

20th November 2017

Agenda Item: 7

**REPORT OF THE CORPORATE DIRECTOR, ADULT SOCIAL CARE,
HEALTH AND PUBLIC PROTECTION, NOTTINGHAMSHIRE COUNTY**

DISABLED FACILITIES GRANT (DFG) - PRESENTATION

Purpose of the Report

1. To present to Committee details of the Disabled Facilities Grant (DFG) and the approach within the Nottinghamshire Better Care Fund plan.

Information and Advice

2. Committee is invited to comment on the presentation, the main points of which are:
 - A description of Disabled Facilities Grants (DFG) and the DFG process
 - DFGs within the Better Care Fund
 - Progress to date in Nottinghamshire

Purpose of Disabled Facilities Grants

3. Disabled Facilities Grants (DFGs) are a mechanism to provide financial assistance for adaptations to dwellings occupied by disabled people.

Legislation

4. The legislative framework governing DFGs is provided by the Housing Grants Construction and Regeneration Act 1996. Since 1990, local housing authorities (the district or borough authorities in two-tier counties) have been under a statutory duty to provide grant aid to disabled people for a range of adaptations to their homes.

Mandatory grants

5. Section 23 of the Housing Grants Construction and Regeneration Act 1996 (as amended) specifies the purposes for which grant must be given, subject to eligibility of the applicant and to a financial test of resources. These can be summarised as follows:
 - making it easier to get into and out of the dwelling by, for example, widening doors and installing ramps

- ensuring the safety of the disabled person and other occupants by, for example, providing a specially adapted room in which it would be safe to leave a disabled person unattended or improving lighting to ensure better visibility
- making access easier to the living room
- providing or improving access to the bedroom, kitchen, toilet, washbasin and bath (and/or shower) facilities; for example, by installing a stair lift or providing a downstairs bathroom
- improving or providing a heating system in the home which is suitable for the needs of the disabled person
- adapting heating or lighting controls to make them easier to use
- improving access and movement around the home to enable the disabled person to care for another person who lives in the property, such as a spouse, child or another person for whom the disabled person cares
- Providing access for the disabled person to the garden

Conditions relating to mandatory grants

6. The legislation provides for a number of conditions relating to mandatory grants. These include the following:

- The maximum mandatory grant is currently £30,000
- Applicants are subject to a financial test of resources (means test) to ascertain if they will be required to make a contribution towards the cost of the works. If the applicant is in receipt of certain specified “passporting” benefits, they will receive 100% grant, up to the statutory maximum.
- The means test is not applied to DFGs in respect of disabled children and they automatically receive 100% grant up to the statutory maximum.
- The local housing authority has to approve or refuse a properly submitted application for grant within six months.
- The local housing authority has to be satisfied that the relevant works are necessary and appropriate to meet the needs of the disabled occupant, and that it is reasonable and practicable to carry out the relevant works having regard to the age and condition of the dwelling, qualifying houseboat or qualifying park home, or the building.
- In considering these matters, a local housing authority which is not itself a social services authority is under a duty to consult the social services authority. (This is effectively the County Council Occupational Therapy Service.)

Local authorities' discretionary powers

7. The general power under Article 3 of the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 enables housing authorities to give discretionary assistance, in any form, (e.g. grant, loan, equity release) for adaptations.

There is no restriction on the amount of assistance that a local authority may provide for housing adaptations; discretionary assistance may be given in addition to, or as an alternative to, mandatory DFG.

Assistance can be given under Article 3 for a wide range of purposes, for example:

- to provide small-scale adaptations to either fulfil needs not covered by mandatory DFGs or, by avoiding the procedural complexities of mandatory DFGs, to deliver a much quicker remedy for urgent adaptations
- to provide top-up assistance to mandatory DFG where the local authority takes the view that the amount of assistance available under DFG is insufficient to meet the needs of the disabled person and their family
- to assist with the acquisition of other accommodation (whether within or outside the authority's area) where the authority is satisfied that this will benefit the occupant at least as much as improving or adapting the existing accommodation.

The Article 3 power may not be used unless the authority has published a policy setting out what use it intends to make of the power.

Funding of DFGs

8. DFGs are funded by a capital grant from central government. The amount allocated to each district is calculated via a complex national methodology taking into account population demographics, disability benefit receipt, and other factors. Since the introduction of the Better Care Fund a few years ago, the allocations for the districts in two tier authorities are paid to the upper tier authority. The upper tier authority is then obliged to pass on the whole of that amount to the lower tier authorities, unless specifically agreed otherwise. This year, that had to be done by the 30th June. Allocations in Nottinghamshire for the years 2013 to date are shown in the table below.

DFG allocations to Nottinghamshire authorities 2013 to 2018 (£)							
	Ashfield	Bassetlaw	Broxtowe	Gedling	Mansfield	Newark & Sherwood	Rushcliffe
2013/14	358,717	415,717	292,717	357,717	467,717	355,717	224,717
2014/15	374,001	430,172	303,141	370,964	483,194	369,307	233,054
2015/16	482,000	532,000	377,000	464,000	592,000	465,000	292,000
2016/17	743,713	917,848	676,273	820,019	993,620	803,085	520,855
2017/18	799,446	999,898	739,967	895,655	1,078,987	874,962	569,510

Spend (actual only) in the first six months of this financial year is shown in the table below.

DFG spend by Nottinghamshire authorities April 1st to Sept 30th 2017 (£)						
Ashfield	Bassetlaw	Broxtowe	Gedling	Mansfield	Newark & Sherwood	Rushcliffe
414,103	326,324	308,407	370,538	416,500	329,129	295,306

9. DFG is paid to upper-tier authorities with a requirement that the full amount is passed to the lower tier authorities by a stipulated date. However, there is a requirement in two tier areas for use of the funds (on capital projects as this is what the budget is limited to) to be jointly agreed to support integration ambitions. This is to encourage areas to think strategically about the use of home adaptations, use of technologies to support people to live independently in their own homes for longer, and to take a joined-up approach to improving outcomes across health, social care and housing. Innovation in this area could include combining DFG and other funding sources to create fast-track delivery systems, alongside information and advice services about local housing options. Planning guidance indicates that it is important to continue to ensure that local needs for aids and adaptations are met, whilst also considering how adaptation delivery systems can help meet wider objectives around integration.

10. However, the statutory duty on local housing authorities to provide DFG to those who qualify for it will remain. Therefore each area will have to provide enough funding from their DFG allocation to enable them to continue to meet their statutory duty to provide adaptations to the homes of disabled people, including in relation to young people aged 17 and under

Use of DFG funding in Nottinghamshire

11. In Nottinghamshire, there has been considerable cooperation between the district councils, the County Council, and Health Service colleagues to ensure the DFG funding is used to the best effect. At the start of the financial year, schemes are agreed in line with the principles agreed at the Health and Wellbeing Board and approved as part of the BCF plan approval. This has led to the implementation of some county wide schemes (Warm Homes on Prescription) as well as others which are addressing local need (assistive technology, hospital discharge, “top up” of mandatory grants). The use of DFG monies to fund existing schemes has also allowed the redistribution of money (for example, a contribution to the Handyperson Adaptation Service from each of the districts has reduced the County Council’s input to this scheme by approximately £350,000, allowing this to be allocated to other County Council schemes).

The Nottinghamshire way of working has been held up as an example of good practice in the use of DFG funding.

Future initiatives

12. In terms of the future, an indicative amount has been given by central government in respect of the allocations for 2018-19. This shows a slight increase on this year. A number of improvements are being looked at going forward including:

- Exploration of a single county- wide service for DFGs (Lightbulb project)
- Review of Handyperson Adaptation Service
- Better coordination of assistive technology schemes across health, social care and housing
- Cost benefit analysis for assistive technology schemes

- A more integrated approach to housing, social care and health through the Nottingham and Nottinghamshire Sustainability and Transformation Partnership work-stream “Improving Housing and Environment”
- Review of use of underspends

Statutory and Policy Implications

13. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

RECOMMENDATION/S

Committee is asked to comment on the details of the presentation.

David Pearson, Corporate Director, Adult Social Care, Health and Public Protection, Nottinghamshire County Council

For any enquiries about this report please contact:

Joanna Cooper

Joanna.Cooper@nottscc.gov.uk / 0115 977 3577

David Gell

David.Gell@broxtowe.gov.uk

Constitutional Comments

The Finance and Major Contracts Management Committee is the appropriate body to consider the contents of the report.

Financial Comments

There are no specific financial implications arising directly from this report.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- None

Electoral Division(s) and Member(s) Affected

- All