

Slough Borough Council
 Slough Housing Assistance Policy 2022-2027
 Made under The Regulatory Reform (Housing Assistance)
 (England and Wales) Order 2022

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1. Introduction

This Housing Assistance Policy defines the council's approach to the use of its Disabled Facilities Grant funding to support the delivery of timely adaptations for the residents of Slough.

1.1 This policy sets out how Slough Borough Council (the Council) will offer financial help for improving and adapting homes in the borough, together with the conditions and eligibility criteria associated with each type of assistance. Its aim is to support residents to improve their health and wellbeing by addressing problems with unsuitable homes that do not meet their needs.

1.2 This policy replaces all previously published Housing Assistance Policies and will apply to all new applications from November 2022

1.3 The policy aligns with the corporate plan implemented in May 2022 specifically the policy specifically help to achieve the following priorities:

A) A council that lives within our means, balances the budget and delivers best value for taxpayers and service users

B) An environment that helps residents live more independent, healthier, and safer lives

The policy aims to support the priorities of the council by providing adaptations in timely way to promote independence, reduce dependency resulting in cost efficiencies to the council.

2. Objectives

2.1 To have a clear and transparent grants policy that is fair, equitable and accessible to all sectors of the community.

2.2 To ensure that the available funding is available and targeted at those people in the community in greatest need.

3. Legal Context

3.1 The Housing Grants, Construction and Regeneration Act 1996 (the 1996 Act) places a statutory duty on Local Authorities to help qualifying disabled people for home adaptations. These works (called eligible works) must be considered "necessary and appropriate" to meet their needs and "reasonable and practical" regarding the age and condition of the property. These are called Disabled Facilities Grants (DFGs).

3.2 As well as these mandatory grants, Local Authorities also have the general power under the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (the RRO) to develop local Housing Assistance Policies which give assistance for home repairs, improvements, and adaptations for the purpose of improving living conditions for residents.

3.3 Funding for this assistance is provided via ring fenced funding through the Better Care Fund (BCF) which combines money from health and social care budgets to deliver health and care services.

Use of ringfenced DFG funds must only be used for the specific purpose of funding adaptations for disabled people who qualify for a Disabled Facilities Grant made under the 1996 Act or the RRO.

3.4 **The Care Act 2014** requires local authorities to identify, provide and arrange services, facilities and resources to prevent, delay or reduce the needs of individuals either for care or support. This includes the adaptation of properties.

3.5 The **Chronically Sick and Disabled Persons Act 1970** places a duty to assist disabled children and young people 'in arranging for the carrying out of any works of adaptation in their home or the provision of any additional facilities designed to secure their greater safety, comfort or convenience' (Section 2). This duty arises where the authority has assessed the need for the specific adaptations.

3.6 In addition, **National guidance** (Safeguarding Disabled Children –Practice Guidance (2009) and Working Together to Safeguard Children - A guide to inter-agency work safeguard & promotes the welfare of children (2010)) also informs practice in respect of a local authority's duty to safeguard and promote the welfare of children and young people.

3.7 Under the **Housing Act 2004**, Local Authorities have a duty to keep housing conditions under review, including having regard to hazards that might be dangerous or prejudicial to health for certain vulnerable groups.

3.8 This policy is also written regarding the 2022 national DFG guidance.

<https://www.gov.uk/government/publications/disabled-facilities-grant-dfg-delivery-guidance-for-local-authorities-in-england>

4. Local Context

Slough Borough council implemented an updated corporate plan in May 2022

1.1 The priorities that the Council will "live within our means, balances the budget and delivers best value for taxpayers and service users" and be "An environment that helps residents live more independent, healthier and safer lives" Through the support outlined in this policy these priorities will be supported and helped to be achieved.

1.2 The Slough Wellbeing Strategy 2020-2025 priorities 'Integration' between Health and Social Care services. The support offered through this policy will help the Council to achieve this ambition through housing-led initiatives, by supporting and enabling people to remain independent in their own homes for as long as they are able to do so safely. The policy will also enable adaptations to support hospital discharge and promote the reduction in care home placement caused by housing environment issues

5. Equality and Diversity

- 1.1. Slough Borough Council is committed to fulfilling its roles as an employer, service provider, purchaser of goods and services and community leader without discrimination. We will apply this policy fairly and give equal treatment regardless of age, disability, gender, sexual orientation, transgender status/gender reassignment, race, and religion/belief. All members, employees and agents of the Council must seek to eliminate discrimination and promote equality and good relations between all groups. The Council's equality information can be found on the council's website [here](#).
- 1.2. We want to improve the lives and well-being of everyone in the Borough. This policy is particularly relevant for anyone who has a disability or long-term condition. Our aim is to ensure that people have a safe and suitable home and immediate surrounding areas so that they can live independently in their current home for as long as is possible.
- 1.3. The Council and its agents will record and monitor data to gain insight on the impact of this policy on diverse customers and help improve operational processes.

6. Principles of assistance

- 1.1. The Council recognises that the primary responsibility for repairing and maintaining a property rests with the owner (Defined by the owner occupier or landlord. However, the Council has certain statutory responsibilities to fulfil and must also take steps to protect and assist vulnerable members of the community whilst providing advice to all residents to help them maintain their own homes and utilise government funding where appropriate.
- 1.2. The Council provides support to older and disabled individuals, and their carers, to help them to remain living independently, confidently safely and with dignity in their own homes. Housing assistance can help to reduce the impact of a disabling environment and therefore maximise independence. It can help to prevent or delay the need for care and support, both of which are central themes of the Care Act 2014.
- 1.3. In addition, housing assistance provides support to carers in their caring role and underpins a wide range of customer and carer outcomes including improved safety, greater independence, personal resilience, and well-being.
- 1.4. Whilst the funding for DFG, outside of the HRA, is from the BCF, there is a difference between the ability of social housing landlords, private landlords and owner occupiers in being able to facilitate the works. The Council does not currently have any written agreements with the main housing associations in Slough although many DFGs are for housing association tenants. The Council will prioritise putting in place agreements to ensure that DFGs can be progressed expediently for these tenants, in particular in relation to financial assessment processes and who should take the lead in arranging / delivery the works. This will be undertaken in conjunction with the Housing department.

7. How assistance is delivered

7.1 Option 1 – Managed application process

7.1.1 The Council's DFG support service will fully manage the application on behalf of the applicant. The Team will handle everything on behalf of the applicant through an agreement between the applicant and the service. This is the easiest and least stressful option for an applicant, particularly for more extensive adaptations, as the service will organise and manage both the application and the work.

7.1.2 The Team will:

- Where applicable, assess the applicant's financial circumstances by a statutory **means test** which will identify any contribution to be paid towards the cost of the works.
- Arrange for a technical officer to visit to discuss how the adaptations can be provided in the home and what building works or alterations are required to provide them.
- Draw up a schedule of works and plans (and planning permission or building regulations approval if required).
- Assist in the completion of the formal DFG application forms.
- Supervise the contractor on site on behalf of the applicant.
- Deal with any unforeseen works and interim payments.
- Arrange final payment to the contractor and collect any certificates and guarantees from them and pass them on to the applicant.

7.2 Option 2 – Customer Contractor Process

7.2.1 This option is where an applicant may wish to use the services of the Council's DFG support service to prepare their application for DFG, including the preparation of drawings but wishes to use their own choice of contractor to carry out the works.

7.2.2 A comprehensive information pack will be provided to any applicants who wish to pursue this option including the role that the DFG Support Service and the responsibilities regarding the works which will transfer to the applicant.

7.3 Option 3 – Customer Managed Process

7.3.1 This option is where an applicant may wish to complete all elements of the application, supporting information and building management themselves. An applicant can use their own architect or draftsman and contractors to plan, develop or build a preferred scheme.

7.3.2 A comprehensive information pack will be provided to any applicants who wish to pursue their own application which outlines the information required to make a DFG application and the requirements to receive DFG funding.

8. Budget, Fees and Ancillary charges

- 8.1 Since 2015 the Disabled Facilities Grant allocation has been paid by Government to local authorities through the Better Care Fund to support integration between health and social care services.
- 8.2 The importance of the DFG has been recognised by an increase in budget which has increased by over 50% since 2015 to the current allocation of £1,140,680 per year. It has been confirmed by Government that this allocation is fixed until 2023-24 providing some security of funding for the short term.
- 8.3 Salary costs of staff working directly on capital projects to enable the asset i.e. adaptation to be delivered are eligible for capitalisation under accounting rules. For Slough this includes the activities undertaken to deliver the funding identified by this Policy for example surveying, providing specifications, drawing of plans etc. The annual salary cost recharged to capital is currently circa £244,167. Staffing costs may increase in line with increased activity so the budget has allowed for an increase to £78,975 the total staffing costs will be £323,142.
- 8.4 The total annual budget for delivery is £1,594,000 for 2022/23, which is made up of the DFG allocation of £1,140,680 plus £453,320 from underspend in previous years DFG capital allocation. The support outlined in this policy should ensure that the full DFG allocation plus underspends are committed and spent in future years to support residents to remain living independently at home and reduce costs and pressures on other public services such as social care and health.
- 8.5 The Discretionary assistance annual budget will be set based on the previous year's spend data and assessment of available funds to ensure that the Council's statutory duties to provide Mandatory DFGs can be met. This decision will be made the management panel including finance.
- 8.6 The Council will consider reasonable fees for financial assistance. The following fees will be eligible for financial assistance if they have been properly incurred in making an application or seeking approval for the proposed works, or to ensure the satisfactory completion of works assisted under this policy when funded through Mandatory Disabled Facilities Grant funding or any associated grants;
- Confirmation, if sought by the Council, that the applicant has a relevant owner interest
 - Relevant legal fees
 - Technical and structural surveys
 - Design and preparation of plans and drawings
 - Preparation of schedules of relevant works
 - Assistance in completing forms.
 - Applications for building regulations approval (including application fee and preparation of related documents), planning permission, listed building consent and conservation area consent (and similar)
 - Obtaining of estimates
 - Consideration of tenders
 - Supervision of the relevant works
 - Disconnection and reconnection of utilities where necessitated by relevant works
 - Payment of contractors
 - In a case where the application is for adaptations support, the reasonable services, and charges of a (private) occupational therapist in relation to the relevant works.

8.7 It is important to note that if a private occupational therapist is used then the Council will still seek input from the Council's Occupational Therapy Service to determine the works that are eligible for Disabled Facilities Grant funding.

9. Prioritisation

9.1 Where possible the Council will commence consideration of an enquiry for assessment for financial support or other services within this policy in chronological order of receipt of enquiry (for DFG this would be from receipt of referral from the OT service), subject to the following provisions;

- An enquiry will be considered as urgent if the customer meets one of the criteria as outlined in the 2022 DFG Guidance¹
 - Coming out of hospital and at risk
 - Living alone and deemed at risk
 - Severe cognitive dysfunction and at risk
 - Living with a carer who is elderly or disabled
 - Living without heating or hot water and at risk
 - Limited life expectancy,
- The property subject of the enquiry is in such a condition as to present an immediate and significant danger to the occupants or visitors.
- For the purposes of budgetary control, a category of financial assistance may be given priority over another, or sums may be switched between categories but NOT to the detriment of mandatory DFGs

9.2 Where resources (financial, staffing or other) are limited, those services which are provided for vulnerable groups, or the most vulnerable individuals will take priority over other types of assistance or cases.

9.3 Where a property, case, customer, or category of service is to be considered outside of chronological order when not deemed an urgent case, the Group Manager will sanction the action and a written record will be retained on file in justification of that decision.

9.4 All DFG referrals will be allocated a priority or 'Standard' or 'Urgent' upon assessment and applicants may request a review of their priority by the Occupational Therapy Service if they believe their needs to have changed at any time in the process.

9.5 It is recognised that there will be exceptional cases where Officers consider that providing grant assistance to a resident of Slough is a necessary, appropriate, reasonable and practicable use of DFG monies. However, due to the specific circumstances of the applicant, property tenure, cost or types of works, the applicant is precluded from assistance because of the eligibility criteria set out in this policy. In those circumstances the Group Manager may, following a written submission from the relevant officer(s) authorise the approval of a grant up to a maximum of £10,000 (excluding eligible fees) without recourse to council members. The condition attached to this funding is that a local land charge will be applied for the full amount including fees, and for the duration of ten (10) years.

¹ <https://www.gov.uk/government/publications/disabled-facilities-grant-dfg-delivery-guidance-for-local-authorities-in-england>

9.6 This prioritisation is in line with national DFG guidelines.

10. Complaints

- 10.1 The Council has a formal complaints procedure that will apply in relation to aspects of complaints about the implementation of any of the processes flowing from the policy. Details of the complaint's procedure will be provided on request or can be viewed on the Council's website [here](#).
- 10.2 Any such complaint will be treated seriously and will (if necessary) be reflected in subsequent reviews of this policy or in amendments to the way that services are delivered.
- 10.3 Any member of the public who is dissatisfied with the performance of the DFG service in administering this policy may make a formal complaint through the Council's procedure. However, we would encourage both the public and the staff (and their supervisors) to try to address any misunderstandings or disagreements by mutual agreement – within the jurisdiction of the staff to do so – to avoid the need for a matter to escalate to formality. Staff must make the Team Manager aware of such issues even if resolved, to facilitate learning and service improvement.

11. Service standards, key targets

- 11.1 There is no national standard for the services provided through this policy excepting a statutory requirement for Councils to determine valid and fully made applications for mandatory DFG within six months. This does not account for pre-application activities such as the screening process and the 'application support' and administration including occupational therapy assessment, means testing, producing specifications, finding contractors etc. In practice, when an application is received by the DFG service it is practically complete and ready for an almost instant decision. In a few cases there may be details to pursue, such as proof of property ownership, landlord or owner's permission etc., and if there are alternative schemes under consideration or issues to do with financing the customers contribution. However, the service records all key activities and dates and can report on a variety of measures, including date enquiry received, date application submitted, date determined, date works started, value of works and contributions, date works finished, and completed as in signed-off.
- 11.2 Legislation also requires that works be completed within 12 months of any DFG grant approval being issued, but this can be extended by negotiation if there are valid reasons to do so, such as the customer receiving care, occasional changes in contractor or specification, complex snagging etc.
- 11.3 Locally, the service aims to apply the funding it receives fully each year with minimal waiting lists and with maximum benefit to customers.
- 11.4 The team is committed to ensuring good quality customer service and the performance measures used are based around measuring and improving the quality of service and customer outcomes as well as ensuring improvements in the speed of service delivery.

12. Types of Assistance

12.1 The following assistance is available from the council to residents in the district:

12.2 Mandatory Disabled Facilities Grants (DFGs)

12.2.1 These are grants that local authorities must make available to their disabled residents who meet the required qualification criteria as set out in the 1996 Act, and the accompanying regulations and subsequent amendments.

12.2.2 The following grants are discretionary and are offered subject to Council funding and resources available at the time:

12.3 Additional Discretionary Support for Mandatory DFG Applicants including:

- Discretionary DFG top-up Assistance
- Discretionary Contribution Grant

12.4 Other Assistance

- Enhanced Minor Adaptations Grant
- Major Equipment Grant
- Second Home Grant

12.5 Following assessment of need and the resources available to the council, new initiatives may be developed and added at a future date. Exceptional circumstances may lead to the consideration of DFG funding which sit outside of the criteria's listed within this policy and can be considered by the management panel for funding.

12.6 Further details of all these types of assistance can be found in the appendices to this policy.

13. Review of the policy

13.1 The Policy may be reviewed whenever necessary. Minor changes to the policy may be approved by the written consent of the relevant Cabinet Member. Major changes to the policy require the approval of the Council.

Appendix 1 – Summary of available discretionary assistance

Amendments to Mandatory DFG				
Grant	Max Amount	Is a Financial Means Test Required?	Who is Eligible?	How is Eligibility assessed?
Amendments to Mandatory DFG	£30000	Council Tax Reduction has been added as a passporting benefit	<ul style="list-style-type: none"> Those with eligible needs for DFG 	<ul style="list-style-type: none"> An additional 'passporting' benefit for the mandatory DFG
	Cost of a 5-year warranty on all equipment installed	No additional means test to that carried out for the Mandatory DFG	<ul style="list-style-type: none"> Anyone eligible for mandatory DFG support 	<ul style="list-style-type: none"> The applicant has been assessed as eligible for a mandatory DFG

Additional Discretionary Support for Mandatory DFG Applicants				
Grant	Max Amount	Is a Financial Means Test Required?	Who is Eligible?	How is Eligibility assessed?
Discretionary Top-Up Grant To top-up a mandatory DFG where cost of eligible work exceeds the maximum grant (currently £30,000)	£ 60,000	No additional means test to that carried out for the Mandatory DFG	<ul style="list-style-type: none"> Disabled applicants who are owner-occupiers, private or social sector tenants. Parents/guardians applying on behalf of children under 19 years old. 	<ul style="list-style-type: none"> The applicant has been assessed as eligible for a mandatory DFG Other means of funding e.g. charitable contributions have been explored and depleted.

<p>Discretionary Contribution Grant</p> <p>To assist with the payment of a contribution where the adaptation works cannot be carried out due to affordability issues</p>	<p>The first £2,500 of any assessed contribution will automatically be eligible for funding.</p> <p>Any amount above that will be subject to a panel agreement up to a maximum of £10,000</p>	<p>No additional means test to that carried out for the Mandatory DFG</p>	<ul style="list-style-type: none"> Disabled applicants who are owner-occupiers, private or social sector tenants. 	<ul style="list-style-type: none"> The applicant has been assessed as eligible for a mandatory DFG The household is considered to be in financial hardship All other means of funding e.g. charitable contributions have been explored and depleted.
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Other Assistance				
Grant	Max Amount	Is a Financial Means Test Required?	Who is Eligible?	How is Eligibility assessed?
<p>Enhanced Minor Works Grant</p>	<p>£1,500 (in addition to the £1,000 Social Care funding)</p>	<p>No</p>	<ul style="list-style-type: none"> Those assessed as eligible for support by Social Care 	<ul style="list-style-type: none"> Care Act 2014 criteria
<p>Major Equipment Grant</p>	<p>£10,000</p>	<p>No</p>	<ul style="list-style-type: none"> Disabled applicants who are owner-occupiers, private or social sector tenants. 	<ul style="list-style-type: none"> The applicant has been assessed as eligible for a mandatory DFG Works required are considered to be 'equipment' and under the cost threshold. Eligible works include:

				Stairlifts Ceiling-Track Hoists Modular Ramps Specialist Toilets
Second Home Grant	£10,000	No	<ul style="list-style-type: none"> Mandatory DFG applicants who are children 	<p>In cases where families separate, and a court order provides that residency of the subject disabled child is split between two households, the Authority may consider the award of discretionary DFG to one property.</p> <p>Mandatory DFG can only be provided to the 'sole or main residence' of the disabled applicant; main residence is determined by which party receives child benefit.</p> <p>Under this discretion, adaptations may be provided in a second home, which is not the primary residence of the disabled individual but which facilitates access to necessary respite care (including foster placements).</p> <p>The Authority will consider the details of any court order and specifically the allocation of time spent with separate parents/guardians in determining eligibility for assistance. No specific percentage split is proposed by this policy as each case will be reviewed on its own merits. Factors to be considered include the specific details of any order, likely time to be spent at each property, whether the child will stay overnight at the subject property and for what period. Advice will be taken from the Occupational Therapist and Children's Social Worker where relevant. The principles of mandatory DFG funding apply.</p>

				The child must be a permanent resident of Slough and the property for the adaptation must be within Slough and must be the main residence of the adult who has the shared residence order.
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Appendix 2 – Mandatory Disabled Facilities Grants & amendments

This is included for context and information purposes and includes a means test amendment.

The Council will award mandatory Disabled Facilities Grant (DFG) according to the governing legislation – principally the 1996 Act and subordinate Regulations and Orders as amended - and guidance issued by central Government, and which details amongst other matters the types of work that are to be funded, the maximum grant payable (currently £30,000), and the test of financial resources where applicable.

Qualifying Criteria

All owner-occupiers and tenants, licensees or occupiers who can satisfy the criteria in sections 19-22 of the 1996 Act are eligible to *apply* for DFG, but applicants must be aged 18 or over (this does not apply to the disabled person, who may be younger). Tenants of Social Housing Providers and private landlords are also eligible to apply, but Council tenants should apply directly to the Housing Department which has a parallel and equally effective system for adaptations. Being eligible to apply does not automatically confer approval – some cases will not meet statutory tests as described below, and others may have significant means tested contributions more than the cost of works.

As a part of the application process, the Council will require certificates relating to property ownership and future occupation and will request permission from the owner. The Council would reasonably want to ensure the tenant has the right to carry out the works and that the landlord would not object or attempt to reinstate the property and evict the client.

Qualifying Works

Those works eligible for mandatory DFG are set out in section 23(1) of the 1996 Act, as amended. These are;

- i. facilitating access by the disabled occupant to and from the dwelling, qualifying houseboat, or qualifying park home, (now including the garden) or
- ii. making the dwelling, qualifying houseboat or qualifying park home safe for the disabled occupant and other persons residing with them;
- iii. facilitating access by the disabled occupant to a room used or usable as the principal family room;
- iv. facilitating access by the disabled occupant to, or providing for the disabled occupant, a room used or usable for sleeping;
- v. facilitating access by the disabled occupant to, or providing for the disabled occupant, a room in which there is a lavatory, or facilitating the use by the disabled occupant of such a facility;
- vi. facilitating access by the disabled occupant to, or providing for the disabled occupant, a room in which there is a bath or shower (or both), or facilitating the use by the disabled occupant of such a facility;
- vii. facilitating access by the disabled occupant to, or providing for the disabled occupant, a room in which there is a wash hand basin, or facilitating the use by the disabled occupant of such a facility;
- viii. facilitating the preparation and cooking of food by the disabled occupant;
- ix. improving any heating system in the dwelling, qualifying houseboat or qualifying park home to meet the needs of the disabled occupant or, if there is no existing heating system or any such system is unsuitable for use by the disabled occupant, providing a heating system suitable to meet their needs;

- x. facilitating the use by the disabled occupant of a source of power, light or heat by altering the position of one or more means of access to or control of that source or by providing additional means of control;
- xi. facilitating access and movement by the disabled occupant around the dwelling, qualifying houseboat or qualifying park home in order to enable them to care for a person who is normally resident and is in need of such care;
- xii. facilitating access to and from a garden by a disabled occupant; or making access to a garden safe for a disabled occupant.

Local enhancement to DFG in Slough

Local Council Tax Reduction (LCTR) Amendment to the means test

Applicants in receipt of LCTR will be exempted from the requirement of the Test of Resources. (Means Test) Prior to the Government's revision of the list of passported benefits in 1996, applicants in receipt of Council Tax Benefit were exempt from the Test of Resources. Council Tax Benefit is a similar benefit to LCTR, but is no longer available. Inclusion of entitlement to LCTR as a passported benefit restores the pre-1996 position and consequently will enable a number of residents receiving LCTR to apply without undergoing the Test of Resources.

Warranty Provision

The Council will include as part of the mandatory DFG the cost of a maintenance agreement for a period of five (5) years (where available) from the certified date for stair lifts, through-floor lifts, Clos-o-mat type toilet, step-lifts and similar equipment installed with the assistance of that grant. Where maintenance agreements of 5 years are not available through the Manufacturer the Council will fund the maximum warranty that is available. Where installing a reconditioned stair lift, any unspent warranty will be increased to the full 5 years if possible.

Necessary, Appropriate, Reasonable & Practicable

A DFG will only be made if the works are both 'necessary and appropriate' and 'reasonably practicable'. Where an applicant prefers a different scheme of works to that approved by the Council, the Council may offer to 'offset' the value of the original scheme towards those greater works with appropriate safeguards. This is at the discretion of the Council.

Works which have been started prior to the approval of an application will not be eligible for financial assistance.

Unexpected works which arise during the carrying out of eligible works will be considered for assistance if the works could not have been reasonably foreseen and if they are vital to the completion of a safe and effective adaptation.

Unforeseen works carried out without prior approval of the Council will not be eligible for assistance. Where unforeseen works are necessary these will be added to the grant up to the specified maximum for mandatory DFG. Costs above the mandatory grant maximum may be supported as discretionary DFA in accordance with this policy. Care must be taken when agreeing to schemes of works on third-party property such as tenanted accommodation, that the property owner is fully engaged with the decision process. This is also particularly important where an architect or similar is acting on the customers behalf, and where issues such as planning permission, building control and other regulation are involved.

Contractors

The Council's DFG award is for a sum of funding only and is not inclusive or exclusive of using particular contractors or products. Customers may specify and choose their own contractors, agent, products and

design – but take responsibility for those choices, as long as the contractors are suitably qualified, and the result meets the Council DFG Service and Occupational Therapist's requirements.

Financial Assistance

Mandatory DFG will be subject to a means test in accordance with the regulations made under the 1996 Act, as amended. The maximum mandatory DFG award is currently £30,000 minus any contribution required by a 'means test' (test of financial resources). Successive applications may be awarded for those persons whose condition is degenerative, or they develop additional needs. If the maximum grant limit is changed by statute then the maximum available DFG award by Slough Council will reflect this.

Where successive applications are awarded, the applicants' assessed contribution to the first grant award will be taken into account if within the time period of the contribution originally calculated (10 years if owner, 5 years if tenant).

NOTE: where an applicant is in receipt of a recognised, qualifying, means tested benefit they will not be further means tested and they will have no calculated contribution to make. Where works are for the benefit of a child or young person of 19 years of age or younger at the date of application – they too will be exempt from a means test.

Order of processing applications

DFG applications or recommendations will usually be processed in chronological order, in line with any approved priority system, excepting in emergency circumstances at the discretion of the Council.

Recovery of assistance awarded

Some mandatory DFG may be recoverable in accordance with permitted values. Where the customer is an owner-occupier and not a tenant, a sum of up to £10,000 may be recovered for works more than £5,000. This sum would only be recovered if the property were sold or title otherwise transferred within 10 years of the certified (completion) date of works, subject to the Council's discretion to reduce or waive in the case of financial hardship. All recoverable costs would be registered as a land charge against the property.

NOTE: this is separate and different to the potential repayment of grant in the event of a breach of occupancy conditions or detected fraud. Also, Councils are entitled to recalculate grant awards in limited circumstances, such as for example if any relevant insurance claims are pending, and to cease making payments and to seek repayment in some cases as detailed in sections 40-42 of the 1996 Act.

Conditions relating to Contractors, Standard of Works and Invoices

In approving an application for financial assistance, the Council will require as a condition that the eligible works are carried out in accordance with any specification it has decided to impose.

The eligible works must be carried out by the contractor(s) upon whose estimate the financial assistance is based, or if two estimates were submitted, by one of those contractors. The Council's consent must be obtained prior to the works if a contractor who did not submit an estimate is to carry out the works, and if an agreement is given, an estimate from the new contractor must be submitted to the Council (this does not automatically convey a difference in revised grant award – any additional costs must be separately financed by the client).

An invoice, demand or receipt will not be acceptable if it is given by the applicant or a member of the applicant's family. Where works are carried out by the applicant or a member of their family, only the cost of materials used will be eligible for financial assistance.

It is a condition of the financial assistance that the eligible works are carried out within 12 months of the date of approval of the application. This period may be extended by the Council if it thinks fit, particularly

where it is satisfied that the eligible works cannot be completed for good cause – requests for additional time must be made in writing before the 12-month period ends and approved extra time will be confirmed in writing by the Council.

The payment of the financial assistance to the applicant will be dependent upon the works being carried out to a standard that is satisfactory to the Council and upon receipt of a satisfactory invoice, demand, or receipt for the works and any preliminary or ancillary services or changes.

The Council will usually make payments direct to the contractor on behalf of the client, and not usually to the applicant. Where the applicant disagrees with a payment made direct to a contractor, no payment shall be made until any dispute is resolved. Legislation permits the Council to make payment by delivering to the applicant an instrument of payment in a form made payable to the contractor, OR by making payment direct to the applicant in accordance with information provided prior to grant approval.

NOTE: Contractors receiving direct payment may be required to provide sufficient information to be set up on the Council's financial systems – BUT this should not frustrate the client's choice, as the mandatory DFG grant (only) is an award of funds and not an award tied to a specific contractor with additional financial conditions.

Future occupation of the dwelling

It is a condition of the grant that throughout the grant condition period (that is 5 years from the date of certification) the dwelling is occupied in accordance with the intention stated in the certificate of owner occupation or availability for letting or intended tenancy.

Customer Own Schemes (COS)

Customers who meet the Disabled Facilities Grant (DFG) eligibility and are therefore entitled to a grant allocation may wish to 'top-up' the DFG funding. The DFG recommendation by the Occupational Therapist will be for the most cost-effective solution which meets all identified needs and will look to adapt an existing property. Where a customer wishes to pursue a different scheme, they will be responsible for the difference in costs between the DFG 'Mandatory Scheme' and the final cost of the works, including unforeseen costs.

The DFG team surveyor and Occupational Therapist will work with the customer, their architect and builders as applicable, to ensure that the final scheme meets the disabled person's needs and where applicable planning and building control regulations have been adhered to.

Repayment

Where a charge (repayable grant) is due for recovery, on receipt of a written request from the responsible person the DFG Team Leader will consider the options to reduce or waive repayment in particular circumstances to be determined in accordance with the following criteria;

- the extent to which the recipient of the grant would suffer financial hardship were they to be required to repay all or any of the grant;
- whether the disposal of the premises is to enable the recipient of the grant to take up employment, or to change the location of their employment;
- whether the disposal is made for reasons connected with the physical or mental health or wellbeing of the recipient of the grant or of a disabled occupant of the premises;
- whether the disposal is made to enable the recipient of the grant to live with, or near, any person who is disabled or infirm and in need of care, which the recipient of the grant is intending to provide, or who is intending to provide care of which the recipient of the grant is in need by reason of disability or infirmity.

If that initial decision is not accepted and further appealed, details of that appeal will be determined by the Head of Service, together or in consultation with the appropriate Assistant Director of the Council.

All recoverable charges will be recorded as local land charges.

The land charge will be placed in accordance with 2008 General Consent² which enabled local authorities to place a local land charge for the portion of the grant over £5,000. The charge can be up to £10,000 and applies if the owner wants to sell the property within 10 years of the certified (completion) date.

Worked examples of the charge are given below:

	Total Grant Awarded	Exempt Amount	Remaining Value of Grant	Charge Placed
Example A	£12,000	£5,000	£7,000	£7,000
Example B	£15,000	£5,000	£10,000	£10,000
Example C	£25,000	£5,000	£20,000	£10,000

2

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/7811/generalconsent2008.pdf

Appendix 3 – Additional Discretionary Support for Mandatory DFG Applicants

3a. Discretionary Top-Up Assistance

Aims

The aim of the scheme is to help the vulnerable members of the community where the Mandatory Disabled Facilities Grant (DFG) is insufficient to cover the full cost of the works or where the works are out of scope of the legislation but by completing them there would be demonstrable savings to the wider public purse and clear benefits to the applicant and/or their family/carers.

How will it be funded?

The grants would be funded from the DFG Budget from a dedicated part of the budget held solely for discretionary purposes. The value of this budget will be set annually by Executive Director People (Adults)

Who will it help?

Those who have been assessed as eligible to apply for Mandatory DFG assistance and towards the mandatory designed scheme to meet identified needs.

Will it be means-tested?

There will be no additional formal means test.

How much funding might be available?

Discretionary Top-Up Assistance (DTUA) may be awarded and will be subject to the availability of resources.

Where the additional funding required is less than £10,000 then the decision will be based upon evidence provided by the Independent Living Team to the OT Manager and the Independent Living Team Leader will be advised of the outcome.

However, if DTUA funding is required between £10,001 and £60,000 then it must be presented to a Decision-Making panel which would include Senior Representative from People Adults, and alternative options, such as moving, would need to have been demonstrated to have been explored in full; including contributions from landlords for housing association or private tenants.

Will there be a charge against the property?

For owner-occupiers DTUA will be registered, **in full**, as a local land charge against the property for a period of 10 years and will be recovered on the sale or transfer of the property, subject to rules regarding exempt sales.

Note – this is separate to the £10,000 recoverable DFG which expires at 10 years from certification of works completion.

Conditions attached to the grant

The person must be a permanent resident of Slough and the property must be their permanent address.

Conditions restricting future use and ownership of the property – the following additional conditions will apply where the Council has made an award of DTUA;

- The owner will notify the Council in writing if a relevant disposal of the property is proposed.
- The owner of the property will provide, within 21 days of a written notice from the Council, a statement confirming the ownership and occupancy of the dwelling. If the property has been sold or transferred the statement will include the date of transfer of ownership.
- Discretionary Top-Up Assistance will be registered as a charge against the property and will be repayable on sale or transfer of the property, subject to exempt sales. The charge will be binding on successors in title.
- It is a condition of DTUA that where an owner makes a relevant disposal of the dwelling, other than an exempt disposal, the DTUA shall be repayable subject to above.
- If a relevant disposal takes place after a period of 10 years after the certified date of completion of works, no amount shall be recovered which, after repayment of all charges registered against the property, results in owner(s) having a residual equity of less than £10,000. No account will be taken by the Council of charges subsequent to the charges registered by the Council.
- If the property is transferred, or the sale price does not reflect the market price, the Council will have the right to seek an independent valuation of the market value, which will be binding on both parties, in order to recover the grant repayable.

If the applicant for DTUA is a tenant then the Council will liaise with the appropriate landlord to explore whether alternative funding options, such as funding from the landlord and/or moving to alternative suitable accommodation is an option, before approving DTUA.

Applications for DTUA will be considered for Top-Up once works have already been started and unforeseen costs arise, if the scheme is a Mandatory Scheme.

Where an applicant is pursuing a 'preferred' scheme and has received the maximum eligible grant funding then applications for DTUA will not be considered.

A maximum of one application for DTUA will be considered in any 5-year period.

How to apply:

Through the DFG Team.

Funding will be awarded on a case-by-case basis as outlined above.

3b – Discretionary Contribution Grant (DCG)

Aims

The means test, as set out in the Housing Grants Construction and Regeneration Act 1996 has remained unchanged since the introduction of DFGs in their current form in 1996. It is widely accepted as being out of date and does not consider the outgoings of a household when assessing a contribution towards DFG. The result is that, on occasion, anomalous results can occur which mean that vulnerable people are unable to proceed with the adaptations they need to help them live at home due to an unaffordable contribution level. The 2018 DFG Review recommended that the means test be overhauled and this is currently proposed in the Social Care White Paper 2021, but until changes are made it is proposed that discretionary contribution assistance is provided.

The aim of this scheme is to help the vulnerable members of the community where the applicant is unable to proceed with adaptations because of a means tested contribution which means that they are at significant risk in their home and/or the failure to complete adaptations will result in increased costs to the wider Social Care budgets. It gives the Council the ability to pay these contributions from discretionary funding therefore enabling works to go ahead and the applicant to remain living in their home.

How will it be funded?

The grants would be funded from the DFG Budget from a dedicated part of the budget held solely for discretionary purposes. The value of this budget will be set annually by the Executive Director People, Adults.

Who will it help?

Those who have been assessed as being eligible to apply for Mandatory DFG assistance.

Will it be means-tested?

There will be no additional formal means test.

How much funding might be available?

Discretionary Contribution Grant (DCG), up to a maximum of £10,000 may be awarded where the following conditions are met:

- i. The applicant is not able to proceed with the works due to the assessed contribution.
- ii. There is a report from the OT recommending and demonstrating a severe health impact if assistance is refused.
- iii. Evidence of financial hardship can be provided (e.g. proof of inability to obtain funds from high street loan or proof of outgoings/ lack of savings etc.)
- iv. Evidence that the lack of adaptations leaves the applicant at risk in their home.
- v. Evidence that not completing the adaptations could result in increased costs to the Social Care Budget.
- vi. Where the contribution is below £2,500 then the funding will automatically be available.

Applications for this grant will be considered and approved as follows:

£1 to £2,500 – will be approved by the OT Manager.

£2,501 to £10,000 – will be approved by the DFG Panel with a supporting report from the DFG manager, this panel will include senior officers representing People Adults

Full guidelines regarding eligibility and affordability will be produced and published on the Council's website.

Will there be a charge against the property?

DCG will be registered, in full, as a local land charge against the property for a period of 10 years and will be recovered on the sale or transfer of the property, subject to rules regarding exempt sales.

Note – this is separate to the £10,000 recoverable DFG which expires at 10 years from certification of works completion.

Conditions attached to the DCG

The person must be a permanent resident of Slough and the property must be their permanent address.

Conditions restricting future use and ownership of the property – the following additional conditions will apply where the Council has made an award of DCG;

- The owner will notify the Council in writing if a relevant disposal of the property is proposed.
- The owner of the property will provide, within 21 days of a written notice from the Council, a statement confirming the ownership and occupancy of the dwelling. If the property has been sold or transferred the statement will include the date of transfer of ownership.
- DCG will be registered as a charge against the property and will be repayable on sale or transfer of the property, subject to exempt sales. The charge will be binding on successors in title.
- It is a condition of DCG that where an owner makes a relevant disposal of the dwelling, other than an exempt disposal, the DCG shall be repayable subject to above.
- If a relevant disposal takes place after a period of 10 years after the certified date of completion of works, no amount shall be recovered which, after repayment of all charges registered against the property, results in owner(s) having a residual equity of less than £10,000. No account will be taken by the Council of charges after the charges registered by the Council.
- If the property is transferred, or the sale price does not reflect the market price, the Council will have the right to seek an independent valuation of the market value, which will be binding on both parties, to recover the grant repayable.

A maximum of one application for DCG will be considered in any 5-year period.

How to apply:

Through the DFG Team.

Funding will be awarded on a case-by-case basis at the discretion of the Council's Senior Management.

Appendix 4 – Other Assistance

4a Enhanced Minor Adaptations

Aims

The grant increases the amount of funding available to complete works through the Social Care minor works scheme and raises the maximum funding available per application to £2,500.

The first £1,000 of all minor works would continue to be funded through Social Care with the additional monies being available for larger works where necessary.

The enhanced element of this funding will also be available to support where the disabled person is diagnosed with dementia, or other cognitive impairment or sensory disability or a recognised long term behavioural condition including but not limited to such conditions as Autism, Attention Deficit and Hyperactivity Disorder (ADHD) etc., works to make homes friendly and to help the person live safely, manage their surroundings, and retain their independence for longer.

The enhanced element of this funding will be available to support wider Care Act outcomes and support vulnerable and disabled people to remain living independently at home for as long as it is safe for them to do so.

The works may include any of the minor adaptations works covered by the existing provision but also can include the following:

- Deep cleaning
- Decluttering
- making changes to lighting to improve brightness and visibility
- changing cupboard doors to glass fronted ones to aid recognition of items inside
- redecorating selected dark coloured walls that will give a calmer effect
- replacing selected floor coverings that cause confusion or safety issues
- replacing bathroom toilet seats and rails with coloured to improve visual perception
- installing signage for easier recognition
- ensuring safe access to the property and that it is free from hazards
- provision of a safe space
- Carbon monoxide/cold/heat alarms
- Digital assistive technology
- Repairs to Category 1 Hazards in the home
- Minor works to enable hospital discharge or prevent hospital admission

This list is not exhaustive and each case for enhanced funding must be referred from the Council's Occupational Therapy service

How will it be funded?

The grants would be funded from the DFG Budget from a dedicated part of the budget held solely for discretionary purposes. The value of this budget will be set annually by the Executive Member.

Who will it help?

Any disabled or vulnerable person who has been assessed and referred by Social Care OT Service.

Will it be means-tested?

There will be no formal means test.

How much funding might be available?

The maximum funding available is £1,000 per application (in addition to the Social Care funding available)

Will there be a charge against the property?

There will be no land charge registered against the property.

Will there be any conditions attached?

The person must be a permanent resident of Slough and the property must be their permanent address.

A maximum of one application per financial year.

How to apply:

Through the Council's Social Care Team.

Funding will be awarded on a case-by-case basis at the discretion of the Council's Senior Management

4b – Major Equipment Grant

Aims

The grant aims to fast-track grant funded provision of major items of equipment that are required.

The works may include the following:

- Stairlifts
- Ceiling Track Hoists
- Modular Ramps
- Specialist Toilets

This list is not exhaustive and each case must be referred from the Council's Occupational Therapy service

How will it be funded?

The grants would be funded from the DFG Budget from a dedicated part of the budget held solely for discretionary purposes. The value of this budget will be set annually by the Executive Member.

Who will it help?

Any disabled or vulnerable person who has been assessed and referred by Social Care OT Service.

Will it be means-tested?

There will be no formal means test.

How much funding might be available?

The maximum funding available is £10,000 per application.

Will there be a charge against the property?

There will be no land charge registered against the property.

Will there be any conditions attached?

The person must be a permanent resident of Slough and the property must be their permanent address.

A maximum of one application per financial year.

How to apply:

Through the Council's Social Care Team.

Funding will be awarded on a case-by-case basis at the discretion of the Council's Senior Management

4c – Second Home Grants

Aims

In cases where families separate, and a court order provides that residency of the subject disabled child is split between two households, the Authority may consider the award of discretionary DFG to one property.

Mandatory DFG can only be provided to the 'sole or main residence' of the disabled applicant; main residence is determined by which party receives child benefit.

Under this discretion, adaptations may be provided in a second home, which is not the primary residence of the disabled individual, but which facilitates access to the second household with whom residency is shared.

How will it be funded?

The grants would be funded from the DFG Budget from a dedicated part of the budget held solely for discretionary purposes. The value of this budget will be set annually by the Executive Member.

Who will it help?

Children, under the age of 19 who have been assessed by the Occupational Therapy Service as being eligible for Mandatory DFG funding for their main residence but where there is a split residence order in place or where access to a second home on a regular basis is required.

Will it be means-tested?

There will be no formal means test.

How much funding might be available?

The maximum funding available is £10,000 per application.

Works in second homes will not be eligible for more than one discretionary funding grant.

Will there be a charge against the property?

Second Home Grants will be registered, in full, as a local land charge against the property for a period of 10 years and will be recovered on the sale or transfer of the property.

Will there be any conditions attached?

The child must be a permanent resident of Slough and the property for the adaptation must be within Slough and must be the main residence of the adult who has the shared residence order.

Conditions restricting future use and ownership of the property – the following additional conditions will apply where the Council has made an award of SHG;

- The owner will notify the Council in writing if a relevant disposal of the property is proposed.
- The owner of the property will provide, within 21 days of a written notice from the Council, a statement confirming the ownership and occupancy of the dwelling. If the property has been sold or transferred the statement will include the date of transfer of ownership.
- SHG will be registered as a charge against the property and will be repayable on sale or transfer of the property. The charge will be binding on successors in title.
- It is a condition of SHG that where an owner makes a relevant disposal of the dwelling, the SHG shall be repayable subject to above.

- If a relevant disposal takes place after a period of 10 years after the certified date of completion of works, no amount shall be recovered which, after repayment of all charges registered against the property, results in owner(s) having a residual equity of less than £10,000. No account will be taken by the Council of charges after the charges registered by the Council.
- If the property is transferred, or the sale price does not reflect the market price, the Council will have the right to seek an independent valuation of the market value, which will be binding on both parties, to recover the grant repayable.

A maximum of one application per family for this grant will be permitted.

How to apply:

Through the Council's Social Care Team.

Funding will be awarded on a case-by-case basis at the discretion of the Council's Senior Management