

<b>DECISION-MAKER:</b>	<b>CABINET</b>		
<b>SUBJECT:</b>	<b>DISABLED ADAPTATIONS FINANCIAL ASSISTANCE POLICY</b>		
<b>DATE OF DECISION:</b>	<b>18 DECEMBER 2018</b>		
<b>REPORT OF:</b>	<b>CABINET MEMBER FOR HOMES AND CULTURE</b>		
<b><u>CONTACT DETAILS</u></b>			
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<b>STATEMENT OF CONFIDENTIALITY</b>			
Not applicable			
<b>BRIEF SUMMARY</b>			
<p>Approval is sought to adopt a policy on financial assistance for private sector disabled adaptations. This policy will give the Council more flexibility to support disabled residents to live safely and independently in their own homes.</p> <p>Southampton City Council has a mandatory duty under the Housing Grants, Construction &amp; Regeneration Act 1996 to provide grants, known as Disabled Facilities Grants (DFGs), towards the cost of works required for the provision of facilities for people living with disabilities. The grant has a maximum value of £30K and is used to cover the costs of the scheme of works identified as required by the Occupational Therapist to enable the disabled occupant to live safely, comfortably and independently in their own home. This can include the installation of ramps, lifts and stair lifts, through to major building works to provide adapted ground floor extensions, wet rooms and level-access showers.</p> <p>Mandatory DFGs are means tested for all adults so the level of grant is dependent on the financial situation of the disabled person. This means that a grant cannot always be offered if the persons calculated financial contribution exceeds the grant amount. There is no means testing for a disabled child, so the cost of the adaptations (up to £30K) will be covered by the DFG.</p> <p>Local Authorities have the discretion under the Regulatory Reform Order 2002 to provide additional financial assistance in addition to the mandatory DFGs, thus allowing greater flexibility to help support disabled residents. This would allow the Council the discretion to provide financial assistance to those that fail to qualify for a DFG or where adaptations schemes exceed £30K. However in order to provide discretionary financial assistance Southampton City Council must have a published policy defining how such financial assistance will be granted.</p> <p>Additional funds will be available to the council from 2019/20 to support the DFG programme via Better Care Southampton. This will enable more flexible, broader and joined up customer focused services to assist disabled people. This helps to reduce pressures on health services and reduce hospital and residential care admissions.</p>			

The increased funding therefore provides the opportunity for Southampton City Council to meet these objectives, primarily by increasing the flexibility of our financial assistance. This will enable the Council to undertake more disabled adaptations schemes and assist greater numbers of disabled residents.

The proposed Disabled Adaptations Financial Assistance Policy sets out how the Council will provide this discretionary financial assistance using the DFG funding and widen our service provision to assist those living with disabilities.

**RECOMMENDATIONS:**

	(i)	To consider and approve the proposed policy, attached as Appendix 1.
	(ii)	To delegate authority to the Director of Transactions and Universal Services to make minor amendments to the policy.
	(iii)	To delegate authority to the Director of Transactions and Universal Services to approve applications for financial assistance in accordance with the Disabled Adaptations Financial Assistance policy.

**REASONS FOR REPORT RECOMMENDATIONS**

1.	<p>Mandatory DFGs are prescribed by law but are inflexible which means that some vulnerable disabled people do not meet the criteria. The proposed discretionary financial assistance will enable the council to provide flexible financial assistance which will enable many more people to have adaptations made to their home. This will promote their wellbeing, prevent their needs escalating and enable them to live in their homes independently with less reliance on others for care and support.</p> <p>The discretionary financial assistance will also support delivery of a strengths-based approach to adult social care by helping to reduce reliance on funded care packages and will contribute to a reduction in emergency hospital admissions and length of stays in hospital.</p>
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**ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

2.	<p>Having no discretionary financial assistance and relying solely on mandatory DFG's was considered and rejected as the council already has a large number of vulnerable people who for many reasons do not qualify for the DFG e.g. the works are greater than the maximum amount permitted. This would mean that a significant number of people would not be able to have adaptations carried out, which is likely to result in further pressure on the local health and social care system.</p>
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**DETAIL (Including consultation carried out)**

3.	<p>Under the Housing Grants, Construction and Regeneration Act 1996 the Council has a mandatory duty to provide DFGs towards the cost of eligible works required for the provision of facilities for people living with disabilities.</p>
4.	<p>The Regulatory Reform (Housing Assistance) (England &amp; Wales) Order 2002 (RRO) introduced a more flexible system of housing assistance and enabled councils to have the freedom and opportunity to develop their own policies as to how they would provide financial assistance in addition to the DFG's</p>

5	Funding for DFGs is provided to the council annually by central government via the Better Care Fund (BCF). In 2016/17 government issued £395 million to LAs for DFG's from a total BCF budget of £3.9 billion. This BCF is set to increase to £5.3 billion for 2019/20 with an increased DFG budget of £500million. The expectation is that LAs will use the powers under the RRO to adopt a policy so that the monies can be spent in more flexible and responsive ways to help reduce pressures on health and social care.
6	Southampton City Council received £1.7 million from the BCF in 2017/18 for DFGs and £2 million in 2018/19. Under the current Mandatory DFG process the Council is issuing between £1-1.3 million per year in DFGs. The DFG element of the BCF is used to fund disabled adaptations for owner/occupiers, private tenants and tenants of registered providers of social housing (housing associations). Spending on disabled adaptations for council tenants is funded by the Housing Revenue Account.
7	Southampton City Council approves on average 145 DFG applications each year. However the council has between ten and twenty unsuccessful applications every year due to the financial constraints of the DFG process.
8	DFGs are means tested and therefore only adults with low income or those on specific benefits qualify for full or sufficient DFGs.
9	In addition some disabled adaptation schemes are not affordable due to the constraints of the statutory maximum amount of funding available as a mandatory DFG (£30K). This can prevent some adaptations being carried out or result in alternative schemes which may not provide all the desired adaptations.
10	With a published policy in place, the council will be able to offer much wider and more flexible financial assistance to those living with disabilities, which will support people to live independently, a key objective for the council.
11	Where the cost of the adaptation scheme exceeds the maximum mandatory grant (£30K), the Disabled Adaptations Financial Assistance Policy will enable the council to consider topping this up to enable the work to go ahead.
12	Through the policy the council will have the discretion to offer financial assistance on a case by case basis. This ensures that the council is able to assist more individuals to help them lead independent lives.

## **RESOURCE IMPLICATIONS**

### **Capital/Revenue**

13	Financial assistance offered under the scope of this policy will be purely at the discretion of the Council. Any discretionary financial assistance will be paid from the Better Care Fund budget. In 2018/19 Southampton City Council received £2,052,759 from the Better Care Fund in respect of disabled facilities grants. At current rates of spending outlined in paragraph 6, approximately £0.70M per annum would be available to support discretionary grants. The likely award of discretionary financial assistance is expected to be in the region of £200-£500K per annum. Financial assistance under this policy is at the discretion of the Council and awarding of assistance will depend on availability of funding.
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14	Investment in adaptations can reduce the need for ongoing funded care and support, which will help address the in-year forecast overspend in adult social care.
<b><u>Property/Other</u></b>	
15	None
<b>LEGAL IMPLICATIONS</b>	
<b><u>Statutory power to undertake proposals in the report:</u></b>	
16	Disabled Facilities Grants are issued under the provisions of the Housing Grants, Construction and regeneration Act 1996
17	The Regulatory Reform (Housing Assistance) (England & Wales) Order 2002 enabled councils to offer discretionary financial assistance if they have a published policy
18	The Care Act 2014 introduced new statutory duties on Local Authorities. This includes promoting individual wellbeing and preventing needs for care by providing or arranging support, the provision of services, facilities and resources and meeting any unmet eligible needs for care and support. The Act also requires Local Authorities to co-operate generally and specifically in individual cases with their relevant partners. .
<b><u>Other Legal Implications:</u></b>	
19	The Council must have due regard to the Public Sector Equality Duty under the Equality Act 2010 when carrying out any functions including developing any policies that may have any effect on any protected persons, in particular the duty to eliminate discrimination, harassment and victimisation and advance equality of opportunity and fostering good relations. Local Authorities also have a duty under the Human Rights Act 1998, when carrying out any function, not to act incompatibly with rights under the European Convention for the Protection of Fundamental Rights and Freedoms.
<b>RISK MANAGEMENT IMPLICATIONS</b>	
20	There is a risk that by not offering this additional discretionary financial assistance that the care needs of disabled individuals will increase and they will not be able to live independently. The Care Act 2014 requires local authorities to provide or arrange for the provision of services, facilities or resources, or take other steps, which will meet the eligible care and support needs of an individual or carer. If necessary adaptations are not undertaken this may mean the individual has to rely on an increased care and support package to meet their needs, which would not be financially sustainable.
<b>POLICY FRAMEWORK IMPLICATIONS</b>	
21	The Disabled Adaptations Financial Assistance Policy supports the Southampton City Council Housing Strategy 2016-2025 priorities and outcomes; <ul style="list-style-type: none"> <li>• Southampton is a city with a range of housing options and support for people with additional needs</li> <li>• We want to support more people to live independently for longer by offering the right housing options to meet their needs.</li> <li>• People in Southampton live safe, healthy, independent lives</li> </ul>

22	The Policy also supports the Adult Social Care and Support Planning Policy 2016 which sets out how the Council will meet the requirements of the Care Act 2014.

<b>KEY DECISION?</b>	<b>Yes</b>
<b>WARDS/COMMUNITIES AFFECTED:</b>	All
<u>SUPPORTING DOCUMENTATION</u>	
<b>Appendices</b>	
1.	Proposed Disabled Adaptations Financial Assistance Policy
2.	ESIA

#### Documents In Members' Rooms

1.	None
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#### Equality Impact Assessment

Do the implications/subject of the report require an Equality and Safety Impact Assessment (ESIA) to be carried out.	<b>Yes</b>
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#### Data Protection Impact Assessment

Do the implications/subject of the report require a Data Protection Impact Assessment (DPIA) to be carried out.	<b>No</b>
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#### Other Background Documents

Other Background documents available for inspection at:

Title of Background Paper(s)	Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)
1. The Disable Facilities Grant – before & after the introduction of the Better Care Fund – Foundations report 2016	<a href="https://www-foundations-uk-com/media/4665/dfg-report-final-interactive-converted-draft-6-small.pdf">https://www-foundations-uk-com/media/4665/dfg-report-final-interactive-converted-draft-6-small.pdf</a>
2. The Integration and Better Care Fund Operating guidance for 2017-19 - NHS	<a href="https://www-england-nhs-uk/wp-content/uploads/2018/07/better-care-fund-operating-guidance-v1.pdf">https://www-england-nhs-uk/wp-content/uploads/2018/07/better-care-fund-operating-guidance-v1.pdf</a>