

WAVERLEY BOROUGH COUNCIL

COMMUNITY OVERVIEW AND SCRUTINY – 11 JANUARY 2010

EXECUTIVE – 2 MARCH 2010

Title:**REPORT ON THE PACKAGE OF CHANGES TO THE DISABLED FACILITIES GRANTS PROGRAMME****[Portfolio Holder: Cllr Keith Webster]****[Wards Affected: All]**

Summary and purpose:

This report was considered by the Community Overview and Scrutiny Committee at its meeting on 11 January 2010.

Local Authorities are under a duty to provide Disabled Facilities Grants (DFGs) for certain types of property adaptations for the benefit of disabled residents in the private or Registered Social Landlord (RSL) sector in their area. The details of grant provision are set out in the Housing Grants, Construction and Regeneration Act 1996 and have remained relatively unchanged since that time.

In 2008 the Department of Communities and Local Governments introduced a package of changes to the DFG programme. The five main changes relate to: increasing the grant maximum, changes in the test of resources, increasing the scope of grant, changes to the funding of disabled adaptations and the introduction of a property charge on completion of certain types of works.

How this report relates to the Council's Corporate Priorities:

Improving Lives – Improve the life for all, particularly the more vulnerable in our society. An increasing proportion of the community is elderly and potentially in need of disabled adaptations. Most of the measures contained in this report serve to make grants more accessible to those in financial hardship.

Equality and Diversity Implications

DFGs are directly able to assist people with disabilities to remain living at home.

Resource / Value for Money implications

Several of the measures outlined in this report will create an increase in spend on DFGs. However, DFGs will remain mandatory and therefore the Council will need to continue to allocate sufficient resources in the Capital Programme. The removal of the 60:40 funding split will allow much more flexibility in this respect.

Details of the financial breakdown for DFG provision are provided in the main body of the report.

Legal implications

The new consent for applying repayment conditions on DFGs will have some legal implications in ensuring this power is introduced correctly.

Introduction

1. Local Authorities are under a duty to provide Disabled Facilities Grants (DFGs) for certain types of property adaptations for the benefit of disabled residents in the area. The Housing Grants, Construction and Regeneration Act 1996 provides a list of the types of adaptations for which a grant is mandatory. This list is reproduced at Annexe 1. These works are mainly to allow access to the home and the facilities within it. Under this Act, mandatory grants were available up to a maximum of £25,000, subject to a test of financial resources in the case of owner-occupier and tenant applications.
2. In 2008 the Department of Communities and Local Governments (DCLG) introduced a package of changes. Most of these changes only affect operational procedure and require only minor changes to the application forms and advisory literature. However, the introduction of consent to levy property charges requires a policy decision. The main changes follow.

Increase in Maximum Grant Limit

- The grant limit has been increased from £25,000 to £30,000
- This has been considered necessary to address the increased cost of disabled adaptations and will provide more assistance for people with complex needs, e.g. extensions and major conversions. This will benefit more families with disabled children in particular, as these adaptations tend to be more costly.
- The DCLG intend to keep the grant limit under review.

Changes to Tests of Financial Resources

- DFG applicants claiming Council Tax Benefit, Housing Benefit and Tax Credits with income below £15,050 will no longer be required to provide any further financial information. Such case would normally have received 100% grant funding in any case
- Personal allowances and the housing allowance have been increased and the multipliers of excess income have been decreased, thus making the means test more generous.

Access to Garden

- Works to facilitate access to and from a garden and to make access to a garden safe for a disabled occupant. This Order makes it clear that works to provide safe access to gardens should be eligible for grant assistance. We may expect to see an increase in demand from this provision.

Social Housing Grant Funding

- The element of Social Housing Grant (SHG) spent on disabled adaptations has been redistributed through the central DFG funding. This is to remove anomalies and provide the same access to a Local Authority DFG whether the applicant is a Housing Association tenant, private tenant or owner-occupier.
- In future, SHG will not be used for funding disabled adaptations and all funding will go through the DFG allocation process.

Removal of the 60:40 Funding Split

- Local Authorities are no longer required to match DCLG funding with funding from their own resources. Local Authorities now receive a DFG allocation without a specified requirement to match this funding.
- The Specified Capital Grant (SCG) has remained at £252,000 from 2008-09 to 2010-11. The total DFG allocation in the Capital Programme for 2010-11 is £350,000.

Relaxing the DFG Ring Fence

- The DCLG intend to remove the ring fence completely from 2010-11. This will be piloted for 18 months in a number of different Local Authorities and evaluated before full implementation.
- This will allow Local Authorities to use DFG funding for more flexible, cost effective and quicker solutions than a formal DFG allows.
- Examples of this flexible approach are the provision of urgent small-scale adaptations (such as works to enable hospital discharges) or payment of architects' and other fees to enable a grant application to be put together.
- It is recommended that funding through this route is limited to £5,000 and made available only to clients in receipt of a passporting benefit.

Property Charges for Owner Occupiers

- Local Authorities now have a discretionary power to place a limited charge on an owner-occupied property adapted under a DFG. Tests are prescribed before a repayment, in whole or in part, is applied – up to a maximum of £10,000.
- It is expected that Local Authorities will recycle the funds recovered into their DFG programme.
- These changes have been reviewed by Housing Officers in other Surrey Local Authorities. Attached in Annexe 2 is an assessment of the new power and a recommendation of a system for the Council to adopt. It is considered that the Head of Environmental Health should be given delegated authority to operate the property charge system.

Community Overview and Scrutiny Committee

3. The Community Overview and Scrutiny Committee noted the report and supported the recommendations as set out below.

Recommendation

It is recommended that

1. the changes to the DFG programme outlined in the report be endorsed;
2. the Head of Environmental Health and the Environmental Health Manager be given delegated authority to approve payments of up to £5,000 for urgent adaptations and fees associated with disabled adaptations using capital funding for DFGs;
3. the Council introduce the property charge system for DFGs as set out in Annexe 2 of the agenda report;
4. the Head of Environmental Health and the Environmental Health Manager be given delegated authority to operate the property charge system for DFGs;
5. the policy setting out the property charge system for DFGs be included in the revised Home Improvement Policy.

Background Papers

There are no background papers (as defined by Section 100D(5) of the Local Government Act 1972) relating to this report.

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