



**PRIVATE SECTOR HOUSING  
FINANCIAL ASSISTANCE POLICY**

2021

## Contents

1.0	Introduction.....	4
2.0	Scope of Policy.....	4
3.0	Legislation & Guidance.....	4
4.0	General Provisions .....	5
5.0	Financial Assistance Provisions .....	6
5.1	Low-cost Loans .....	6
5.2	Mandatory Disabled Facilities Grant (DFG).....	6
5.3	Discretionary DFG payment .....	6
5.4	Relocation Grant .....	7
5.5	Temporary Accommodation (to facilitate a DFG) .....	7
5.6	Considerations .....	7
5.7	Other Funding .....	8
6.0	Eligibility for financial assistance .....	8
7.0	Advice, Information & Other services .....	9
8.0	Complaints .....	9
9.0	Exceptional Circumstances .....	9
Appendix 1.0	Low-cost Loan Provider(s) & Products.....	11
1.1	Current Provider.....	11
1.2	Regulatory Oversight & Financial Advice .....	11
1.3	Alternative Providers .....	11
1.4	Current Products .....	11
1.5	General terms .....	12
Appendix 2.0	DFG Procedures .....	13
2.1	Applications.....	13
2.2	Approvals .....	13
2.3	Completions .....	14
2.4	Procurement arrangements & exemptions.....	14
2.5	Priority levels.....	14
2.6	Asbestos .....	15
2.6.1	When a report is needed. ....	15
2.6.2	Other matters.....	15
Appendix 3.0	DFG Eligible Works.....	17

3.1	Mandatory items.....	17
3.1.1	Criteria .....	17
3.1.2	Limitations of items provided .....	17
3.2	Non-Mandatory items .....	20
Appendix 4.0	Discretionary DFG Procedure .....	22
4.1	Principles .....	22
4.2	Criteria .....	22
4.3	Limitations .....	22
Appendix 5.0	DFG Palliative Cases .....	23
5.1	Eligible works .....	23
5.2	Palliative DFG Conditions .....	23
5.3	Financial assessment requirement.....	23
5.4	Priority .....	23
Appendix 6.0	Project assistance fee structure & service .....	24
6.1	Scope of service.....	24
6.2	Fee Structure .....	24
6.3	Explanation of fee structure.....	24
6.4	Payment.....	25
6.5	Cancellations.....	25
Appendix 7.0	DFG & Loan Conditions .....	26
	General conditions.....	26
	Repayment conditions .....	26
	Actions which may prejudice future applications .....	28
	Properties available for letting: .....	28
	Case Specific Conditions:.....	28

## 1.0 Introduction

This policy looks at the financial support available and the process involved for residents with a disability who need help to adapt their homes or are elderly or otherwise cash poor and need help to carry out repairs to their homes.

Across England the population is ageing, there are high numbers of disabled working age adults and rising numbers of families with disabled children. The majority live in ordinary housing, but most homes are not well designed for disabled people. The 2018-19 English House Condition Survey found that 31% of all households had one or more household members with a long term illness or disability and 17% of owner occupied homes failed to meet the decent homes standards with almost 1 in 5 (19%) of residents 65 years or over being more likely to live in a non-decent home<sup>1</sup>.

Our aim is to support more people to live in suitable housing so they can stay independent for longer. Many disabled and older people spend most of their time in their home and the accessibility, warmth and comfort of that home has a vital role to play in health and wellbeing. For disabled people of working age, the home also needs to be a place that makes it easy for them to earn a living. For families with disabled children the home should enable children to grow, develop and lead as normal a life as possible.

Providing suitable adapted housing or helping with essential repairs is important to maintaining good health, improving quality of life and reducing health inequalities in the borough. The PSH financial assistance policy will play a vital role in addressing the two strategic priorities of tackling social deprivation and health inequalities and enabling health and wellbeing and therefore compliments the overarching Health and Wellbeing Strategy.

The PSH financial assistance policy will also support the Accommodation for Elderly People and Those in Need of Care SPG (Supplementary Planning Guidance).

## 2.0 Scope of Policy

This policy encompasses the financial assistance options and provisions the Council deliver through the Private Sector Housing team within the Health & Wellbeing theme.

## 3.0 Legislation & Guidance

This policy has been written with consideration given to all relevant national guidance & legislation, the key pieces of which are:

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<sup>1</sup> MHCLG English Housing Survey: Headline Report, 2018-19  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/860076/2018-19\\_EHS\\_Headline\\_Report.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/860076/2018-19_EHS_Headline_Report.pdf)

- Housing Act 2004<sup>2</sup>
- Housing Grants, Construction and Regeneration Act 1996<sup>3</sup>
- Regulatory Reform (Housing Assistance) (England & Wales) Order 2002<sup>4</sup>
- Briefing Paper 03011 – Disabled Facilities Grants for home adaptations<sup>5</sup>
- Briefing Paper 1617 – Assistance with home repairs/improvements<sup>6</sup>

It is under the above that the Council has a statutory duty to provide grant aided adaptations for disabled person & have ongoing consideration of housing conditions within our district to determine what action is appropriate to alleviate hazards identified. There are also general powers given to provide financial assistance towards the repair, improvement and adaption of dwellings.

The aim of the guidance & legislation, which should be viewed as complimentary to each other rather than in isolation, is that through repairs and/or adaptations to people's homes there can be a reduced need for people to relocate, for supporting care provisions and a reduced risk of accidents which may lead to hospital admissions.

## 4.0 General Provisions

The Council will give due consideration to every valid application for financial assistance received. Each application will be the subject of an affordability test, unless specified in the exemptions outlined in the eligibility section.

Where demand for assistance exceeds the capacity of the service an assessment of the case will be used to prioritise applications according to need in relation to the condition of the property and its effects on the health of the occupant(s).

The Lead officer for Private Sector Housing and Executive Head of Health & Wellbeing will be responsible for monitoring compliance with this policy. They will ensure this policy is updated as necessary and as a minimum reviewed every 5 years.

All decisions relating to the provision of financial assistance to homeowners and tenants with repairing obligations shall be taken having due regard to this policy.

All activities relating to this policy must be carried out in accordance with guidelines set in place by the Lead officer for Private Sector Housing and Executive Head of Health & Wellbeing.

<sup>2</sup> Housing Act 2004 – Section 3: <http://www.legislation.gov.uk/ukpga/2004/34/section/3>

<sup>3</sup> Housing Grants, Construction & Regeneration Act 1996: <http://www.legislation.gov.uk/ukpga/1996/53/contents>

<sup>4</sup> Regulatory Reform (Housing Assistance) (England & Wales) Order 2002:

<http://www.legislation.gov.uk/uksi/2002/1860/contents/made>

<sup>5</sup> House of Commons Library Briefing Paper 3011, July 2018 – Disabled Facilities Grants for Home Adaptations: <file:///C:/Users/elizabeth/Downloads/SN03011.pdf>

<sup>6</sup> House of Commons Library Briefing Paper 1617, June 2017 – Assistance with Home Repairs/Improvements: [file:///C:/Users/elizabeth/Downloads/SN01617%20\(2\).pdf](file:///C:/Users/elizabeth/Downloads/SN01617%20(2).pdf)

For the purposes of this policy, the term “dwelling” shall be inclusive of houseboats and park homes (in accordance with the amendment made by the RRO 2002<sup>7</sup>).

## 5.0 Financial Assistance Provisions

The range of financial assistance, subject to availability, will include:

### 5.1 Low-cost Loans

Financial products will be provided by an approved third party. Providers will be approved by the Executive Head of Health & Wellbeing, Cabinet Portfolio Holder for Social Policy & the Head of Finance. Details of current provider(s) and products are shown in Appendix 1.

Loans are currently provided to assist homeowners with:

- Repairs
- Topping-up mandatory DFG grants
- Bringing empty homes back into use
- Installation of energy efficiency measures

A range of loan repayment options are available.

### 5.2 Mandatory Disabled Facilities Grant (DFG)

Mandatory DFGs up to a maximum of £30,000 per application will be provided in accordance with the Council’s statutory duty under the Act<sup>8</sup>.

Funding of the DFG service will be by means primarily of the Better Care Fund (BCF) allocation awarded to the Council from Ministry of Housing, Communities & Local Government (MHCLG) with some additional funding from the Council’s capital investment programme<sup>9</sup>.

The DFG service will be provided in accordance with the procedures and requirements set by the Lead officer for Private Sector Housing and Executive Head of Health & Wellbeing which are outlined in Appendix 2 and with due reference also being given to the eligible works policy (Appendix 3).

### 5.3 Discretionary DFG payment

A discretionary DFG payment up to a maximum of £5,000 per application may be awarded.

Funding of discretionary DFG payments will be as part of the main DFG budget outlined above. A cap will be set by the Executive Head of Health & Wellbeing at the start of each financial year on the total amount of discretionary payments that can be

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<sup>7</sup> Regulator Reform (Housing Assistance) (England & Wales) Order 2002, Schedule 3 (2) : <http://www.legislation.gov.uk/ukxi/2002/1860/schedule/3/paragraph/2/made>

<sup>8</sup> Housing Grants, Construction & Regeneration Act 1996: <http://www.legislation.gov.uk/ukpga/1996/53/section/1>

<sup>9</sup> In 2020/21 there is a provisionally agreed amount of approx. £1.3m for the total main DFG budget.

provided<sup>10</sup>. The cap set will take in to account the demand in the preceding financial year for discretionary payments alongside the overall DFG budget position.

Discretionary DFG payments will be considered in line with procedure & criteria set by Lead officer for Private Sector Housing and Executive Head of Health & Wellbeing, which are outlined in Appendix 4.

A discretionary DFG payment can also be provided for palliative cases and will be considered in accordance with the procedure & criteria set in Appendix 5.

#### 5.4 Relocation Grant

A relocation grant up to a maximum of £3,000 may be awarded to encourage applicants with disabilities to move when their existing home is unsuitable for adaptation. The grant will only be approved following acceptable quotes being obtained & submitted by the applicants and is to cover items such as:

- removal costs,
- the disconnection & reconnection of services,
- an allowance towards replacement carpets/floor coverings.

Funding of the relocation grant will be as part of the main DFG budget.

#### 5.5 Temporary Accommodation (to facilitate a DFG)

A grant for temporary accommodation while DFG works are undertaken is available for owner occupiers who are in receipt of a passporting benefit<sup>11</sup>. The Council will only fund up to 50% of the total cost of the accommodation (care packages are excluded).

This funding will only be available:

- Where the required DFG works are unable to be undertaken with the applicant (and any family) in situ.
- Where all other options are proved to have been exhausted (i.e. family, friends or charitable organisations).
- For only the duration of the DFG works.

Funding of the temporary accommodation grant will be as part of the main DFG budget.

#### 5.6 Considerations

Each of the above grants shall be considered on its individual merits and determined by the Lead officer for Private Sector Housing and/or Executive Head of Health &

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<sup>10</sup> In 2020/21 the cap is to be set at £25,000.

<sup>11</sup> Benefits which are already means-tested and so negate the need to apply the test of resources typically used on mandatory DFGs. Those benefits which are passporting are listed on the Council's website at <https://www.eastleigh.gov.uk/housing/information-for-homeowners/disabled-facilities-grants>.

Wellbeing having had due regard to this policy. Due regard will also be had for the capacity contained within the current agreed budget.

### 5.7 Other Funding

Applicants requiring assistance for sums less than, typically, £300 shall be referred to the local Credit Union.

A Handyperson Service is provided for elderly and/or disabled residents within the Borough with subsidised hourly charge for clients. The subsidy provided is funded from part of the main DFG budget to a maximum of £10,000 per annum.

## 6.0 Eligibility for financial assistance

DFGs are subject to a statutory test of resources.

The same test of resources will be used for relocation grants but any client contribution will be at the discretion of the Executive Head of Health & Wellbeing.

Where the test of resources determines that an applicant has sufficient income/equity to meet the cost of the works from a mainstream source they will be offered information and practical assistance to help them secure an alternative appropriate funding package.

Applicants whose financial circumstance exclude them from accessing finance from a mainstream source shall, subject to availability, be considered for a low-cost loan.

**Under no circumstance will an offer of financial assistance in the form of a low-cost loan be made if it is not affordable for the client.**

The test of resources shall not apply to the following forms of financial assistance:

- Grants to help people relocate to a property that is more suited to their needs where this will result in a saving of mandatory DFG funding.
- Mandatory DFGs where the disabled person in the household is a dependent child.
- Mandatory DFGs where the applicant is in receipt of a passporting benefit<sup>12</sup>
- Discretionary DFGs where it is a palliative case.
- Loans to bring empty dwellings back into use.
- Loans for owners who wish to install more energy efficient measures in their home.

The award of any grant or loan shall be subject to conditions as set out in Appendix 7.

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<sup>12</sup> Benefits which are already means-tested and so negate the need to apply the test of resources otherwise used on mandatory DFGs. Those benefits which are passporting are listed on the Council's website at <https://www.eastleigh.gov.uk/housing/information-for-homeowners/disabled-facilities-grants>.



## 7.0 Advice, Information & Other services

The Council will provide information and advice to applicants and to the wider public on the financial assistance options available. Council officers are not able to provide financial advice on loan products, although Parity Trust may provide this in appropriate cases.

Information on assistance available, including copies of the Council's policies and strategies is available on the website – [www.eastleigh.gov.uk](http://www.eastleigh.gov.uk). An information leaflet on DFGs is also available on request. Parity Trust website has information on their products. See [www.ParityTrust.org.uk](http://www.ParityTrust.org.uk).

The Private Sector Housing Team includes surveyors who are able to assess repairs and works needed to properties and give an estimate of the likely approximate costs. They are also able to assist with the appointment of contractors and the management of works where the client is particularly vulnerable or is otherwise requested.

Where an applicant requests assistance in arrangements/management of works, either in connection to bringing an empty property back into use or in undertaking disabled adaptations where the test of resources has determined they have sufficient income/equity to cover the cost of works, the Council may charge an administration fee for any assistance given. This fee may be waived only at the discretion of the Executive Head of Health & Wellbeing. Any charge levied will be in accordance with the fee structure set out in Appendix 6

The extent of help provided will depend on the staff resources available and the needs and other options for assistance of the client.

## 8.0 Complaints

If you have a problem with the service provided, please contact the Case Officer in the first instance. If you remain dissatisfied with the service provided, a formal complaint can be made in accordance with Eastleigh Borough Council's Complaints Procedure. For details please visit our website: <https://www.eastleigh.gov.uk/the-council/compliments,-complaints-comments.aspx>

## 9.0 Exceptional Circumstances

Should a pandemic (such as the Covid-19 outbreak) or another similar event occur which leads to exceptional national circumstances, temporary adjustments to the delivery of provisions under this policy may need to be made. In such an instance any changes to service will be based on an assessment of risk to both staff, clients and external partners with due consideration as to those in society identified as more vulnerable and any government issued guidance or requirements/restrictions to be followed.

Where any adjustments to services have to be implemented all possible efforts will be made to find temporary alternatives or measures, using all available technology, to ensure we preserve as much continuation and access (albeit maybe with extended process time) as can be reasonably achieved.

An equality impact assessment will be undertaken where any temporary adjustment to services is implemented. This will be carried out ideally prior to any changes but, where circumstances do not allow, will be as soon after implementation as is possible.

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## Appendix 1.0 Low-cost Loan Provider(s) & Products

### 1.1 Current Provider

The loan provider currently used is Parity Trust which is a not for profit community financial institution. The Council subsidises loans through Parity Trust. There is no arrangement or administration fee on each loan, though there is an annual management fee paid to Parity Trust. The cost of taking out a Legal Charge on a person's home has to be paid.

### 1.2 Regulatory Oversight & Financial Advice

Parity Trust are registered by the Financial Service Authority (FSA) and can provide advice, including financial advice to clients seeking to use their loan products.

### 1.3 Alternative Providers

The Council may work with other financial provider(s) from time to time. In these instances, the financial provider will equally be approved by the Executive Head of Health & Wellbeing, Cabinet Portfolio Holder for Social Policy & Head of Finance being satisfied where procurement requirements apply these have been followed, before any work commences. All reasonable checks will be made to ensure any new providers are suitably registered with a recognised industry body (such as the FSA) and that the Council is satisfied they have appropriate policies and procedures in place to ensure their service is provided in an equal & fair manner for all our residents.

### 1.4 Current Products

Below is a list of the current loan products available through Parity Trust.

- An equity release package secured against the applicant's dwelling
- A discounted capital and interest repayment loan up to £30,000
  - secured against the applicant's dwelling.
  - paid back in monthly instalments together with interest
  - payments over an agreed period, upon disposal of the property or breach of any applicable loan conditions, whichever is the sooner.
- A discounted interest repayment only loan, up to £30,000
  - secured against the applicant's dwelling
  - interest only is paid back in monthly instalments
  - repayment of the capital sum shall be for an agreed term and no later than upon disposal of the dwelling or breach of any applicable loan conditions whichever is the sooner.
- A discounted rolled up interest loan up to £30,000
  - secured against the applicant's dwelling
  - no monthly repayment but will accrue compound interest until it is repaid.

- repayment shall be no later than upon disposal of the dwelling or breach of any applicable loan condition, whichever is the sooner.
- An unsecured capital and interest repayment loan for sums less than, typically, £1000.

### 1.5 General terms

The interest rate to be charged on loans may be subject to change from time to time to ensure the subsidy payments are affordable to the Council.

A non-subsidised loan product will typically be offered for use by landlords and owners of empty properties in certain areas.

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## Appendix 2.0 DFG Procedures

### 2.1 Applications

A list of contractors who have previously completed work to a satisfactory standard and who wish to be on the list shall be made available to all applicants upon request.

Applicants who wish to arrange / manage works themselves for which mandatory DFG funding is sought, rather than use Council services, must submit with their application 3 contractors quotes for works or, where less than £5,000, only two quotes shall be required.

Where the Council is obtaining quotes as part of the service for applicants in arranging / managing works on their behalf this will be in accordance with the agreed arrangements and standing order exemption agreed by Head of Audit which is detailed later.

Applicants who wish to carry out the work themselves cannot include charge for their own labour and must include a detailed estimate of materials with their application.

Applications shall include relevant signed certificates concerning ownership and occupation conditions.

Applications will only be considered where they include confirmation of all planning, building regulation, party wall act and such other applicable statutory requirements have been satisfied.

An application shall be refused in respect of any work that has already been carried out. No work for which grant funding is sought shall be commenced prior to approval except where there is an overwhelming health or safety reason. In such instances work must not commence without the written permission of the Executive Head of Health & Wellbeing. Such permission shall not be taken as a guarantee that a loan or grant will be subsequently awarded.

### 2.2 Approvals

Mandatory DFG funding shall only be awarded to qualifying applicants undertaking eligible works and shall in all cases be subject to the availability of funds.

Provision shall be made for adjusting the granted amount when unforeseen variations in costs occur whilst work is in progress.

Grant approvals may be authorised by the Lead officer for Private Sector Housing, Executive Head of Health & Wellbeing or Corporate Director for Service Delivery.

- £0 - £30,000 – check & approval by grants officer, second check and final authorisation by one of those listed above.

- Over £30,000<sup>13</sup> check & approval by grants officer and then authorisation from two of those listed above.

## 2.3 Completions

Where a contractor is instructed, grants funding shall be paid directly to the contractor on behalf of the applicant upon satisfactory completion of the work and only when supported by a satisfactory invoice together with any relevant certificates and guarantees and building control notice completion.

## 2.4 Procurement arrangements & exemptions

It has been agreed by the Head of Audit since 2015 that for the purposes of mandatory DFG works that there can be an exemption to standing orders for works up to £10,000 which allow for only a single quote being obtained. This agreement has been granted on the following basis:

- That the works quoted for are from an itemised schedule of rates, to which the contractors on the list held by the Private Sector Housing team have agreed.
- The schedule of rates is maintained by the Private sector housing team and periodically reviewed to ensure accurate market prices.
- That the contractors on the list are each selected in turn on a rotational basis to ensure fair opportunity.
- A record of the rotation will be maintained to ensure transparency and accountability.

Any works that are over £10,000.00 and/or where the works quoted are either wholly or partly contains elements which are not from the schedule of rates then standard procurement requirements will apply<sup>14</sup>. In exceptional cases, e.g. specialised works to which no comparative quotes could reasonably be obtained or where the DFG is classified as urgent, single quotes may be accepted but only at the discretion of the Executive Head of Health & Wellbeing.

## 2.5 Priority levels

Mandatory DFGs may be classified as one of two priority levels; Standard or Urgent.

Urgent classification will only be given where identified by a referring Occupational Therapist and agreed by the Lead officer for Private Sector Housing or Executive Head of Health & Wellbeing. Urgent classification will only be awarded in the following circumstances:

- The client cannot be discharged from hospital or reablement facility without adaptations being done (i.e. is bed-blocking).

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<sup>13</sup> Which would only occur in circumstances where a mandatory DFG of maximum amount is combined with discretionary DFG payment or other type of financial assistance (excluding low-cost loans).

<sup>14</sup> 1 quote for works costing under £1000, 2 quotes for works costing between £1000 - £5000, 3 quotes for works costing over £5000.

- The client is identified by the Occupation Therapist as a palliative need.
- The client would be at risk of death or of extreme physical harm from current conditions/arrangements in dwelling if left without adaptations for the usual period of time taken to provide and complete a DFG.

## 2.6 Asbestos

All DFGs will have due regard to all relevant legislation, regulations and good practice in relation to the identification, management & control of asbestos.

### 2.6.1 When a report is needed.

- Where the property to be adapted was built either in 2000 or later, no asbestos reports will be required to be provided.
- Where the property to be adapted was built prior to 2000 the following will apply:
  - If it is an RSL(housing association) property or private rented property, an asbestos report MUST be provided to the Council for consideration prior to approval. It will be the responsibility of the RSL / Private Landlord to obtain the asbestos report and to cover any costs incurred in doing so.
  - If it is an Owner-Occupied property, there is no obligation to provide an asbestos report. However, if a contractor or grants surveyor have significant concerns there may be asbestos containing material (ACM) in the area where the adaption is to be done, it is good practice for a report to be produced. In such a circumstance, the Council may instruct directly an appropriate company on the client's behalf, and the costs incurred included in the DFG as an ancillary cost. The report will be obtained prior to approval.

### 2.6.2 Other matters

- The Council will ensure for any DFG where an asbestos report is provided/obtained that it is shared with all relevant parties (i.e. contractors) prior to the commencement of works.
- The Council will hold no responsibility as to the accuracy of the report, nor for any requirement for recording, reviewing or further management actions that may apply.
- It will be the contractor(s) responsibility to ensure they follow the appropriate measures & use of PPE in accordance with all relevant guidance & good practice as issued by HSE both when working around known ACM or if finding previously unidentified ACM and/or on accidental disturbance.
- The Council will, if notified of finding previously unidentified ACM and/or of an accidental disturbance by a contractor during works, ensure this information is shared with the relevant parties responsible for the property immediately.

- The Council may periodically check what training any contractors used for DFGs have regarding asbestos, to ensure they are aware of the relevant requirements and practices.

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## Appendix 3.0 DFG Eligible Works

### 3.1 Mandatory items

In line with the Act<sup>15</sup> items that meet one of the below criteria may be considered eligible for mandatory DFG funding but only where the Council consider them to be necessary and appropriate for meeting the needs of the disabled person and it is reasonable and practicable to carry out the work in the disabled person's home. Hampshire County Council (HCC) Adult & Children Services may be consulted on medical need in relation to a client's disability.

#### 3.1.1 Criteria

- Facilitating access by the disabled occupant to / from the dwelling.
- Facilitating access for the disabled occupant to a principal family room.
- Facilitating access for the disabled occupant to a room for sleeping.
- Facilitating access for the disabled occupant to a WC
- Facilitating access for the disabled occupant to washing/bathing facilities.
- Facilitating access the preparation/cooking of food by the disabled occupant.
- Making the dwelling safe for the disabled occupant and other people living there
- Facilitating the use by the disabled occupant of a source of power/light/heat by altering position or access to means of control
- Ensuring heating to the dwelling meets needs of disabled occupant
- Facilitating access around dwelling to enable a disabled occupant to care for others.
- Facilitating access by the disabled occupant to / from a garden

#### 3.1.2 Limitations of items provided

While it would be nice to fully adapt all parts of a disabled person's home regardless of cost, the reality is that the Council like all Local Authorities has a finite budget and so in assessing the reasonableness of proposed works consideration must be made to costs. The Council is charged with the responsibility of differentiating between what is desirable and what is essential for which the public purse can be justified.

For purposes of clarity, therefore, below are listed the limitations, the extent to which the Council consider these items can be deemed necessary and appropriate, to which Mandatory DFG funding may be given.

#### Bathrooms

- The adaptation or provision of more than one bathroom to a house e.g. additional ground floor WC, will only be considered if the disabled person is unable to access the first floor and installation of a stair lift / through floor lift will not meet their needs or is impractical given the structure of the property.

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<sup>15</sup> Housing Grants, Construction and Regeneration Act 1996, Section 23(1)

- Baths typically are not provided and will only be considered for a walk-in bath or rise & fall bath if there is a critical/essential medical need, evidenced by a GP letter specifically detailing this, that means client needs to soak in a bath for medical reasons.

### Property repairs

- Changes to the type of heating system within a property will only be considered if evidenced by medical need.
- Replacement of defective drainage pipes will not be eligible

### Hard standings

- Hard standings are only considered necessary and appropriate where the disabled person is the driver or where, if a child, there are significant behavioural problems which necessitate the need for a safe area in which to enter/alight from a vehicle.
- It will not be provided where it is considered a marked disabled parking bay would be viable and an effective alternative.
- It will not be provided as means to address on street parking in the client's road being busy.
- Hard standings will only be provided to accommodate 1 vehicle and up to the dimensions of
  - the length of the client's vehicle plus 1m.
  - the width of the client's vehicle plus 1.5m.

the "client's vehicle" is the one at the point of application and no amendments to the dimensions of the hardstanding will be accommodated should the client choose to change vehicles once the DFG has been approved or any point thereafter.

Variation to the above dimensions may be considered only in exceptional circumstances.

### Kitchens

- Where someone other than the disabled person does and will continue to do the cooking and preparation of meals, it will only be considered appropriate and necessary adaption to provide a low-level worktop with power points for kettle or microwave to allow them to make light meals or hot drinks
- Powered adjustable height sinks will generally not be considered if a secondary sink is a more cost-effective solution.
- Extensions or enlargement of kitchens will only be considered where absolutely necessary to accommodate a turning circle of a wheelchair if this cannot be achieved in the existing space.

### Garden Access

- Grant funding will not be provided to extending any existing access

- Grant funding will not be given where there is already suitable access
- Only the most modest solution for providing access will be considered
- Access means simply providing immediate access to the garden and does not include landscaping garden to make access around the entire garden for an individual.

### Additional rooms & extensions

- It will be expected all alternative options, such as re-housing, have been fully explored, considered and proven to be unviable before consideration will be given to an extension.
- An extension should be the last resort and will only be agreed when it is not possible to provide the required facilities within the footprint of the dwelling.
- Where an overcrowding issue overlaps with a disability issue, the overcrowding should be resolved first by the family. Issues of overcrowding will not be considered under mandatory DFG.
- Where the Council determine the facilities can be provided within the existing footprint of the dwelling, but the applicants request an extension, then the Council may consider an “applicant’s alternative scheme”. In doing so, the notional cost of the works identified by the Council may be granted but which the clients can then put towards the cost of their preferred scheme. This will only be considered where the Occupational Therapist agrees the alternative scheme will still meet the disabled person’s needs.
- Utilisation of all appropriate internal areas/rooms will be expected so as to reduce the size of any extension. This would include, but not limited to, integral garages, second reception room & unused bedrooms.
- Requests for provision of separate bedroom where a disabled child with behavioural difficulties shares a room with other siblings will only be considered under mandatory DFG where it can be demonstrated the child is prone to violent outbursts and there is risk of physical violence or safety to the other siblings.
- Single-storey extensions only will eligible under mandatory DFG.
- The following table is for guidance as to the size of bedroom that would be accommodated in the design where it is required as part of an extension.

Bedroom type	Client requirement	Size of room (m <sup>2</sup> )
Single	Ambulant	6.51 – 7.5
	With specialist bed	12.5
	Wheelchair user	7.28 – 12.0
	Wheelchair user with carers bed	14.7
	Bed/bathroom with H frame tracking	20.0
	Bed/bathroom with H frame tracking plus carers bed	22.0

Double	Both ambulant	10.2
	One ambulant and one wheelchair user	10.2 – 14.7
	Both wheelchair user	14.5 – 15.5

### 3.2 Non-Mandatory items

The Council can help facilitate the below items through low-cost loans where the clients are eligible, sign-posting clients to suitable charitable funding to apply for; however, no DFG funding will be available for these works.

#### Kitchens

- Generally, extensive adaptations to the kitchen over and above those considered necessary and appropriate or more than the limitations described above.
- The provision of cupboards, storage units, breakfast bars that are considered above and beyond the minimum necessary in order to meet the clients need for mandatory DFGs.
- Free Standing cookers and hobs, refrigerators, dishwashers, washing machines and waste disposal units.

#### Other Rooms

- Provision of replacement rooms or parts of rooms which have been "lost" by carrying out adaptations.
- Fitments in rooms, for example built-in cupboards, wardrobes, storage units etc.
- Extensions to living rooms.
- Provision of treatment rooms.

#### Scooter / Powered Wheelchair provisions

- Formation of patios, walkways to and from garages or scooter areas.
- Storage areas and charging points for powered wheelchairs/scooters.

#### Technology & Aids

- Provision of pager systems linked to doorbells or telephones for the profoundly deaf.
- Provision of disabled aids and equipment that can be fitted with no or little structural alterations.
- Non-fixed (mobile) aids, e.g. bath hoists may be funded by HCC
- Air conditioning.
- CCTV.
- Portable/non-fixed items.

#### Exterior

- General provision of external lighting.

- Drop kerbs and/or vehicle hard standings for non-wheelchair users or where wheelchair user is non-driver.
- Formation of bin store areas.
- Creating a safe play area and/or fences.

#### Other

- Service contracts for equipment, beyond that originally provided.
- Floor coverings (except slip-resistant floor finish to bathroom area).
- Wall tiling (except splash backs and immediate shower areas).
- Storage areas for example scooters, wheelchairs, children's equipment.
- Provision of clothes drying facilities.
- Minor adaptations up to the value of £1,000 which may be provided by Adult Services. Funding may also be available from Children's services or Housing Association (where applicable)

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## Appendix 4.0 Discretionary DFG Procedure

### 4.1 Principles

Discretionary DFG payments may be given to either:

- help top-up a mandatory DFG where works cost more than the maximum that can be provided.
- cover the cost of a client's assessed contribution to enable works to proceed
- cover the cost of small works needed to alleviate mental health crisis that would otherwise fall outside the remit of a mandatory DFG.

Discretionary DFG payments will only be awarded in extenuating circumstances and as the last resort to enable adaptations to proceed for a client. Being in any of the above scenarios should not be considered a guarantee that a Discretionary DFG will be awarded. To ensure the limited funding available is used for those most in need, they will only be awarded where it can be shown the clients have met all necessary criteria to justify the payment.

### 4.2 Criteria

Clients requesting discretionary DFG payment will need to be able to demonstrate, and evidence where required, the following:

- That all other sources of additional funding have been explored to no avail, including family members, charitable organisations etc.
- Owner-occupiers have explored potential of low-cost loan through Parity Trust and it be confirmed by Parity Trust that it is not financially viable.
- That they do not have any savings to be able to contribute themselves, or if they have some savings that it would put them in unreasonable financial hardship if required to contribute the necessary amount.
- Where the disabled person is a child (therefore the mandatory DFG would have been passported) the applicant(s) i.e. parent(s) or guardian(s) must either:
  - Demonstrate they are in receipt of a passported benefit; or
  - Have completed a test of resources form and been assessed to have either no contribution, or their assessed contribution is less than £5,000.

If the above criteria cannot be demonstrated to have been met, a Discretionary DFG will not be provided.

### 4.3 Limitations

The following limitations apply to discretionary DFG payments:

- Can only be provided up to a maximum £5,000.
- Will not be provided to cover the cost of a clients assessed contribution where the assessed amount is above £5,000.

## Appendix 5.0 DFG Palliative Cases

A Discretionary Palliative DFG can be considered in cases where the referring Occupational Therapist has identified the client as needing palliative short-term adaptations (typically they will have received a prognosis of 12 months or less).

### 5.1 Eligible works

The following adaptations can be considered under a discretionary palliative DFG.

- Straight stairlifts
- Curved stairlifts (these may take up to 8 weeks to manufacture)
- Modular ramping
- Wash-dry toilet (e.g. Clos-o-mat WC)
- Shower cubicles

### 5.2 Palliative DFG Conditions

It shall be a condition of the award of any Palliative DFG that any specialist equipment provided, including all of the items listed above, will remain the property of Eastleigh Borough Council and can be recovered and recycled by the Council for re-use on the removal of the original need or the disposal or change of use of the property.

This grant will not be repayable as all equipment will be recovered.

### 5.3 Financial assessment requirement

All cases where an Occupational Therapist has identified on their referral that it is in connection to a palliative short-term adaptation need it will be considered as passporting and no financial assessment will be required.

### 5.4 Priority

All cases under Discretionary Palliative DFG will be considered as Urgent and will get the increased priority within officer workloads that this accords.



## Appendix 6.0 Project assistance fee structure & service

### 6.1 Scope of service

The Private Sector Housing team may be requested to give assistance in arrangement and/or management of works where:

- It is in relation to disabled adaption works at a property but where the test of resources has determined the client has sufficient income/equity to cover the cost of works, or
- It is in relation to works to bring an empty property back into use.

Where staff resources permit, the Council may agree to provide such assistance. In such cases an administration fee will be charged to cover the time & resources entailed in providing this service.

### 6.2 Fee Structure

Where fees are charged, they will be in line with the below fee structure.

Total cost of works	Fee rate
up to £5,000	£250.00
£5,000 - £10,000	£500.00
over £10,000	10% of total cost of works.

### 6.3 Explanation of fee structure

Simple projects, which might be characterised by provision of a single specialist equipment item, without the need for other structural works, on average cost less than £5,000<sup>16</sup>. These simpler projects have less components to arrange and oversee and equally there will be little variation in the officer time involved between individual cases of this smaller size. Therefore, a single rate<sup>17</sup> for these simpler projects in the charging structure is considered most appropriate.

Medium scale projects as might be characterised by altering an existing bathroom to a level access shower room, on average cost less than £10,000 but do generally entail a greater amount of work. While there will be some variation between cases they will still all contain the same core areas of work. Therefore, the Council has set a slightly higher but still single rate<sup>18</sup> for these medium scale projects.

Large scale projects, as might be characterised by multiple adaptations within the same property, kitchen adaptations and extensions are generally the costlier projects and can vary greatly in their complexities and therefore time and work required to be provided. As such, it was considered most appropriate to charge a % rate for these

<sup>16</sup> All average costs are based on work cost data from DFG records for 2015 - 2019

<sup>17</sup> Rate set is equivalent to 6.6% of the middle cost in the price band.

<sup>18</sup> Rate set is equivalent to 6.6% of the middle cost in the price band.



highly variable cases so that the fee scales proportionately to the extent works required to be project managed.

#### 6.4 Payment

The fee levied for this service will be charged by means of an invoice sent to the client upon completion of works.

Should the client fail to pay the invoice then it will be considered as a debt to the Council and it will be sought to be recovered in line with the Council's debt recovery policy & procedures.

#### 6.5 Cancellations

A client will have the benefit of a 14-day cooling off period, from the date the Council have agreed to provide assistance, in which they can cancel without any repercussion or costs.

Should a client decide, after the first 14 days, to cancel their request for assistance they will still be liable to pay a fee to cover the time & resources expended by the Council up to that point.

If, at the point of cancellation, works have not started at the property and no contractor has been instructed to start:

- For small or medium scale projects, where a single rate would have applied, 50% of the single rate fee will still be liable to be paid.
- For large scale projects, where % rate would have applied, a charge of £500 will still be liable to be paid.

If, at the point of cancellation, works have commenced at the property or a contractor has been instructed to start the full fee will still apply.

Any cancellation fee may only be waived at the discretion of the Executive Head of Health & Wellbeing.

## Appendix 7.0 DFG & Loan Conditions

### General conditions

- 7.1 The award of any grant or loan is subject to the availability of funding having regard to the capacity of the approved budget.
- 7.2 Financial assistance provided by third parties through the Council shall be subject to such conditions and requirements as they may determine.
- 7.3 Owners must hold Title to the property for which assistance is requested or a Lease with an unexpired term of 5 years. Owners of Mobile Homes must have an unexpired right of occupation of their site plot for at least 5 years. Owners of houseboats must have an unexpired permanent mooring agreement of at least 5 years.
- 7.4 It shall be a condition of the award of any grant that any specialist equipment, including but not limited to; stairlifts, through floor lifts, modular ramping and automatic wash-dry toilets, can be recovered and recycled at the discretion of the Council for re-use on the removal of the original need or the disposal and/or change of use of the property.
- 7.5 All applicants shall be expected to maintain adequate buildings insurance.

### Repayment conditions

- 7.6 Section 52 of the Act<sup>19</sup> allows local housing authorities to impose repayment conditions on DFGs but only with the consent of the Secretary of State. In 2008 the Secretary of State gave all local housing authorities a general consent<sup>20</sup> to impose such repayment conditions subject to the following prescribed criteria:
  - 7.6.1 The Council may demand repayment of any amount of a DFG which exceeds £5,000 up to a maximum repayment of £10,000.
  - 7.6.2 The applicant (“the recipient”) must have a qualifying owner’s interest in the premises on which the relevant works are to be carried out

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<sup>19</sup> Housing Grants, Construction & Regeneration Act 1996, Section 52 :

<http://www.legislation.gov.uk/ukpga/1996/53/section/52>

<sup>20</sup> Housing Grants, Construction & Regeneration Act: Disabled Facilities Grant (Conditions relating to approval or payment of Grant) General Consent 2008 -

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/7811/generalconsent2008.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/7811/generalconsent2008.pdf)

- 7.6.3 The recipient disposes (whether by sale, assignment, transfer or otherwise) of the premises within 10 years of the certified date of completion of the works.
- 7.6.4 The Council is satisfied that it is reasonable in all circumstances to require the repayment having given due consideration to the following:
- The extent to which the recipient would suffer financial hardship from having to repay all or any of the grant;
  - Whether the disposal of the premises is to enable the recipient to take up employment, or to change the location of his/her employment;
  - Whether the disposal is made for reasons connected with the physical or mental health of the recipient or of a disabled occupant of the premises; and
  - Whether the disposal is made to enable the recipient to provide or receive care.
- 7.6.5 Any DFG subject to a repayment condition is placed as a local land charge and must be registered accordingly.
- 7.6.6 The use of repayment conditions on DFGs will not disadvantage recipients as the adaption remains free at the point of delivery.
- 7.6.7 In any case where the Executive Head of Health & Wellbeing, in consultation with the Cabinet Lead Councillor and Chief Finance Officer, consider it to be reasonable based upon the individual circumstances of the case.
- 7.7 Where a loan or grant has been awarded the recipient **MUST** immediately notify the Council when they decide to dispose of or permanently vacate the property or in the case of a landlord, they cease to make the property available for letting.
- 7.8 The Council shall impose a condition requiring repayment of a loan or grant awarded for works that are subsequently the subject of a successful insurance or other legal claim for damages. A demand for repayment shall be made at the discretion of the Cabinet Lead Councillor in consultation with the Executive Head of Health & Wellbeing and Chief Finance Officer.
- 7.9 The Council shall demand repayment of a (loan or) grant in full upon breach of one or more of the conditions. A demand for a lesser amount shall be considered at the discretion of the Cabinet Lead Councillor in consultation with the Executive Head of Health & Wellbeing and Chief Finance Officer.

- 7.10 In all other circumstances there shall be no discretion to waive repayment of a loan except where the loan provider advises that legal action to recover the loan would, on the balance of probabilities, be unsuccessful.

### Actions which may prejudice future applications

- 7.11 The applicant shall endeavour to maintain the property in good repair following completion of the works. Failure to do so may prejudice future applications for financial assistance.

### Properties available for letting:

- 7.12 It shall be a condition of the award of a loan in respect of an empty property that is or will be available for letting once brought back into use that:
- 7.12.1 The Council shall be entitled to nominate tenants to the property for a period of 5 years commencing from completion of the work. The landlord must notify the Council should a vacancy arise during the 5 years period.
  - 7.12.2 The loan shall be repaid upon demand should the property cease to be available for letting within 5 years from the completion of the works.

### Case Specific Conditions:

- 7.13 The Council may attach any other conditions on the award of any grant or loan on individual cases as may be considered necessary and reasonable for the particular circumstances of that case.
- 7.13.1 Where a case specific condition is to be attached it must be agreed by Executive Head of Health & Wellbeing & Cabinet Portfolio Holder for Social Policy.
  - 7.13.2 Must be put in writing to the applicant at earliest point possible to notify them of the terms of the condition so they are fully informed of the requirements and determine if they wish to continue with their application