

Report to: Cabinet



Date of Meeting 7 June 2023

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

East Devon District Council's Better Care Fund Financial Assistance Policy

Report summary:

The Housing Grants, Construction and Regeneration The Housing Grant, Construction and Regeneration Act 1996 and The Regulatory (Housing Assistance) (England and Wales) Order 2002 introduced grants and loans for residents to undertake home improvements and adaptations to help restore or enable independent living; privacy; confidence and dignity for individuals and families.

The policy outlines how EDDC Environmental Health Private Sector Housing administers and distributes the budget in the Better Care Fund plan.

Specifically this policy details the types and amounts of the mandatory Disabled Facilities Grant; discretionary Accessible Homes Grants; Healthy Homes Grants and loans for eligible residents in East Devon.

Is the proposed decision in accordance with:

Budget Yes ☒ No ☐

Policy Framework Yes ☒ No ☐

Recommendation:

That the adoption of the East Devon Better Care Fund Financial Assistance Policy, in order to meet the Housing Grant, Construction and Regeneration Act 1996 and The Regulatory (Housing Assistance) (England and Wales) Order 2002, be agreed.

Reason for recommendation:

The East Devon Better Care Fund Financial Assistance policy ensures that the eligibility; conditions and use of the mandatory and discretionary grants are transparent and reasonable for the applicants.

The East Devon Better Care Fund Financial Assistance policy is consistent with other Council's in Devon and ensures that the determination and application of the grants are consistent.

The policy demonstrates collaborative working with Devon County Council Social Services to deliver the Better Care Fund plan for residents in East Devon.

The policy supports East Devon residents to adapt their home so that it is safer and easier to get around and to use facilities for everyday tasks like cooking and bathing. And to help restore or enable independent living; privacy; confidence and dignity for individuals and families.

Portfolio(s) (check which apply):

- ☐ Climate Action and Emergency Response
- ☐ Coast, Country and Environment
- ☐ Council and Corporate Co-ordination
- ☐ Democracy, Transparency and Communications
- ☐ Economy and Assets
- ☐ Finance
- ☐ Strategic Planning
- ☒ Sustainable Homes and Communities
- ☐ Tourism, Sports, Leisure and Culture

Equalities impact Low Impact

Climate change Low Impact

Risk: Low impact

Links to background information [EDDC BCF Financial Assistance Policy Final v2](#)

Link to [Council Plan](#)

Priorities (check which apply)

- ☒ Better homes and communities for all
- ☒ A greener East Devon
- ☐ A resilient economy

Report in full

1. Introduction to Home Adaptation and improvements under the Financial Assistance Policy

1.0 The Housing Grant, Construction and Regeneration Act 1996 introduced the disabled facilities grant. The Regulatory (Housing Assistance) (England and Wales) Order 2002 introduced flexible and discretionary grants and loans for home improvements and adaptations. This 2023 policy replaces the existing 2020 policy to reflect the latest Disabled Facilities Grant Delivery Guidance 2022.

1.1 The attached financial assistance policy will enable East Devon District Council Environmental Health Private housing team to implement the statutory duties required of the Local Housing Authority under these laws.

1.2 The policy is a Devon wide policy written in consultation with Devon County Council Social Services and the other Devon local housing authorities.

1.3 The purpose of these grants are to make home adaptations to the fabric and fixtures of a home. To make the home safer and easier to get around and to use facilities like cooking and bathing. Adapting a home can help restore or enable independent living; privacy; confidence and dignity for individuals and families.

2. What is the Financial Assistance Policy?

2.0 This a policy document written by the Local Housing Authorities in Devon in consultation with Devon County Council to deliver the Better Care Fund plan.

2.1 The policy ensures that there is a fair and consistent approach for all residents and for the Occupational Therapists that work across the County.

2.2 The policy sets out the range of grants and maximum amounts available to eligible residents in East Devon for home improvements and adaptations.

3. What is the Better Care Fund?

This a central government grant from both The Department of Levelling Up, Housing and Communities (DLUHC) and the Department of Health and Social Care (DHSC) made to Devon County Council who are responsible for the provision of social care services including Occupational Therapists. Local housing authorities administering the systems for providing financial support for adaptations including the Disabled Facilities Grant (DFG) get an annual allocation.

4. How much is the Better Care Fund in East Devon?

The annual allocation is made by DCC in June each year. The allocation is based on the population of the district. In 2022 East Devon received £1.151mn and spent £1.055mn. Any underspend is kept in reserve in the capital budget for the Better Care Fund.

5. What are the grants for?

The policy is for the distribution of capital mandatory and discretionary grants in East Devon.

Adaptations can include the installation of stair-lifts, level access shower and wet rooms; wash and dry toilets; ramps; wider doors; bespoke extensions; access to and from the garden.

Table 1 A summary of the new 2023 Policy and the existing 2020 Policy

Grant type	New 2023 Policy	Existing 2020 Policy	Notes
Mandatory Disabled Facilities Grant	£30,000	£30,000	Means tested Local land charge for over £5000 and maximum £10,000
Discretionary Accessible Homes Grant	£30,000	£30,000.	Means tested top up for the mandatory DFG. Local land charge.
Discretionary Accessible Homes Grant Lifts	£10,000 maximum Includes through floor lift; and straight/ curved stair lift. Local land charge.	No maximum - stair lift only	Non Means tested. Local land charge
Discretionary Accessible Homes Grant Level access Shower room	£10,000 maximum for level access shower room. Local land charge.		New discretionary grant for making washing and toileting accessible and sustainable for applicants and families. Non means tested. Local land charge.
Discretionary Accessible Homes Grant Moving	£10,000 maximum to support homeowner/ £5000 for tenants to move to a sustainable and accessible new home or where landlords have refused permission for the	£5,000	Increase in grant

	adaptation. Local land charge.		
Discretionary Health Homes Grant	£10,000 maximum £20,000 maximum for sanctuary room on recommendation of MARAC	£5,000	Capital works for supporting people experiencing self-neglect and hoarding; or disrepair or risk of violence in their own home. Local Land charge
<i>Lendology</i> Loan	Historic grant repayments to fund <i>Lendology</i> loans for applicants requiring home improvements and adaptations. Eligibility criteria set by loans company.	Eligibility criteria set by loans company	Council supported low cost loans company <i>Lendology</i> for home improvement and adaptations.
Grant repayments	Senior officers delegated to decide an appeal against repayment of grant.	Cabinet must decide appeal against repayment of grant	To reduce the time that residents must wait for an appeal as often associated with a sale of a home.

6. Who can make a DFG Application?

A valid application can be made by:

- Someone with an owner's interest in the property (either the owner-occupier or landlord)
- A tenant of a dwelling
- The occupant of a caravan or qualifying houseboat.

7. Does this Financial Assistance Policy apply to all residents?

7.0 No. The policy is for grants that are available to eligible residents in East Devon; people of all ages and in the following housing tenure; owner occupiers; renting privately or social landlords.

7.1 Tenants of a Local Housing Authorities with a Housing Revenue Account (HRA) (such as East Devon) and tenants living in dwellings managed by an Arms-Length Management Organisation (ALMO) are not able to access this funding. Adaptations of properties owned by the local authority are funded through the HRA.

7.2 Members of the public who would like to find out more information about the grants and application process can find out more information and how to apply at: the East Devon District Council's website and <http://gov.uk/disabled-facilities-grants> and <https://adaptmyhome.org.uk>

8. How applicants apply for a grant?

The applicant for a mandatory Disabled Facilities Grant and discretionary Accessible Homes Grants must have an Occupational Therapist assessment and a 'Statement of Need'. A full and complete application form and statutory means test must be completed by the applicant or landlord. A guide for applicant is available on the Councils website.

9. How are the grants determined?

9.0 The local housing authority must decide if the Occupational Therapists Statement of Need is reasonable and practicable for the condition of the property.

9.1 We will complete a statutory test of resources and an application form for eligible residents.

9.2 The Housing Grants, Construction and Regeneration Act 1996 (the 1996 Act) sets out the legislation to help inform a local housing authority to make decisions on DFG applications.

10. Historic Grant Repayments

10.0 The Disabled Facilities Grant (Condition relating to approval or payment of grant) General Consent 2008 gives local housing authorities the discretion to impose a local land charge on a dwelling, if it is sold or otherwise disposed of within ten years of the certified date.

10.1 The charge can only be placed on owner's applications where the amount of grant exceeds £5000. The maximum charge is £10 000. The new 2023 policy sets out whether it will place a local land charge and its discretion on repayment.

10.2 If a dwelling is sold or disposed of within ten years the housing authority must consider whether or not it is reasonable to demand repayment or part repayment of the charge taking into account:

- The financial hardship it would cause.
- Whether the sale is due to employment related to relocation.
- Whether the sale is connected with the physical or mental health or well-being of the grant recipient or of a disabled occupant of the premises;
- And whether the sale will enable the recipient of the grant to provide care to a disabled person.

10.3 The Principal EHO Private Sector Housing will make the demand or part repayment if there is a historic local land charge on the dwelling.

10.4 If there is an appeal against repayment, the decision for repayment or part repayment is delegated to the elected members of the Cabinet. Under the new 2023 Financial Assistance policy we are recommending that Senior Officers are delegated these powers to reduce the amount of time it takes to make these decision.

Financial implications:

The cost associated with this Policy is met by Central Government funding.

Legal implications:

The legal issues are dealt with in the body of the report.