



**Prosperous Communities
Committee**

5th December 2023

Subject: Lincolnshire Discretionary Housing Financial Assistance Policy

Report by:	Director of Planning, Regeneration & Communities
Contact Officer:	Sarah Elvin Homes, Health & Wellbeing Team Manager sarah.elvin@west-lindsey.gov.uk
Purpose / Summary:	Adopt the Lincolnshire Discretionary Housing Financial Assistance Policy

RECOMMENDATION(S):

- 1. Members adopt the Lincolnshire Discretionary Housing Financial Assistance Policy and associated explanatory notes document.**
- 2. Members agree to suspend the policy immediately from adoption due to insufficient budget.**
- 3. Members delegate authority to the Director of Planning, Regeneration and Communities in consultation with the Chair of Prosperous Communities Committee for the following:**
 - making minor housekeeping amendments to the policy**
 - making amendments to the local variations detailed within the Explanatory notes.**
 - Suspend/unsuspend the awarding of new discretionary assistance under this policy based on the triggers outlined in section 3.4 of this report – namely a 20% underspend on DFG budget for 2 consecutive years.**

IMPLICATIONS

Legal:

The Regulatory Reform (Housing Assistance) (England & Wales) Order 2002 allows Local Housing Authorities to directly or indirectly provide assistance if a policy is adopted and published setting out how it intends to use this general power to give assistance.

(N.B.) Where there are legal implications the report MUST be seen by the MO

Financial : FIN/87/24/PC/SST

West Lindsey receives funding via Lincolnshire County Council from the Government to fund Disabled Facilities Grants as part of the Better Care Fund , which aims to draw together health, social care and housing, in order to help people live well and independently in their own homes for as long as possible. As such this funding is used to provide discretionary housing financial assistance where availability allows. At present there is an over demand for the funding meaning discretionary assistance cannot be resourced, although this needs to be monitored alongside demand for mandatory Disabled Facilities Grants. The government has recently announced that it will continue to fund DFGs at the current level until 2025.

(N.B.) All committee reports MUST have a Fin Ref

Staffing :

None

(N.B.) Where there are staffing implications the report MUST have a HR Ref

Equality and Diversity including Human Rights :

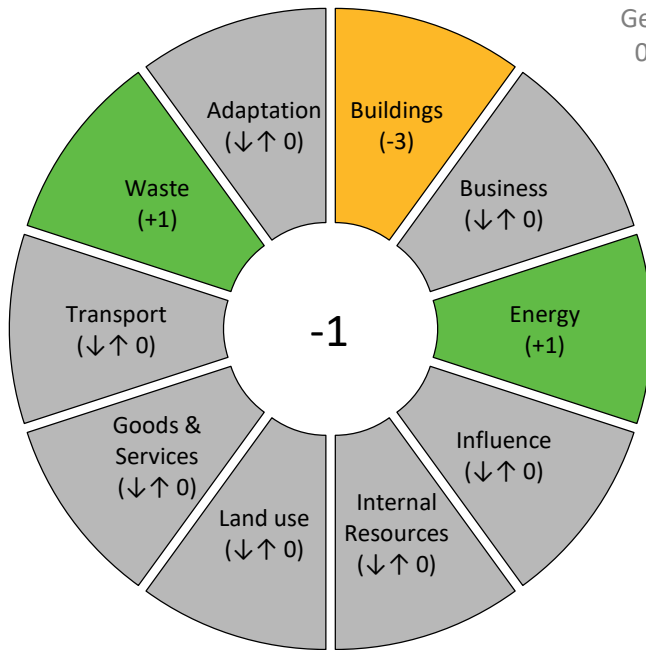
None – The Policy is in accordance with the public sector equality duty as it helps advances equality of opportunity in relation to age and disability.

Data Protection Implications :

None

Climate Related Risks and Opportunities :

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03/10/23
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West Lindsey District Council will be net zero by 2050 (26 years and 2 months away).

The way in which adaptations are undertaken is through standard methods of construction which do not take into account the most energy efficient way of working but simply the most cost effective method to ensure the property meets the needs of the disabled client. The budget is set for DFG's from central government and already does not go far enough to meet the needs of all customers, so ensuring value for money and the adaptations are undertaken in the most cost effective way is priority over the method of construction.

Stairlifts can be refurbished and reused when no longer required but they do also require the use of additional energy to utilise.

Additional technology which uses extra energy to use is often installed through DFG, such as stairlifts or wash dry toilets. This is essential to enable people to remain living independently within their homes.

Discretionary adaptations can include improved heating systems, improvement to properties to keep people safe, warm and well which can increase the energy efficiency of the property. So, although the additional technology may increase energy consumption, this could be offset by the improvement of energy efficiency of properties.

Section 17 Crime and Disorder Considerations :

None

Health Implications:

Having a safe environment where you can live independently is critical to your health and wellbeing. As part of the Housing Health and Care Delivery group action plan, an action agreed is to maximise opportunity for funding to improve properties. This policy allows for adaptations and repairs to properties where it is demonstrated that it is having an impact on a person's health.

Title and Location of any Background Papers used in the preparation of this report:

None

Risk Assessment :

Call in and Urgency:

Is the decision one which Rule 14.7 of the Scrutiny Procedure Rules apply?

i.e. is the report exempt from being called in due to urgency (in consultation with C&I chairman)

Yes

No

x

Key Decision:

A matter which affects two or more wards, or has significant financial implications

Yes

x

No

1. Background

- 1.1 Lincolnshire District councils have previously each adopted discretionary housing assistance policies under the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (the "RRO").
- 1.2 This Order confers on local housing authorities a power to improve living conditions in their area by providing grant assistance for a number of purposes subject to having adopted a policy for the provision of the assistance.
- 1.3 Disabled Facilities Grant (DFG) / Better Care Fund (BCF) monies from the Government can be used in line with these policies to support eligible vulnerable and or disabled clients with necessary and appropriate works to their properties to help keep them safe, warm, and well.
- 1.4 This separate approach to policies by districts has resulted in significant variation in the assistance households are able to access across the county and has presented difficulties for other services such as Adult Social Care and Children's services working over Lincolnshire in knowing what assistance is available to help their clients.
- 1.5 These clients are often owner-occupiers that do not have the financial means to undertake the necessary works. This differs from rented properties where social and private landlords are responsible for the necessary work and where disrepair issues can be addressed by informal or formal enforcement action.
- 1.6 To address this variation in policy approach, there has been a desire for a countywide discretionary housing financial assistance policy for some time and it has been identified as an action in the Lincolnshire Housing, Health and Care Delivery Plan. It is also one of the aims of the Lincolnshire Homes for Independence blueprint for people - "We will ensure services to support people to remain living in their current home complement each other as a system-wide approach" and contributes to the overall vision of the blueprint - for people to live independently, stay connected and have greater choice in where and how they live.
- 1.7 In January 2023, West Lindsey adopted a DFG policy, if adopted, the Lincolnshire Discretionary Housing Financial Assistance Policy will sit alongside that policy, this is not a replacement to that DFG policy.

2. Lincolnshire Discretionary Housing Financial Assistance Policy

- 2.1 The Policy (appendix 1) and Explanatory Notes (appendix 2) have been developed collaboratively by the seven district councils working with Lincolnshire County Council through the Lincolnshire Healthy and Accessible Homes Group (formerly the Lincolnshire Moving Forward with DFG Group).
- 2.2 Alongside that, other partners including Occupational Therapists, Adult Social Care & Childrens services, Foundations (the National Body for Disabled Facilities Grants and Home Improvement Agencies) have all

been involved in the production of this policy through the Lincolnshire Healthy and Accessible Homes Group. The policy has also been presented to the Lincolnshire Housing and Health Network senior officers' group and the Lincolnshire Housing, Health and Care Delivery Group, where it was recommended that it progress through district councils' adoption processes.

2.3 This common policy aims to create more consistency across the county and maximise the contribution that DFG / BCF makes to enable vulnerable people to live independently and safely in their home, help keep people out of residential care or nursing homes and hospital, or enabling discharge from hospital to a suitable home.

2.4 The Policy is designed to be flexible and take into account the wide range of circumstances encountered, ranging from topping up mandatory grants for extensions (due to the increasing cost of building works and materials), to facilitating a move to a more suitable home, or addressing unsafe electrics or other hazards in a vulnerable low income owner occupier's home.

The Policy, therefore, makes provision for:

- Helping an applicant to move to a suitable home (relocation)
- Topping up mandatory DFG
- Helping reduce delayed transfers of care (DTC), e.g. priority works needed to facilitate hospital discharge
- Helping people stay safe, warm and well.
- Providing aids and adaptations for people with specific conditions e.g. dementia, learning disabilities, neurodiversity and sensory impairments
- Assisting with an applicant's contribution to a mandatory grant

2.5 The Policy does not amend the way in which mandatory DFG's are delivered, but is designed to supplement and ensure people can have all required adaptations to assist them to remain living independently in their own home.

2.6 Several eligibility criteria are set out within the policy relating to the referral of the person, the property where the works are required, and the person's financial circumstances. People can be referred through a wide range of professionals. This allows for an application to be made for people who come into contact with services which identify a need or issue relating to the persons property.

2.7 The assistance that can be provided depends on the persons circumstances. This includes an element of financial assessment to ensure limited resources are used for those in genuine need. However, if the individual or their partner is in receipt of certain identified benefits and meet all other eligibility criteria, they will be eligible for DHFA without further financial assessment.

- 2.8 In addition, the Policy allows the financial assessment to be waived in certain circumstances (such as end of life care) in order to expedite work required up to a value of £8,000.
- 2.9 The Policy also enables the allowances within the financial assessment to be adjusted to take into account inflation against the existing 2009 means tested allowances. This can equate to an uplift of almost 55% against the 2009 means tested allowances and ensures that individuals are not adversely impacted by the rising costs associated with undertaking works where a financial assessment is applied.
- 2.10 Councils are under no obligation to award discretionary housing financial assistance, however subject to the availability of funding, assistance of up to £15,000 may be awarded. Assistance over this value may also be awarded in exceptional circumstances though an approach set out in the Explanatory Notes that accompany the Policy.
- 2.11 This method of considering matters above or outside those set out in the policy is also used in relation to the number of grants that can be awarded to an applicant and has been built into the policy to ensure that proper consideration is given to take account of the actual circumstances of applicants.
- 2.12 Some of the funding awarded may be recoverable where the cost of works are likely to increase the value of the property e.g. for works over the mandatory DFG grant limit of £30,000 e.g. for an extension to a property. Again, details of these circumstances are set out in the policy's explanatory notes.
- 2.13 The Policy has been developed in two parts – the main Discretionary Housing Financial Assistance Policy and the Explanatory Notes. This is so that the main policy may be formally adopted by councils with the explanatory guidance notes being able to be amended and updated with delegated authority approval from all district councils, to allow them to be developed and refined through learning and providing any necessary clarifications on implementation. The Explanatory Notes provide guidance to officers on what should and should not be approved as eligible for assistance so that decisions are not subjective.
- 2.14 The Policy may not completely achieve a fully consistent approach across the Lincolnshire districts, due to the retention of some local variations set out within the Explanatory Notes. However, the Policy provides a significant step forward in providing a consistent set of purposes and more flexible approach to address a wide range of circumstances and works required to improve property conditions for low-income disabled and vulnerable people, and improve health and wellbeing outcomes.
- 2.15 The provision for districts to detail any local variations within the Explanatory Notes enables any local factors or constraints to be reflected and amended as necessary without affecting the core purpose and provisions of the Policy.

2.16 The proposed Lincolnshire Discretionary Housing Financial Assistance Policy and accompanying Explanatory Notes is a significant step forward in providing a more consistent approach to providing assistance to low income disabled and vulnerable owner-occupiers across the county.

2.17 It will mean we can more consistently assist with a range of issues, working with other services to help ensure residents are safe in their homes. It will help reduce the need for other more expensive health services and assist the delivery of improved health and wellbeing outcomes.

3. The policy in West Lindsey

3.1 At this time, due to budget pressures for delivery of mandatory DFG's, this policy, if adopted, will have to immediately be suspended.

3.2 There are expected changes to be brought in regarding DFG's as detailed in The Adult Social Care Reform White Paper published in December 2021. These changes include:

- Increasing the upper limit of funding available under a mandatory DFG
- Looking at the way in which DFG funding is allocated to local authorities
- Funding a new service to make minor repairs and changes in people's homes
- Considering how best to align the means test with changing reform.

3.3 If these changes are implemented, this could impact on the ability to offer the discretionary policy. Once these amendments are implemented, this policy will require review.

3.4 Delegated authority to unsuspend the policy is recommended within this report. The trigger for unsuspending the policy will require a 20% underspend on DFG budget for 2 consecutive years.

3.5 This trigger will ensure that delivery of Mandatory DFG's can be brought back in line with P&D targets before allowance for discretionary grants is enacted.

3 Recommendations

4.1 Members adopt the Lincolnshire Discretionary Housing Financial Assistance Policy and associated explanatory notes document.

4.2 Members agree to suspend the policy immediately from adoption due to insufficient budget.

4.2 Members delegate authority to the Director of Planning, Regeneration and Communities in consultation with the Chair of Prosperous Communities Committee for the following:

- making minor housekeeping amendments to the policy
- making amendments to the local variations detailed within the Explanatory notes.
- Suspend/unsuspend the awarding of new discretionary assistance under this policy based on the triggers outlined in section 3.4 of this report - namely a 20% underspend on DFG budget for 2 consecutive years.