assistance

6.1 The Council's Housing Manager will manage all applications for assistance in accordance with this policy document.

6.2 Applications will be assessed and processed by the case workers in the Housing Team.

6.3 The normal procedure for applying for assistance is as follows:

### a) Initial Enquiry

Upon receipt of an initial enquiry for assistance the housing team will provide information and take details to enable them to quickly assess if the client is eligible. An application for a Disabled Facilities Grant can only be through a recommendation from Telford & Wrekin Council's Occupational Therapist. Upon receipt of the Occupational Therapists referral form, the case worker will make contact with the client and either send out the relevant application

form to complete and send in the relevant evidence, or if the client is unable to complete the application then a home visit will be arranged to complete the form.

#### b) Application

Where it is determined that financial assistance may be available the applicant will be provided with an application form or if appropriate a home visit will be arranged with a case worker who will complete the application form. The applicant must submit with the application:

- Fully completed application form signed.
- A copy of the land registry for the property which confirms ownership.
- Proof of benefits
- Proof of income
- Signed letter for agreement of a charge to be placed on the property
- Any details supporting any contribution to be made

For Disabled Facility Grants, Discretionary Disabled Supplementary Top Up Grant and Disabled Facility Investigation Grants a test of resources will be carried out to determine eligibility of the grant and any client contribution. Where a client contribution is identified, this must be paid before work commences.

Where eligible, enquiries will be maintained on a waiting list on a priority basis or and where not a priority 1 then based on a first come first served basis.

Where it is established that the applicant will have to make a contribution towards the cost of the works as a consequence of the test of resources or because the costs exceed the maximum level of financial assistance they will be advised of that amount. The applicant must confirm in writing that they are able to provide the amount of their contribution.

The applicant will be given 8 weeks from the date of the application form completed to make a decision if they wish to go ahead with the works. Upon expiry of this period, the application will be cancelled and the applicant will have to re-apply.

Where it is established that an applicant is not eligible for financial assistance they will be advised accordingly and offered our Home Improvement Agency services and signed posted to other agencies.

#### c) Approval of Application

When the application has been determined the Council will make a formal offer of assistance. Acceptance of the offer must be confirmed by the applicant within two weeks of the offer letter, after which the application will be cancelled.

Preliminary and Ancillary fees and charges associated with the provision of assistance will be applied by the Council specific to each scheme as identified in the appendices.

An approval of assistance will be issued once the offer of assistance has been accepted. This will detail the terms and conditions and the timescales for completion of the works and payment details.

#### d) Payment of assistance

Payment of assistance will be upon satisfactory completion as determined by officers at Telford & Wrekin Council and the applicant of the eligible works and receipt of satisfactory invoices from the contractors.

Interim payments of assistance may be made at the discretion of the Council. Payments will not exceed 90% of the value of the work completed at any stage.

Works will be inspected to ensure they have been satisfactorily carried out.

Payments will usually be made direct to the contractor; however the Council reserves the right to make payment to the applicant in circumstances where it is considered preferable or appropriate.

Where an applicant is required to make a contribution towards the cost of the works, this will need to be paid by the applicant direct to the contractor.

Financial assistance will be subject to the terms and conditions detailed in this policy and an associated legal charge in favour of the Council will be registered as a land charge at the Land Registry before works are completed.

#### e) Authorisation

Authorisation to approve, amend or refuse applications and to pay the amounts of any grants under this policy will be through the Council's Housing Manager. In cases of urgency, authorisation to undertake works related to this policy may be granted by another manager within Commercial Services or an Assistant Director at Telford & Wrekin Council.

#### f) Unforeseen works.

The amount of grant may be increased after an offer of assistance has been accepted and the works commenced where it is shown that additional works are required that could not have reasonably been unforeseen.

#### g) Fees

When making an application for assistance, applicants will incur fees and charges. Fees and charges can include any fees the Council deem appropriate. These fees will be outlined to you as part of the application process.

### 7. Eligibility Criteria

The following conditions apply:

Disabled Facility Grant, Discretionary Disabled Facilities Supplementary Top Up Grant, DFG Investigation Grant.

- The applicant must live in the dwelling as his or her main residence
- If the applicants are a tenant, licensee or occupier, written permission must be obtained before a DFG can be approved. Where a landlord withholds his permission for the works to be undertaken, a grant cannot be given. Where the owner of a

privately rented dwelling cannot be located, or has died and the dwelling is in probate a grant cannot be given.

- The availability of a grant is dependent on all three of the following criteria being met:
  - The works are necessary and appropriate , and
  - The works are reasonable and practicable, and
  - The applicants means-tested contribution identifies they qualify for the grant.

- Necessary and Appropriate

The Occupational Therapist will assess the disabled person's needs and where necessary will consult with the Home Improvement Agency when advice relating to technical matters is needed. The Council will accept the works recommended in the Occupational Therapists referral as those which are 'necessary and appropriate' to meet the disabled persons needs.

- Reasonable and Practicable

The Council must be sure that it is reasonable and practicable to approve a grant for an adaptation having regard to the age and condition of the dwelling. It is not reasonable and practicable to adapt some dwellings, for example:

- Where there are multiple or excessive changes in levels.
- Where the dwelling is in a poor or dilapidated condition
- Where the dwelling is a listed building or in conservation area and the adaptation would be prohibitively expensive or inappropriate.
- Where the adaptation work would have a negative effect on other residents
- Where the dwelling is overcrowded.

In cases where it is not possible to adapt a dwelling to an appropriate standard or where the cost of the works is considered excessive, the Council will take the view that the works are not 'reasonable and practicable'. If this is the case, the Council can offer financial assistance toward the cost of moving to a more suitable dwelling in an applicant is in agreement.

- Test of Resources

All applicants applying for a DFG in accordance with the Act are means tested, except in children's cases. The test of resources only takes into account the resources of the disabled applicant, and their spouse or partner where applicable.

Applicants in receipt of some Income related benefits will be pass ported through the means testing process.

- In circumstances where the test of resources results in a 'nil' grant i.e. where the applicants contribution is greater or equal to the cost of the works the applicant can request the Council to approve the 'nil' grant. This will enable the cost of these works to be deducted from any future application for a DFG within the following 10 years providing the adaptations recommended by the Occupational Therapist were provided in full.
- Once the Council has determined the proposed works are necessary and appropriate and reasonable and practicable the following should be carried out and taken into account:

- Grant works should properly and fully meet the assessed needs of the applicant. Grants that only partially meet those needs will only be considered in exceptional cases. (for example: where the disabled persons condition is deteriorating and independent living is unlikely to be sustained for long)
- Works funded by means of DFG will be the simplest and most cost effective adaptations that will meet the applicants assessed needs.
- Where practicable, the change of use of existing rooms or the re-ordering of rooms will be the preferred solution and will take precedence over the construction of extensions.
- The DFG will generally only fund one facility to a dwelling. For example one external door will be provided with a ramp, unless a need is determined by the Occupational Therapist.

## Wellbeing Assistance

The following apply:

The applicant must live in the dwelling as his or her main residence.

- The applicant must be defined as vulnerable which is defined by the Government as those in receipt of the following state benefits:
  - Income support
  - Housing benefit
  - Council tax benefit (not the single occupancy discount element)
  - Income based Job Seekers Allowance
  - Guaranteed Pension Credit
  - Child Tax Credit or Working Tax Credit for which his/her income has been calculated to be less than the sum determined annually by DWP for means tested purposes currently £15,050.
- Applications will only be accepted on a referral from a health professional, occupational therapist or social care officer and a need has been determined that the works required will reduce or stop an admission into hospital or into care or help with a discharge from hospital.

## 8. Home Improvement Agency Service

- The Council offers an Agency Service which will manage the works or adaptation project on behalf of the applicant. This includes appointing a contractor (subject to the applicants approval and selection), applying for planning and/or building control permissions, agreeing commencement date with the applicant and the contractor and supervising the works on site by carrying out regular site visits. The fee for this is as indicated in the appendices.
- The applicant will be offered a choice of contractors to carry out the work however the grant will only fund the lowest tender price.

- If during the course of the grant process an applicant decides they no longer wish to use the services of the Agency, they will be responsible for paying back any reasonable cost incurred by the Agency up to that point.

## 9. Non Agency Application

- If an applicant chooses to not use the services of the Council's Agency. They must follow the steps as outlined in the non agency pack which will be provided to the client if they choose not to use the Agency. You must provide drawings of the proposed adaptations and these must have been approved by the Occupational Therapist before you obtain quotes. You must obtain a minimum of three itemised competitive quotes and only for the work that has been identified as needed by the Occupational Therapist.
- If a relative of the applicant provides the quotations, the grant will be approved for the cost of the materials only. The applicant will be responsible for the cost of labour.
- The grant will only cover the lowest price quotation but applicants will retain the right to choose their own contractor providing:
  - The contractor is qualified and suitably experienced to undertake the works required
  - The contractor provides a quotation in accordance with the required works.
  - The applicant funds any difference in costs
  - The contractor is not a relative of the applicant.
- Once the application is approved formally in writing, the applicant can contact the contractor to arrange a start date. Work should not commence until Planning and/or Building Regulation approval is in place, or confirmation that the work is confirmed as exempt otherwise the grant may not be paid.
- As part of the grant conditions, the works must be completed within 1 month from formal approval and must be carried out by one of the contractors whose estimate was submitted with the application. The contract for the works remains between the applicant and contractor.
- Where an architect or structural engineer is required the applicant will be responsible for engaging their services. However the Council must approve the estimated fees for such services before the grant is approved.

## 10. Approval Timescales

- The Council has six months to approve a grant once a formal application is made for a mandatory DFG.

## 11. Applicant funded works

- In some cases applicants may wish to carry out works above those eligible for grant funding. This is acceptable provided the alternative scheme pursued meets all the applicant's needs as assessed by the Occupational Therapist (OT) and it is agreed in advance with the OT and they have seen and approved the plans.
- The Council will only provide the funding to meet the assessed need by the OT and the most cost effective way of providing the need.

- Any unforeseen items and the applicant's responsibility.
- No interim payments will be made on alternative schemes.
- Full and final monies will only be released once the alternative scheme of works has been completed and an assessment can be made that the works fully meet the identified need.
- A grant will not be paid on any work that has commenced prior to grant approval.

## 12. Payment of Grants

- The Act allows the Council to pay the grant directly to the contractor on satisfactory completion of the works. Therefore, the Council will pay the contractor following the final inspection visit, providing the work has been carried out to its satisfaction and on production of a final invoice. This applies to agency and non-agency cases. However, if the applicant chooses to pay the contractor themselves, the Council will pay the applicant on production of a receipt.
- Where a dispute arises regarding the standard of the works the Council will withhold any payment until the works have been completed satisfactorily in the professional opinion of the Council. Where the works meet the Council's approval but the applicant is not satisfied the Council will not unreasonably withhold any payment to the contractor.

## 13. Maintenance/Warranties

- When adaptations or equipment is installed using a grant, the applicant who was awarded the grant becomes the owner and is therefore responsible for maintenance, repairs or removal of any equipment once it is no longer required. Therefore once the Grant works are completed, the Council will not finance or organise repairs or maintenance.
- The Council reserves the right to require the return of certain types of specialist equipment under a DFG.
- The Council does not remove adaptations or carry out re-instatement works when they are no longer required. However if the item is a stairlift which is under 5 years and they may assist you in providing a contact to help you remove the item.

## 14. Recycling of Equipment

- Where the Council has a recycling service for equipment that is no longer required, this service would be offered to other grant recipients. This will primarily relate to stairlifts and hoists. Any remedial works required will not be offered as part of the service.

## 15. Changes in Circumstances

- Certain changes in the applicants circumstances may affect the payment of the grant such as:

- Where the works cease to be necessary or appropriate to meet the needs of the disabled person
- The disabled person ceases to occupy the dwelling; or
- The disabled occupant dies.

In such circumstances the Council can decide:

- Not to pay the grant, or pay any further installments
- That some of the works should be completed and partial grant will be paid.
- That the grant application should be re-determined.
- Under the Act, the Council has the right to demand the repayment of grant that has already been paid, together with any interest in the circumstances above.
- The right to demand repayment also applies where the applicant ceases to be entitled to a grant before the completion of the works.
- The Council is entitled to refuse to pay grant, pay any further installments or recalculate the grant in circumstances such as:
  - The grant was approved on the basis of inaccurate, incomplete or false information
  - The cost of the works is less than the original estimates.

#### 16. Housing Associations/Registered Provider properties

The Council is aware that whilst there is no specific legal obligation on Registered providers to fund adaptations to their own dwellings, it is good practice for responsible registered providers to respond to the needs of its disabled tenants. Therefore, the Council will seek to establish an agreement with the provider with regard to providing a contribution to any adaptations carried out to their dwelling for the benefit of the disabled occupier.

#### 17. Complaints

The Council aims to meet the needs of all its customers. However there may be times when a person may feel that they are not satisfied with the service they have received or the manner or decision taken with regard to their application. In such circumstances, complaints may be made through our formal complaints procedure as following:

### **Customer Quality team**

Telford & Wrekin Council

Addenbrooke House

Ironmasters Way

Telford

TF3 4NT

**Telephone:** 01952 382006

**Email:** [customer.quality@telford.gov.uk](mailto:customer.quality@telford.gov.uk)

#### 18. Policy Amendments

The Service Delivery Manager has delegated authority to make minor amendments which do not materially affect the policy. All other changes must be approved by the Assistant Director: Commercial Services in conjunction with the Lead Cabinet Member for Housing, Leisure and Health.

19. Appendix 1: Types of Financial Assistance:

<b>Disabled Facilities Grant</b>	
Maximum Amount	£30,000
Purpose	<p>Disabled Facilities Grant are available to adapt a property to suit the particular needs of a disabled person who resides at the property. Assistance is given to:</p> <ul style="list-style-type: none"> <li>• Facilitate access into and out of the dwelling</li> <li>• Safe access into the garden</li> <li>• Access to the principal family room</li> <li>• Access to a bedroom</li> <li>• Access to a room with a toilet, bath/shower and wash basin</li> <li>• Facilities for the preparation and cooking of food</li> <li>• Making the property safer for the disabled person</li> <li>• Improving or providing a heating system</li> </ul> <p>Where the work involved is such that the cost of the adaptations appears disproportionate and it may be in the best interests for the applicant to move to another property which meets needs or can be more readily adapted, the applicant will be offered funding to assist with the cost of relocation up to a maximum of £10,000, however the new property must either meet the applicants needs or be checked by an Occupational Therapist that it can be adapted to meet the applicants needs.</p>
Who can apply	<p>All owner occupiers and tenants, licensees or occupiers who are able to satisfy the criteria as set out in this policy. The applicant must have the intent to remain in the property for at least 5 years. This grant is subject to a financial means test which will determine if the applicant is eligible. Where the adaptations are for the child with disabilities, they are entitled to the grant but only works which have been deemed necessary and appropriate, reasonable and practicable.</p>
Conditions	<p>The applicant must have the intent to remain in the property for at least 5 years.</p> <p>Should the applicant wish to meet the need as identified by the Occupational Therapist in another means, you may be offered funding at the estimated initial cost of the recommended adaptation in order to meet needs. This funding will not be paid until the works are completed and the Occupational Therapist has agreed that the identified need has been met.</p>

	<p>For all DFG's we will place a local land charge on the property in accordance with the Housing Grants, Construction and Regeneration Act 1996 that will remain in place for 10 years following the completion of the grant work.</p> <p>The Council will claim all funding which is placed as a charge on the property with the sale or transfer of the property deeds. Should the applicant need to sell the property to move somewhere else to provide care we would make a decision on claiming the funding back on a case by case basis.</p> <p>The adaption works must be necessary and appropriate, reasonable and practicable as detailed in the Adaptations &amp; Equipment Policy</p> <p>If the applicant is no longer eligible for the grant once work has started, the Council will reclaim any funding that has already been paid. Fees will apply to the grant at 15% to a maximum of £3800 per application.</p>
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Discretionary Disabled Facilities Supplementary Top Up Grant	
Maximum Grant	£10,000
Purpose	<p>To provide top-up funding for works of adaptation that has resulted in the maximum limit of the DFG being exceeded.</p> <p>This funding is available only in exceptional circumstances and when the adaption is to be completed to meet the need as identified by the Occupational Therapist and are deemed as necessary adaptations above the mandatory DFG limit.</p>
Who can apply	<p>Owner Occupiers and they must have already had an application which has been approved and that it is above the £30,000 maximum for agreed viewings. Where the grant is for a child with disabilities but the adaptations costs are more than the £30,000 grant limit, a means test will be carried out on the parents or child's guardian to determine financial eligibility.</p>
Conditions	<p>All the top up grant will be added to the mandatory DFG and included in the charge on the property and will remain until the property is sold or transferred and the Council will recoup the full amount of the Top Up Grant in all cases.</p> <p>The adaption works must be necessary and appropriate, reasonable and practicable as detailed in the Adaptations &amp; Equipment Policy</p> <p>If the applicant is no longer eligible for the grant once work has started, the Council will reclaim any funding that has already been paid. The applicant must have the intent to remain in the property for at least 5 years.</p>

	Should the applicant wish to meet the need as identified by the Occupational Therapist in another means, you may be offered funding at the estimated initial cost of the recommended adaptation in order to meet needs. This funding will not be paid until the works are completed and the Occupational Therapist has agreed that the identified need has been met.

<b>Disabled Facilities Investigation Grant</b>	
Maximum Grant	£3000
Purpose	This grant is to assist applicants who need to carry out investigations prior to any adaptation work being able to be carried out and to determine the property is able to be adapted to meet the clients need. This is in addition to the mandatory DFG grant.
Who can apply	Eligible applicant must have made an application for a Disabled Facilities Grant and have been assessed to be eligible for a grant with a means tested contribution of less than £10,000
Conditions	Properties are eligible if there is a clear need determined by the Occupational Therapist that an investigation is essential to be carried out before any adaptation work can be carried out

<b>Wellbeing Assistance</b>	
Maximum Amount	£5,000
Purpose	To provide assistance to help with repairs in the applicants home or to carry out work which will help with either of the following: <ul style="list-style-type: none"> <li>• Enable a discharge from hospital when an applicant cannot be discharged because of an issue connected to their home</li> <li>• Prevent admittance into hospital or residential care because of an issue connected to their home</li> <li>• Prevent additional care being provided at home because of an issue connected to their home.</li> </ul>
Who can apply	Home owners or tenants who are responsible for repairs or if the need is relating to a piece of equipment and not within the landlords responsibility.  Must be on an income related benefit.

	<p>For people over 65 or disabled and meets the above purpose.</p> <p>It must be the applicants only dwelling</p>
Conditions	<p>The applicant must have the intent to remain in the property</p> <p>We will place a local land charge on the property for any works that are greater than £1000 and will claim all funding which is placed as a charge on the property with the sale or transfer of the property deeds.</p> <p>Fees will apply to the grant at 5% or £100 which ever is the greater.</p>