



Peterborough City Council

Housing Renewal Policy

2021 - 2024

Housing Assistance to Improve Health, Safety & Wellbeing

October 2020

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1. INTRODUCTION

1.1 The Regulatory Reform (Housing Assistance) (England & Wales) (Order 2002

- 1.1.1 Article 3 of the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 gives local authorities the power to provide assistance (either directly or indirectly) to any person for the purpose of improving living conditions in the local authority area.
- 1.1.2 Paragraph (3) of article 3 allows assistance to be provided in any form.
- 1.1.3 The Order provides that the power may be exercised subject to certain qualifications detailed in article 3.
- 1.1.4 Paragraph (4) of article 3 gives local housing authorities the power to make assistance subject to certain conditions, including making repayment or a contribution.
- 1.1.5 Article 4 of the Order prevents local housing authorities from exercising their Article 3 power unless they have adopted a policy for the provision of assistance under that article and given publicity to the policy and act in accordance with it.
- 1.1.6 Article 11 of the Order makes amendments to the Housing Grants, Construction and Regeneration Act 1996 in accordance with Schedule 3 of the Order.

1.2 The purpose and scope of this document

- 1.2.1 In accordance with article 4 of the Regulatory Reform (Housing Assistance)(England and Wales) Order 2002, this document sets out in full the policy that has been adopted by Peterborough City Council, and includes details of –
 - (a) how the Council intends to exercise its article 3 powers and ensure that the statutory qualifications to that power are observed;
 - (a) the types of assistance the Council may make available;
 - (a) the circumstances in which persons will be eligible for assistance;
 - (a) how the amount of any assistance awarded will be calculated;
 - (a) the conditions that will apply to the provision of assistance;
 - (a) how and in what circumstances any assistance made may be repaid.

1.3 Commencement and transitional arrangements

- 1.3.1 This revised policy shall have effect from 1 January 2021.
- 1.3.2 From 1 January 2021 a valid application for assistance made under a power derived under article 3 of the Order will be determined under the provisions of the policy described in this document.

1.4 NATIONAL CONTEXT

1.4.1 The Ministry of Housing, Communities & Local Governments (MHCLG) English Housing Survey 2018 – 2019 published in January 2020 stated:

- Of the estimated 23.5 million households in England, 15.0 million or 64% were owner occupiers.
- In 2018-19, the private rented sector accounted for 4.6 million or 19% of households the sector has doubled in size since 2002,
- The social rented sector, at 4.0 million households (17%), remained the smallest tenure, following a long downward trend which has stabilised over the last decade or so.
- After more than a decade of decline, the proportion of 25-34 year olds in owner occupation has increased and there are now almost equal proportions of 25-34 year olds living in the private rented and owner occupied sectors (41%)
- In 2018-19, 10% of 55-64 year olds lived in the private rented sector and the proportion of 55-64 year olds in the social rented sector increased from 14% to 17%. Meanwhile, the proportion of 55-64 year olds that were owner occupiers decreased from 79% to 73%.
- In 2018-19, 8% of social renters lived in overcrowded accommodation, up from 5% in 1998-99. Over the same period, the proportion of private renters living in overcrowded accommodation increased from 3% to 6%.
- In 2018, the average SAP (Energy Efficiency) rating of English dwellings was 63, up from 62 in 2017. This increase was evident in all tenures apart from housing association dwellings where there was no significant increase. The proportion of dwellings in the highest SAP energy efficiency rating bands A to C increased considerably between 2008 and 2018, from 9% to 34%. Over the same period, the proportion of dwellings in the lowest F and G bands fell from 14% to 4%.
- In 2018, 22% of dwellings with mains electricity had an electricity smart meter and 21% of dwellings with mains gas supply had a gas one, up from 15% and 14% respectively in 2017.

1.4.2 The Housing Act 2004 brought about changes to the way in which properties are assessed and has replaced the former system based on the test of fitness for human habitation. The Housing Health & Safety Rating System [HHSRS] assessment process incorporates a full inspection of the residential premises to identify any deficiencies. The inspecting officer will judge whether the deficiencies mean that there are any hazards that are significantly worse than the average for residential premises of that age and type. The inspecting officer then assesses the likelihood of an occurrence that could cause harm over the next twelve months and the severity of the outcomes from such an occurrence.

1.4.3 A hazard is a situation where there is risk of harm. The hazards assessed by the inspecting officer

are:

- Damp and mould growth – exposure to dust mites, damp, mould or fungal growth
- Excess cold – exposure to low temperatures
- Excess heat – exposure to high temperatures
- Exposure to asbestos & manufactured mineral fibres
- Biocides – exposure to chemicals used to treat timber and mould growth
- Carbon Monoxide and fuel combustion products – exposure to carbon monoxide, nitrogen dioxide, sulphur dioxide and smoke
- Ingestion of lead
- Exposure to radiation
- Exposure to uncombusted fuel gas
- Exposure to volatile organic compounds
- A lack of adequate space for living and sleeping
- Difficulty in keeping the dwelling secure against unauthorised entry
- A lack of adequate lighting
- Exposure to noise
- Domestic hygiene, pests and refuse – poor design, layout or construction such that the dwelling cannot readily be kept clean, exposure to pests; an adequate provision for the hygienic storage and disposal of household waste
- Food Safety – an inadequate provision of facilities for the storage, preparation and cooking of food
- Personal hygiene, sanitation and drainage – an inadequate provision of facilities for maintaining good personal hygiene, sanitation and drainage
- Water supply – an inadequate supply of water free from contamination, for drinking and other domestic purposes
- Falls associated with toilets, baths, showers or other washing facilities
- Falling on any level surface or falling between surfaces where the change of level is less than 300 mm
- Falling on stairs, steps or ramps where the change of level is 300 mm or more
- Falling between levels where the difference in levels is 300 mm or more
- Exposure to electricity
- Exposure to uncontrolled fire and associated smoke
- Contact with controlled fire or flames, hot objects, liquid or vapours
- Collision with, or entrapment of body parts in doors, windows or other architectural features
- An explosion in the dwelling
- The position, location and operability of amenities, fittings and equipment
- The collapse of the whole or part of the dwelling

1.4.4 To allow for the comparison of the significance of the widely differing hazards, the HHSRS uses a formula to generate hazard scores. Hazards are classified as either Category 1 or Category 2.

1.4.5 The Housing Act 2004 imposes a duty on Local Authorities to deal with identified Category 1 hazards and a power to deal with Category 2 hazards.

Providing financial assistance to lower income and vulnerable owner occupiers as well as taking

appropriate and proportionate enforcement action on Landlords of privately rented properties are two ways Local Authorities may exercise that duty and power.

- 1.4.6 The English Housing Survey 2018 – 2019 found across all tenures, the proportion of homes with HHSRS Category 1 hazards has declined over the past decade. In 2018, 11% of the housing stock had a HHSRS Category 1 hazard, down from 23% in 2008. Such hazards are more prevalent in the private rented sector (14%) than owner occupied housing stock (11%) and the social rented sector (5%). While the private rented sector had the highest proportion of homes with a Category 1 hazard, there was a notable decrease in the proportion of stock with such hazards, from 31% in 2008 to 14% in 2018.
- 1.4.8 This concentration of poor housing in the private sector is of key importance when planning preventative housing measures eg. to reduce health risks, prevent falls and support safe, timely hospital discharge, all of which impact on NHS costs. The estimated costs of poor housing to the NHS is £1.4 billion pa. The cost to the NHS, in first year treatment costs, of the poorest housing among older households (55yrs+) is c. £624 million. Housing, its availability, standard and suitability, has a critical role to play in plans for a more integrated approach to provision of health services and social care.
- 1.4.9 Housing disrepair impacts on mental as well as physical health, affects carers' ability to care, and can fundamentally undermine older people's ability to live independently, safely and as part of the wider community. Housing impacts on economic activity, childhood and educational attainment and health across the life course. In England there has been a long history of systematic action to improve and maintain housing stock condition. There are significant potential economic and social gains from a coherent national response to addressing private sector housing disrepair, including employment opportunities, economic stimulus through enabling best use of assets, as well as health gains. As well as addressing housing supply, existing housing stock disrepair needs once again to be 'on the radar' of policy makers across housing, health and social care.
- 1.4.10 The Care Act 2014 focusses on prevention. Guidance states "*Local authorities must provide or arrange services, resources or facilities that maximises independence for those already with such needs, for example interventions such as rehabilitation/reablement services, e.g. community equipment services and adaptations.*" The guidance goes on to state "A fundamental component of the Care Act is the suitability of accommodation' in meeting the at home care and support needs of older and vulnerable people. The Act and the accompanying regulations and guidance outline how housing can support a more integrated approach
- 1.4.11 Section 1 of the Care Act states that whatever social services does under the Act, in respect of an individual person, it has a general duty to promote the wellbeing of that individual, including
 - a. personal dignity
 - b. physical and mental health and emotional wellbeing;
 - c. protection from abuse and neglect;
 - d. control by the individual over day-to-day life (including over the care and support

- provided to the adult and the way in which it is provided)
- e. participation in work, education, training or recreation;
- f. social and economic wellbeing
- g. domestic, family and personal relationships;
- h. suitability of living accommodation;**
- i. the adult's contribution to society.

1.4.12 Housing is not just the 'bricks and mortar', but also includes housing related support or services. Housing must be considered as part of an assessment process that may prevent, reduce or delay an adult social care need. Information and advice should reflect housing options, as part of a universal service offer. The aim is for care and support to be delivered in an integrated way with cooperation with partner bodies, including housing

1.4.13 The Public Health Outcomes Framework “Healthy Lives, Healthy People: Improving Outcomes and Supporting Transparency” (Dept of Health, 2013) sets out desired outcome for public health and how they will be measure. Many of the measurements have links to housing including falls and injuries in over 65s, Fuel Poverty and Excess Winter Deaths.

1.4.14 The National Institute for Health and Care Excellence (NICE) has issued guidance on preventing Excess Winter Deaths and identifies the following groups as being particularly vulnerable to cold living conditions:

- People with cardio-vascular conditions
- People with respiratory conditions (In particular COPD and childhood asthma)
- Those suffering from mental health conditions
- People with disabilities
- Older people (age 65 and over)
- Households with young children (new born to school age)
- Pregnant women
- Low income households

1.4.15 The Council's Affordable Warmth Strategy 2020 – 2025 and this Renewals Policy are closely aligned to the NICE recommendations. This includes:

- developing a single point-of-contact health and housing referral service for people living in cold homes,
- providing tailored solutions,
- Identify people at risk of health from living in a cold home
- Make every contact count by assessing the heating needs of people who use primary health and home care service
- Discharge vulnerable people from health or social care settings to a warm home
- Raise awareness among practitioners and the public about how to keep warm at home
- Ensure buildings meet ventilation and other building and trading standards

1.5 LOCAL CONTEXT

1.5.1 Peterborough is a city with huge ambitions. The vision for the city is:

“To create a Peterborough residents are proud to live, work and grow up in and where services give value for money and deliver what local people need.

1.5.2 The priority outcomes in the Council’s Corporate Strategy 2019 – 2021 are:

- Pride in our communities and environment
 - We want safe, friendly and healthy neighbourhoods with open spaces, roads, pavements and cycle paths that are well maintained and free from litter and mess:
- First rate futures for our children, young people - and quality support for our adults and elderly
 - We want to improve opportunities for education and training and to help people to do more for themselves, for each other and for their communities:
- Better jobs, good homes and better opportunities for all
 - We will grow our city in a sustainable and fair way to create job opportunities and address poverty. As we grow, we will invest in the quality and availability of housing

1.5.3 The last stock modelling conducted in the City was by the Building Research Establishment (BRE) in 2015/2016. The BRE undertook a series of modelling exercises on the housing which included the prevalence of Category 1 hazards and energy performance.

Indicator	All Stock				Private Sector Stock			
	P'boro No	P'boro %	2011 EHS Regional %	2011 EHS England %	P'boro No	P'boro %	2011 EHS Regional %	2011 EHS England %
No of dwellings	82,695	-	-	-	66,414	-	-	-
All Cat 1 hazards	8,937	11%	17%	15%	7,952	12%	19%	17%
Excess Cold	2,522	3%	7%	6%	2,286	3%	8%	7%
Falls	7,414	9%	10%	9%	6,714	10%	11%	10%
Disrepair	2,123	3%	3%	5%	1,978	3%	3%	6%
*Fuel Poverty LIHC	8,742	11%	10%	11%	7,218	11%	11%	11%
Low income households	29,336	35%	28%	33%	17,084	26%	20%	24%
All Cat 2 hazards	12,499	15%	29%	31%	10,849	16%	31%	33%

Table 1.2 Estimates of the numbers and percentages of dwellings meeting key indicator criteria for all stock and private sector stock in Peterborough compared to East of England and England

Indicator	Private Sector Stock				Social Stock	
	Owner Occupied		Private Rented			
	No	%	No	%	No	%
No of dwellings	49,956	-	16,458	-	16,281	-
All Cat 1 hazards	5,442	11%	2,510	15%	985	6%
Excess Cold	1,639	3%	647	4%	236	1%
Falls	4,536	9%	2,178	13%	700	4%
Disrepair	1,139	2%	839	5%	145	1%
**uel Poverty LIHC	4,156	8%	3,062	19%	1,524	9%
Low income households	10,444	21%	6,640	40%	12,252	75%
All Cat 2 hazards	7,203	14%	3735	23%	1,050	6%

Table 1.3 Estimate of the numbers and percentage of dwellings meeting the key indicator criteria by tenure for Peterborough

*Low Income High Cost Fuel Poverty Indicator – required fuel costs are above average (national median level) and were household to spend that amount they would be left with a residual income below the official poverty line

1.5.8 The Report estimated the total cost of mitigating all hazards within dwellings as £28.2 million.

1.5.9 As well as commissioning the stock modelling, Peterborough City Council also commissioned a quantitative Health Impact Assessment which utilises the data in the stock modelling to better understand the effect of private sector housing hazards and intervention strategies on the health of residents in Peterborough using the methodology developed by the BRE for the “Real Cost of Poor Housing” publication.

1.5.10 The conclusions of the Health Impact Assessment estimated the total cost of mitigating the Category 1 hazards so that the risk is reduced to an acceptable level is £27 million with £8.4 million in the private rented sector. The estimated cost to the NHS of treating accidents and ill health caused by these hazards is £2.1 million each year. If the wider costs to society are considered, the total costs are estimated to be £5.2 million each year. If these hazards are mitigated to an acceptable level then the total annual savings to society are estimated to be £4.9 million, including £1.9 million of savings to the NHS.

1.6 Peterborough City Council’s Home Services Delivery Team

1.6.1 The formation of the Home Service Delivery (HSD) Team in October 2016 brought together Reablement, Therapy Services, the Care & Repair Home Improvement Agency and the Housing Programmes Team (which includes a housing environmental health function) into one service within Adult Social Care.

The Adult Early Help Team, the “Front Door” to social care, has also recently joined the service.

The emphasis and focus of the team is on prevention and early intervention in order to reduce or eliminate costly domiciliary care packages.

The focus of the HSD Team is to:

- keep people living independently and safely in their own home for as long as possible, therefore reducing or delaying their need for long term care

This is achieved by:

- supporting people to recover from illness or injury,
- helping people to relearn lost skills and abilities,
- utilising both technology enable care and, if necessary, adaptations
- prevent, as far as possible, admission into hospital, due to falls or medical conditions exacerbated by living in a cold, damp and unhealthy environment
- ensure that if they do need to go into hospital, they are discharged without delay into a warm, healthy, safe and accessible

The HSD Team are the single point of contact health and housing referral service as recommended in the NICE Guidelines. This service works closely with Adult Social Care colleagues, CPFT, Housing Needs, PES Housing Enforcement, social housing providers and voluntary organisations within the City to ensure the suitable accommodation requirements of the Care Act are fulfilled and all residents can live as independently as possible in a safe environment.

1.7 Types of Assistance Available

1.7.1 The following forms of assistance are available from Peterborough City Council to address the issues described above:

- Repairs Assistance
- Disabled Persons Relocation Grant
- Mandatory Disabled Facility Grant
- Discretionary Disabled Facility Grants to Support Adult Social Care

2 REPAIRS ASSISTANCE

2.1. Eligibility

Assistance may be awarded to a vulnerable client who has:

- an owner's interest (alone or jointly with others) in the dwelling to which the application relates for at least 3 years. This includes a leasehold with a legal obligation to repair with a minimum of five years left unexpired
- occupied the dwelling for at least 3 years
- a medical condition or other vulnerability that may be affected by the condition of their property or
- whose housing conditions are such that they may be detrimental to their health, safety or wellbeing and
- not been awarded financial assistance from the Council (except for insulation and heating measures) within the last 15 years

2.1.2 A vulnerable person for the purpose of this policy is defined as a person on low income, who is receipt of one of the following means tested benefits:

- Income Support
- income-related Jobseeker's Allowance
- Income based Employment Support Allowance
- Guaranteed Pension Credit
- Working Tax Credit with an income under £15,050.00
- Universal Credit

Or has

- a combined gross household income, from all sources including assessed income from savings and/or capital, of less than £25,000

2.1.3 and includes;

- people living with a chronic or severe health difficulty/illness/frailty or disability (evidence may be sought)
- Older people or pre-school children - defined as those over 60 and under 5 years of age

2.1.4 For those applicants not included within paragraph 2.1.2 above, the Housing Renewal Grants Regulations 1996, as amended, shall be applied to calculate the applicant's contribution in order to assess the extent to which any assistance may be given up to the maximum eligible expense limit.

2.1.5 The applicant and all adults living in the property must be receiving a means tested benefit or have been means tested as described in 2.1.4 above, for Repair Assistance purposes.

2.1.6 Repairs Assistance is a discretionary grant and is provided subject to funding availability. It may be necessary to prioritise cases which will take into consideration the following factors:

- The severity of the hazard(s) identified under the HHSRS Assessment and the risk to health posed by those hazards
- Chronic or severe illness and disability - including respiratory condition, chronic obstructive pulmonary disease (COPD), heart conditions, asthma, poor mobility
- The age of the applicant
- Lack of/inefficient boiler and central heating systems and thermally inefficient homes
- People who are in-patients at an NHS hospital and in need of works or repair or adaptation enabling them to be safely discharged into their home
- Clients living alone

2.1.7 The maximum Repair Assistance is £20,000.

2.1.8 Repairs Assistance will be financial assistance in order to improve health and wellbeing, reduce longer term demand on health and social care services and facilitate the discharge from hospital or intermediate care.

2.1.9 All Repairs Assistance is project managed and delivered by the Care & Repair Home Improvement Agency. A fee for this service is charged and is added to the amount of assistance awarded.

2.1.10 Repairs Assistance funding will only pay for the works detailed in the Schedule produced by the Home Improvement Agency

2.1.11 Enquires related to insulation, boiler and heating measures will be screened for their eligibility for Central Government or Energy Company Obligation schemes before awarding any Council assistance outlined in this Policy. This eligibility check will be carried out as part of the Local Energy Advice Partnership (LEAP), a fuel poverty outreach scheme currently adopted by the Council.

2.2 Making a valid application

2.2.1 The applicant must provide all information or evidence (including information relating to financial and medical circumstances) as may reasonably be required for those purposes of determining an application for assistance.

2.2.2 An owner's application for Repair Assistance will not be considered a valid application unless it is accompanied by an owner-occupation certificate.

2.2.3 A tenant's application for Repair Assistance will not be considered valid unless it is accompanied by a tenant's certificate and a statement of consent to the works signed by the person who at the time of the application is the landlord under the tenancy.

2.3 Determining a valid application for Repair Assistance – eligibility conditions

- 2.3.1 An application is not a valid application unless all sections of the application form are completed or, where they do not apply, marked appropriately.
- 2.3.2 Unless the Council directs otherwise in any particular case, an application for assistance is not valid unless it is accompanied by at least 3 estimates from different contractors of the cost of carrying out the works to which the application relates if the work is over £5,000 or one written estimate for works under £5,000. The exception to this is a specification based on the pre-priced schedule of rates in Lots 1 to 4 of the current Care & Repair Framework Agreement in place or any agreed exemption that supercede it.
- 2.3.3 The Council will not approve an application for Repair Assistance if the works to which the application relates have been started before the application is approved.

2.4 Determination and notification of amount of assistance

- 2.4.1 Where the Council has decided either to approve or refuse an application for Repair Assistance, it will notify the applicant of the outcome no later than two calendar month after the date of valid application.
- 2.4.2 If the application is refused, the Council will notify the applicant of the reasons for the refusal and inform the applicant of the Council's review procedure.
- 2.4.3 If the application is approved the notice will:
- specify the works for which assistance is approved
 - specify the full cost of the works for which assistance is approved;
 - specify the amount of assistance that is approved
 - provide a statement of the conditions to which assistance is subject;
- 2.4.4 The full cost of works will include:
- the cost of the building works (which will be the cost of the lowest of the quotes that accompanied the application, whether or not that contractor is the contractor that carries out the work); plus
 - the cost of any approved preliminary or ancillary services and charges. agreed by the Council to be necessary for the preparation and execution of the approved works and may include:
 - fees necessary to establish ownership of the dwelling;
 - architect's fees;
 - Peterborough City Council's Home Improvement Agency fees;
 - property valuation fees;
 - structural engineer's fees

- Building Control fees
 - any other fees the Council may decide in any particular case.
- 2.4.5 If, after an application for Repair Assistance has been approved the Council is satisfied that owing to circumstances beyond the control of the applicant the work cannot be completed for the approved amount, the Council may re-determine the approved amount within the overall cost limits applying.
- 2.4.6 If the cost of the eligible works exceed the £20,000 Repairs Assistance maximum grant limit, the Home Improvement Agency will discuss with the applicant if they are able to meet the excess amount over the grant limit. If the applicant is able to make the excess contribution the Agency will secure a bankers draft from the applicant made payable to the successful contractor which will be held by the Agency and paid to the contractor on satisfactory completion of works.
- 2.4.7 If the applicant is unable to meet the excess costs over the maximum grant limit, discussion and agreement will take place on which works to omit from the specification which will have the minimal impact on the health, safety or wellbeing of the applicant and family and which will bring the overall cost of work under the £20,000 maximum grant limit.
- 2.4.8 Any financial assistance awarded will be registered as a land charge for the condition period and will be recoverable by the Council on sale of the property or transfer of the Freehold or Leasehold.

2.5 Payment of Repair Assistance

- 2.5.1 The Council may pay Repair Assistance in whole after the work has been completed; or in part by instalments. Where Repair Assistance is paid in instalments, the aggregate of instalments paid before the works are completed shall not exceed 90% of the original approved amount.
- 2.5.2 It is a condition of payment of Repairs Assistance that the approved works are carried out within 12 months from the date of approval unless the Council agrees otherwise in any particular case.
- 2.5.3 The payment of Repair Assistance is conditional on –
- the approved works being carried out to the satisfaction of the Council, and
 - the Council being provided with an acceptable invoice or receipt for payment for the building works and for any other approved services and charges, and
 - the work being carried out by the approved contractor appointed by the Home Improvement Agency whose quote accompanied the application unless the Council agrees otherwise by prior notification in any particular case.
- 2.5.4 The Council will pay Repairs Assistance directly to the contractor.

- 2.5.5 Where the approved work has not been carried out to the satisfaction of the applicant the Council may, at the request of the applicant and if it considers it to be reasonable, withhold payment.
- 2.5.6 Where an award of Repair Assistance has been approved but before the date on which the works are certified as having been completed to the satisfaction of the Council (the “certified date”) it subsequently appears to the Council that the applicant was not, at the time of approval, entitled to the award, or if the applicant has ceased to be a person entitled to the award, then no award will be payable or, as the case may be, no further payment will be made.
- 2.5.7 Where 2.5.6 above applies, the Council may demand that any payment of Repair Assistance which has been made is repaid, together with interest on that amount from the date on which it was paid until the date of repayment, at such reasonable rates as the Council may determine.
- 2.5.8 Where an award of Repair Assistance has been approved but:
- the amount of the award was determined on the basis of inaccurate or incomplete information with regard to section 2.3 of the Policy, or
 - the approved works were started before the award was approved without the consent of the Council, or
 - the eligible works were not completed to the satisfaction of the Council within the period specified in paragraph 2.5.2 or any extended period agreed under the provision of that paragraph, or
 - the work was not carried out by an approved contractor appointed by the Home Improvement Agency whose quote accompanied the application
- then the Council may –
- refuse to pay Repairs Assistance or, as the case may be, any further instalment of Repair Assistance, or
 - re-determine the amount of Repair Assistance
- and may in both cases demand that any payment of Repair Assistance which has been made is repaid, together with interest from the date on which it was paid until the date of repayment, at such reasonable rates as the Council may determine.
- 2.5.9 Repairs Assistance is discretionary and is provided subject to funding availability

2.6 Local Energy Advice Partnership & ECO Flexible Eligibility

- 2.6.2 Peterborough City Council was one of the first pilot local authorities in January 2017 for this fuel poverty outreach service delivered in partnership with Agilty Eco. This award winning service is now in over 100 Local Authorities across the country. The scheme is funded by the Warm Homes Discount Industry Initiative and is therefore at no cost to the Local Authority or residents.

The Partnership is managed by the Housing Programmes Team within Adult Social Care's Home Service Delivery Team.

- 2.6.3 As well as energy advice, an income maximisation and welfare benefit check and tariff switching, LEAP home assessors can install free simple energy saving measures into the home, such as LED lightbulbs, draught excluders to doors and windows, chimney balloons, radiator reflectors and TV standby plugs. Advisors will also identify and refer clients for any larger scale heating or insulation requirements identified funded through the Energy Company Obligation (ECO)
- 2.6.4 The Energy Company Obligation (ECO) is an obligation on energy suppliers aimed at helping households cut their energy bills and reduce carbon emissions by installing energy efficiency measures.
- 2.6.5 The majority of ECO is targeted on those in or at risk of fuel poverty, under the Affordable Warmth obligation. Energy suppliers will be able to achieve up to 10% of their Affordable Warmth obligation by installing energy saving measures in households declared as eligible by Local Authorities. This "Flexible Eligibility" allows Local Authorities to make declarations determining that certain households meet the eligibility criteria for a measure under the Affordable Warmth element of ECO.
- 2.6.6 There are two main categories of private tenure household that Government intends to be eligible through Flexible Eligibility:
- **Fuel poor households under the low income, high cost (LIHC) definition**, especially those that are not in receipt of ECO eligible benefits and the estimated 20% of fuel poor households that are not in receipt of any benefits; and
 - **Low income households that are vulnerable to the effects of living in a cold home (LIVC)**. It also contains guidance on how Flexible Eligibility can be used for Solid Wall Insulation projects, in relation to "in-fill" properties.
- 2.6.7 Peterborough City Council published its [Statement of Intent](#) in March 2018 (updated March 2019) which sets out the criteria Peterborough City Council intends to use to target households under Flexible Eligibility, in line with the Government guidance.
- 2.6.8 Eligibility for LEAP aligns very well with the Department of Business Energy & Industrial Strategy (BEIS) guidance on Flexible Eligibility. Therefore we aligned the criteria and process for Flexible Eligibility with the LEAP service. LEAP serves a dual purpose in relation to Flexible Eligibility:
- LEAP acts as the Council's primary means of identifying homes that would benefit from energy efficiency measures funded through ECO Flexible Eligibility
 - Information collected from residents through the LEAP process is our primary means of gaining evidence that households qualify under the eligibility criteria thus enabling us to produce declarations of eligibility

3 DISABLED PERSONS RELOCATION GRANT

- 3.1.1 Applications for assistance made for the purpose may be approved to enable a person to move to more suitable accommodation if:
- (a) advice and adaptation recommendation has been received from Adult Social Care or Children's Services
 - (b) in the Council's opinion the disabled person's existing accommodation is not reasonably and practically capable of being adapted to meet the needs of the disabled person or due to cost or to social reasons, and
 - (c) the aggregate cost of all assistance made by the Council would not, in the opinion of the Council, exceed the cost of adapting the disabled person's existing accommodation.
- 3.1.2 To qualify, the applicant must have an owner's interest in the property or is proposing to acquire an owner's interest or a leaseholder with a legal obligation to repair with a minimum of 5 years left unexpired
- 3.1.3 An award made under this section may include the cost of:
- removal expenses;
 - carpets, window coverings and white goods where the replacement is wholly and necessarily required as a consequence of the relocation;
 - estate agent's fees;
 - redecoration;
 - security measures;
 - any other expense of relocation reasonably incurred as a result of the relocation
- 3.1.4 Unless the Council decides otherwise, a grant will be calculated according to the cost of the lower of two quotations provided by the applicant to the Council for each element of relocation cost being requested and found to be acceptable by the Council.
- 3.1.5 Grant will be calculated according to the replacement value of goods of a standard equivalent to the applicant's existing goods.
- 3.1.6 Grant will be made to the full extent of the expense incurred only where the Council accept such expense is reasonable.
- 3.1.7 Grant may not be paid if the applicant is transferring to a rented property and redecoration is the owner's responsibility.
- 3.1.8 Applicants will not be means tested for this grant
- 3.1.9 No repeat relocation grants will be awarded

- 3.1.10 A visit will be made to the property being considered for relocation by the Housing Programmes Manager and an Occupational Therapist from Adult Social Care or Children's Services to ensure that it is suitable and will meet the needs of the disabled person.
- 3.1.11 A Disabled Facility Grant may also be subsequently awarded after relocation in order to provide internal adaptations to meet the disabled person's needs.
- 3.1.12 The maximum grant payable will be £30,000 - which includes both the relocation element and the adaptation costs in the new property.
- 3.1.13 Disabled Person Relocation Grant will be secured as a legal land charge for a period of 10 years from the certified completion date and will be required to be repaid on sale or transfer of the freehold or leasehold.
- 3.1.14 Where an award has been made under this section of the Policy and the applicant dies before the relocation has taken place, the Council may pay the relocation grant or any part thereof.
- 3.1.15 Disabled Persons Relocation Grant is discretionary and is provided subject to funding availability.

4. MANDATORY DISABLED FACILITY GRANT

4.1 Eligibility

4.1.1 The provisions governing Mandatory Disabled Facility Grants are set out in the Housing Grants, Construction and Regeneration Act 1996, as amended by the Regulatory Reform (Housing Assistance)(England & Wales) Order 2002.

4.1.2 The maximum mandatory grant will be £30,000 in any one application.

4.1.3 To qualify for assistance an applicant should be the homeowner or tenant, but the grant is available to help the home to be adapted to meet the needs of any disabled person living in the property to enable them to continue living there. Landlords may also apply for a Disabled Facility Grant on behalf of a disabled tenant but must also satisfy the requirements of future occupancy. Council tenants and housing association tenants are eligible to apply for Disabled Facility Grant and are assessed for needs on the same basis as private owners and under the same means testing arrangements

4.1.4 For those client who are in receipt of: -

- Income support
- Income-related Jobseeker's Allowance
- Income based Employment Support Allowance
- Guaranteed Pension Credit
- Housing Benefit
- Working Tax or Child Tax Credit with income under £15,050]
- Universal Credit

at the time the application is made their contribution towards the Disabled facility Grant will be NIL

4.1.5 For those applicants not included within paragraph 4.1.4 above, the Housing Renewal Grants Regulations 1996, as amended, shall be applied to calculate the applicant's contribution in order to assess the extent to which any assistance may be given up to the maximum eligible expense limit

4.1.6 The parents of disabled children are not means tested for applications for Disabled Facility Grant funding. Full grant entitlement up to a maximum of £30,000 is available for eligible works

4.1.7 All large scale proposals will be subject to a feasibility visit by the Housing Programmes Manager and an Occupational Therapist from Adult Social Care or Children's Services. The feasibility visit will look at the disabled person's needs identified by the Occupational Therapist and establish the most suitable housing solution to meet those needs.

4.1.8 First consideration will **always** be given to the internal alteration or rearrangement of living accommodation within the existing dwelling.

- 4.1.9 If the property does not lend itself to internal adaptation, consideration will be given to assessing the disabled person's (and family's) ability to relocate to a more suitable property. The Disabled Persons Relocation Grant is covered in Chapter 3 of this policy.
- 4.1.10 Only when internal alteration, rearrangement or relocation is not feasible will consideration be given to providing additional sleeping and/or bathing accommodation by way of an extension to the existing dwelling.
- 4.1.11 Where the works cost in excess of £30,000 and the applicant and/or his/her family is considered to be in financial hardship, the Care & Repair Home Improvement Agency will investigate alternative means of funding, including charitable contributions in order to meet the applicant's costs above the value of the Disabled Facility Grant.
- 4.1.12 Where the works cost in excess of £30,000 and the applicant and/or his/her family is considered to be in financial hardship and alternative sources of funding are not forthcoming, consideration may be given to awarding a discretionary Disabled Facility Top Up Grant in addition to the mandatory Disabled Facility Grant. The Discretionary Disabled facility Grant is covered in Section 5 of this Policy.
- 4.1.13 Other than in exceptional circumstances agreed by the City Council, all Disabled Facility Grants are project managed and delivered by the Home Improvement Agency. A fee for this service is charged and in most circumstances will be included in the grant award.
- 4.1.14 In circumstances where the applicant wishes to and can demonstrate to the Council that they have the financial resource to achieve an adaptation which exceeds that which the Council has deemed is needed to meet the needs of the disabled person, then the Council may consider funding parts of the adaptation which it could have funded under the mandatory DFG. For example, the fitting out of a Level Access Shower or the installation of a ceiling track hoist in any extension that the applicant supplies and funds. Offsetting of costs will not be considered.
- 4.1.15 If the Council has not received a full Disabled Facility Grant application for any proposal in relation to section 4.1.14 within a period of 6 months from the time it was first raised with the Council, the case will be closed.
- 4.1.16 Where an applicant's prognosis implies a deteriorating illness, the response will be fast as possible and consideration will be given to expedited procedures and interim solutions where some measure of delay is inevitable. Adaptations should provide for the progress of the illness and a relatively limited period in which a particular adaptation is appropriate will not be regarded as a sufficient reason for delaying or withholding its provision.
- 4.1.17 The purposes for which Mandatory Disabled Facilities Grants may be given are detailed in Section 4.2 below

4.2 Facilitating Access and Provision

4.2.1 These include works to remove or help overcome any obstacles which prevent the disabled person from moving freely into and around the dwelling and enjoying the use of the dwelling and the facilities or amenities within it. In particular,

- facilitating access to and from the dwelling or the building in which the dwelling or, as the case may be, flat is situated;
- facilitating access to a room used or usable as the principal family room;
- facilitating access to a room used or usable for sleeping, or alternatively providing such a room for the disabled occupant;
- facilitating access to a room in which there is a lavatory, a bath or shower (or both) and a wash basin or providing a room in which there is such a facility or facilities;
- facilities for the preparation and cooking of food.

4.2.2 In considering applications for grant towards such works, the presumption should be that the occupant should have reasonable access into his home, to the main habitable rooms with the home – namely the living room and bedroom, and to a bathroom or shower room in which there are suitable facilities for washing and/or showering.

4.2.3 Items that will attract Disabled Facility Grant funding include adaptations requiring structural modifications as long as they are reasonable and practicable and form part of the mandatory works for the disabled person and may include:

- A ramp (and associated guard rails if necessary) to gain access into and out of the property
- Thresholds and associated doors including the relocation of door handles etc
- Internal door adaptations to:
 - the principal family room if more than one person
 - the sleeping area
 - the WC, bath or shower and wash hand basin, including provision of lever taps where necessary
 - the preparation and cooking of food area
- Overhead tracking with associated electrics and joist strengthening

4.3 Making a dwelling or building safe

4.3.1 Adaptations to the dwelling or building to make it safe for the disabled person and other persons residing with him. This may be the provision of lighting where safety is an issue or for adaptations designed to minimise the risk of danger where a disabled person has behavioural problems which causes him to act in a boisterous or violent manner damaging the house, himself and perhaps other people. Where such need has been identified, DFG is available to carry out appropriate adaptations to eliminate or minimise that risk.

4.3.2 For those with hearing difficulties, an enhanced alarm system, which may be required in the dwelling to provide improved safety for the disabled occupant in connection with the use of cooking facilities or works to provide means of escape from fire could also qualify for mandatory grant.

- 4.3.3 Provision of specialised lighting (or measures such as special blinds to reduce lighting where the disabled person has sensitivity to light), toughened or shatterproof glass in certain parts of the dwelling (i.e. in doors and side panels at entrance points) to which the disabled person has normal access or the installation of guards around certain facilities such as fires or radiators to prevent the disabled person harming himself. Sometimes reinforcement of floors, walls or ceilings may be needed, as may be cladding of exposed surfaces and corners to prevent self-injury.

4.4 Room usable for sleeping

- 4.4.1 While in some cases a living room may be large enough to enable a second room for sleeping to be created, in smaller homes this will not be possible. The provision of a room usable for sleeping should therefore only be undertaken if the housing authority are satisfied that the adaptation of an existing room in the dwelling (upstairs or downstairs) or the access to that room is unsuitable in the particular circumstances. Where the disabled occupant shares a bedroom with another person, mandatory grant may be given to provide a room of sufficient size so that the normal sleeping arrangements can be maintained.
- 4.4.2 If a single disabled person applies, consideration will be given to adapt an existing room to provide a bedroom or create a bed-sitting room.
- 4.4.3 If a relative is living as part of the family and conversion of the existing property is impracticable, e.g. understairs cupboard conversion for a WC or subdividing an existing room, consideration will be given to providing an adequate sized extension.

4.5 Bathroom

- 4.5.1 A disabled person should have access to a wash hand basin, a WC and a shower or bath (or if more appropriate, both a shower and a bath).
- 4.5.2 Facilities may include:
- flush floor harmer type shower or low level shower tray including curtain and rail
 - specialised bath including hydraulic shower seat when manual hoisting cannot be used with existing bathroom
 - lower height bath
 - overbath shower including curtain and rail
 - wall mounted wash hand basin
 - large vanity type wash hand basin where no bath or shower is to be used
 - WC including plinth where necessary
 - washing WC where self-hygiene cannot be achieved satisfactorily
 - including provision of lever taps where necessary
 - shower stretchers

4.6 Facilitating preparation and cooking of food

4.6.1 A wide range of works are available to enable a disabled person to cater independently. Eligible works include the rearrangement or enlargement of a kitchen to ease manoeuvrability of a wheelchair and specially modified or designed storage units, gas, electricity and plumbing installations to enable the disabled person to use the facilities independently.

4.6.2 Facilities may include:

- one sink unit (adjustable, if partner is abled bodied) including lever taps where necessary
- 1 meter of work surface for the preparation of food (maximum)
- raising and lowering of power points (i.e. two double points and cooker panel where appropriate)
- relocation of existing units – if units cannot be relocated due to condition, allow one double storage cupboard.
- consideration will also be given to the colour differential between cupboards and work surfaces and existing tiling and wall surfaces

4.6.3 Where most of the cooking and preparation of meals is done by another household member, it would not normally be appropriate to carry out full adaptations to the kitchen. However, it might be appropriate that certain adaptations be carried out to enable the disabled person to perform certain functions in the kitchen, such as preparing light meals or hot drinks.

4.7 Heating, lighting and power

4.7.1 The improvement of an existing heating system in the dwelling to meet the disabled occupant's needs. Where there is no heating system or where the existing heating arrangements are unsuitable to meet his needs, a heating system may be provided. A Disabled Facility Grant should not be given to adapt or install heating in rooms which are not normally used by the disabled person. The installation of central heating to the dwelling should only be considered where the wellbeing and mobility of the disabled person would otherwise be adversely affected.

4.7.2 Provision may include:

- Heating to the main living room, bedroom and bathroom
- Where no other form of heating to the bathroom, allow for one dimplex or similar heater and storage heaters, or extend the existing system
- Where there are no adequate means of heating to the main living room, bedroom and bathroom, the existing heating system, if any, will be extended or a new heating system maybe installed in these rooms. Consideration will be given to each individual case with regards to installing electrical storage heaters or a new gas boiler and radiators.
- New gas pipe including appropriate boiler and connection to the mains supply, even outside the curtilage of the dwelling, if the only means of a suitable source of heating for the disabled occupant is by a wet radiator system.

4.7.3 Works to enable a disabled person to have full use of heating, lighting and power controls in the dwelling. Such work includes the relocation of power points to make them more accessible, the provision of suitably adapted controls where a disabled person has difficulty in using normal types of controls and the installation of additional controls.

4.7.4 Provision may include:

- Raising power points – one double power point in the bedroom, and two double power points in the living room or equivalent
- Lower light points to access the main living room, bedroom, kitchen, bathroom and hallway, if appropriate.

4.8 Dependent residents

4.8.1 Works to a dwelling required to enable a disabled occupant better access and movement around the dwelling in order to care for another person who normally resides where whether or not they are related to the disabled person. This may include spouse, partner or family member, another disabled person or a child. Importantly the dependent being cared for need not be disabled. Such works could include adaptations to part of the dwelling to which the disabled person would not normally need access but which is used by a person to whom they are providing care and therefore it is reasonable for such works to be carried out.

4.9 Access to garden

4.9.1 Works for:

- facilitating access to and from a garden by a disabled occupant, or
- making access to a garden safe for a disabled occupant.

4.10 Making a valid application

4.10.1 The applicant has provided all such information or evidence (including information relating to the disabled person's financial circumstances as may reasonably be required for those purposes of determining an application for Disabled Facility Grant.

4.10.2 An owner's application for Disabled Facility Grant will not be considered a valid application unless it is accompanied by an owner-occupation certificate.

4.10.3 A tenant's application for Disabled Facility Grant will not be considered valid unless it is accompanied by a tenant's certificate and a statement of consent to the works signed by the person who at the time of the application is the landlord under the tenancy.

4.11 Determining a valid application for Disabled Facility Grant – eligibility conditions

4.11.1 An application is not a valid application unless all sections of the application form are completed or, where they do not apply, marked appropriately.

4.11.2 Unless the Council directs otherwise in any particular case, an application for Disabled Facility Grant is not valid unless it is accompanied by at least 3 estimates, from different contractors, of the cost of carrying out the works to which the application relates if the work is over £5,000 or one written estimate for works under £5,000. The exception to this is a specification based on the pre-priced schedule of rates for works covered in Lots 1 to 4 in the current Care & Repair Framework Agreement in place, or any agreed exemptions that supercede it.

4.12 Determination and notification of amount of Disabled Facility Grant

4.12.1 Where the Council has decided either to approve or refuse an application for Disabled Facility Grant, it will notify the applicant of the outcome no later than six calendar months after the date of valid application.

4.12.2 If the application is refused, the Council will notify the applicant of the reasons for the refusal and inform the applicant of the Council's review procedure.

4.12.3 If the application is approved the notice will:

- specify the works for which Disabled Facility Grant is approved
- specify the full cost of the works for which Disabled Facility Grant is approved
- specify the amount of Disabled Facility Grant that is approved
- provide a statement of the conditions to which the Disabled Facility Grant is subject

4.12.4 The full cost of works will include:

- the cost of the adaptation works (which will be the cost of the lowest of the quotes that accompanied the application, whether or not that contractor is the contractor that carries out the work or the allocated contractor on the framework agreement); plus
- the cost of any approved preliminary or ancillary services and charges. agreed by the Council to be necessary for the preparation and execution of the approved works and may include:
 - fees necessary to establish ownership of the dwelling;
 - architect's fees;
 - Peterborough City Council Home Improvement Agency fees;
 - property valuation fees;
 - structural engineer's fees
 - Building Control fees

- any other fees the Council may decide in any particular case.
- 4.12.5 If, after an application for Disabled Facility Grant has been approved the Council is satisfied that owing to circumstances beyond the control of the applicant the work cannot be completed for the approved amount, the Council may re-determine the approved amount within the overall cost limits applying.
- 4.12.6 Any financial assistance awarded in excess of £5,000 to a maximum of £10,000 will be registered as a local land charge for a period of 10 years and will be recoverable by the Council on sale of the property or transfer of the Freehold or Leasehold.

4.13 Payment of Disabled Facility Grant

- 4.13.1 The Council may pay Disabled Facility Grant funding in whole after the work has been completed or in part by instalments. Where Disabled Facility Grant is paid in instalments, the aggregate of instalments paid before the works are completed shall not exceed 90% of the original approved amount.
- 4.13.2 The payment of Disabled Facility Grant is conditional on:
- The approved works being carried out within 12 months from the date of approval unless the Council agrees otherwise in any particular case and
 - the approved works being carried out to the satisfaction of the Council, and
 - the Council being provided with an acceptable invoice or receipt for payment for the building works and for any other approved services and charges, and
 - the work being carried out by the approved contractor appointed by the Home Improvement Agency whose quote or schedule of rate specification for any work covered in Lots 1 to 4 of the current Framework Agreement accompanied the application unless the Council agrees otherwise by prior notification in any particular case.
- 4.13.3 The Council will pay Disabled Facility Grant directly to the contractor.
- 4.13.4 Where the approved work has not been carried out to the satisfaction of the applicant the Council may, at the request of the applicant and if it considers it to be reasonable, withhold payment.
- 4.13.5 Where an award of Disabled Facility Grant has been approved but before the date on which the works are certified as having been completed to the satisfaction of the Council (the “certified date”) it subsequently appears to the Council that the applicant was not, at the time of approval, entitled to the award, or if the applicant has ceased to be a person entitled to the award, then no award will be payable or, as the case may be, no further payment will be made.
- 4.13.6 Where 4.13.5 above applies, the Council may demand that any payment of Disabled Facility Grant which has been made is repaid, together with interest on that amount from the date on which it was paid until the date of repayment, at such reasonable rates as the Council may determine.

4.13.7 Where an award of Disabled Facility Grant has been approved but:

- the amount of the award was determined on the basis of inaccurate or incomplete information with regard to sections 4.10 and 4.11 of the Policy, or
- the approved works were started before the award was approved without the consent of the Council, or
- the eligible works were not completed to the satisfaction of the Council within the period specified in paragraph 4.13.2 or any extended period agreed under the provision of that paragraph, or
- the work was not carried out by an approved contractor appointed by the Home Improvement Agency whose quote accompanied the application

then the Council may

- refuse to pay Disabled Facility Grant or, as the case may be, any further instalment of Disabled Facility Grant, or
- re-determine the amount of Disabled Facility Grant

and may in both cases demand that any payment of Disabled Facility Grant which has been made is repaid, together with interest from the date on which it was paid until the date of repayment, at such reasonable rates as the Council may determine.

5 DISCRETIONARY DISABLED FACILITY GRANT

5.1 Purpose

5.1.1 A Discretionary Disabled Facility Grant may be available in conjunction with a Mandatory Disabled Facility Grant in order to provide additional assistance where the cost of eligible works exceeds the current mandatory maximum grant limit of £30,000 per client. In addition Discretionary Disabled Facility Grant can be used to offer flexible support to disabled and vulnerable clients in order for them to live independently, to be able to be discharged from hospital into a warm, safe and accessible home environment, to avoid future hospital admissions and to potentially reduce or withdraw expensive domiciliary care packages.

5.2 Discretionary Disabled Facility Grant Top Up of Mandatory Disabled Facility Grants

5.2.1 To qualify, the applicant must be the homeowner or tenant. The Top Up grant is available to adapt the home to meet the needs of any disabled person living in the property as their main and only residence, to enable them to continue living there as independently as possible. Private and social landlords may also apply for a Discretionary Disabled Facility Top Up Grant on behalf of a disabled tenant but must also satisfy the requirements of future occupancy. Tenant's needs are assessed on the same basis as home owners. Cross Keys Homes housing association make an annual contribution towards disabled facility adaptations in their properties. Other social housing providers are asked for a contribution on a case by case basis.

5.2.2 A basic financial assessment or a discussion between the client and the Housing Programmes Manager will be carried out to determine the applicant/disabled person's inability to meet the shortfall in funding in excess of the mandatory £30,000 limit.

5.2.3 The Discretionary Disabled Facility Top Up Grant could contribute to the total cost of eligible works to meet the needs of the disabled person, as assessed and recommended by the Occupational Therapist, which is in excess of the Mandatory Disabled Facility Grant limit and the relevant disabled person's contribution as calculated by the means test. If the client is able to make a contribution, but not the full amount of the excess costs, their contribution will be accepted and a Top Up may be awarded to meet the shortfall in funding.

5.2.4 The maximum amount of Discretionary Disabled Facility Top Up Grant will be £20,000

5.2.5 The amount of the Discretionary Disabled Facility Top Up Grant will be secured by attaching a legal charge on the adapted property for the full amount of discretionary Top Up funding awarded. This charge only applies if the applicant has a qualifying owner's interest in the property on which the adaptations are to be carried out.

5.2.6 The charge on the adapted property will last for 10 years from the certified completion date of the Discretionary Disabled Facility Top Up Grant.

5.2.7 This is a discretionary grant and is subject to funding being available.

5.3 Discretionary DFG to Support Adult Social Care

5.3.2 The preventative role of the Disabled Facility Grant in keeping people living safely and independently in their own homes can be fully utilised by using the additional allocation of Disabled Facility Grant Allocation within the Better Care Fund in more flexible and responsive ways. This funding is aimed to help reduce pressures on health and social care. The use of Discretionary Disabled Facility Grant to support speedy transfers of care and and preventative measure within client's homes to reduce admission and readmission to hospital and to reduce the cost of domiciliary care packages is of particular importance.

5.3.3 Discretionary Disabled Facility Grants to Support ASC are not subject to a means test

5.3.4 To qualify, the applicant must have an owner's interest in the property or be a leaseholder with a legal obligation to repair with a minimum of 5 years left unexpired. Applications from tenant's in social housing and the private rented sector may also be eligible for financial assistance to enable discharge from hospital or an interim care setting.

5.3.5 For preventative works, applications from tenants in social housing will be subject to securing effective partnership working with the provider's tenancy sustainment and support teams. This will help towards ensuring that tenant will continue to be supported following any Council intervention and not require any repeated intervention. Tenants in the private rented sector will be assessed on a case by case basis depending on the circumstances presented.

5.2.6 The maximum amount of Discretionary Disabled Facility Grant to Support Health will be £6,000

5.3.7 The Discretionary Disabled Facility Grant to Support ASC will contribute to the total cost of eligible works to meet the identified and agreed needs of the vulnerable person in a timely manner.

5.3.8 Officers will check ownership details of the property being discharged into or subject to preventative funding. The owner or the tenant must sign an application form acknowledging receipt of assistance from Peterborough City Council.

5.3.9 Discretionary Disabled Facility Grants to Support ASC are not secured as a charge against the property.

5.3.9 **The type of work that will be considered for hospital discharge/to prevent delayed transfer of care includes:**

- Clearance and a one-off deep clean of significantly cluttered and filthy properties, including hoarded properties
- Ceiling Track Hoists to facilitate care in order to return home quickly
- Level access showers to facilitate care

- Heating and energy efficiency measures
- Sensory Equipment
- Ramps and door widening to facilitate access
- Telephone land line (installation only) to facilitate Technology Enabled Care to be installed
- Fixed Safety equipment – alarms, safety locks, specialised lighting, fire/radiator guards, carbon monoxide alarms, smoke alarms and heat detectors
- Physical changes to the property in order to eliminate/reduce the risk of falls which are outside the remit of the Handy Person service
- Physical changes to the property that have arisen due to the impact of Covid 19
- Changing flooring to facilitate safe moving & handling of equipment
- Relocation of furniture (including beds) to facilitate safe moving and handling of equipment
- Any other request for physical property changes or adaptations deemed reasonable and practicable, necessary and appropriate to facilitate hospital discharge to a safe environment and to either reduce or eliminate high cost care packages.

5.3.10 The type of work that will be considered to achieve hospital admission or re-admission avoidance are:

- Clearance and a one-off deep clean of cluttered and filthy properties, including hoarded properties – where there is a particular high risk of falls, fire, infection with potential serious harm outcomes
- Heating and energy efficiency measures
- Sensory Equipment
- Ramps and door widening to facilitate access
- Telephone land line (installation only) to facilitate Technology Assisted Care
- Fixed Safety equipment – alarms, safety locks, specialised lighting, fire/radiator guards, carbon monoxide alarms, smoke alarms and heat detectors
- Changing flooring to facilitate safe moving & handling of equipment
- Relocation of furniture (including beds) to facilitate safe moving and handling of equipment
- Physical changes to the property in order to eliminate/reduce the risk of falls which are outside the remit of the Handy Person service
- Physical changes to the property that have arisen due to the impact of Covid 19
- Any other request for physical property changes/adaptations deemed reasonable and practicable, necessary and appropriate to avoid a hospital admission or readmission, to maintain a safe environment and to either reduce or eliminate high cost care packages.

5.3.11 These lists are not exhaustive and funding will be approved on the discretion of the Housing Programmes Manager and Head of Housing, Prevention & Wellbeing

6 CONDITIONS ON FINANCIAL ASSISTANCE

- 6.1 This section will apply when an owner occupier's application for assistance has been approved by the Council and an offer made to the applicant which the applicant has accepted. The term "assistance" means any form of financial assistance approved for the purpose of housing renewal, maintenance, improvement or adaptation. "Condition" means any condition attached to any such assistance.
- 6.2 Any reference to "owner" or "person responsible" is to be taken to mean any owner or other person who is responsible for the relevant condition(s), assistance either singly or jointly. This includes the original person(s) who applied for and/or received the assistance, as well as any other person who has subsequently become responsible for any condition as a result of acquiring the property or an interest in it.
- 6.3 Conditions come into force from the date the assistance is approved so that the Council may recover any interim payments or costs incurred where necessary. Where a condition period is specified, this takes effect from the certified date of completion of the eligible works.
- 6.4 Any financial assistance and related conditions will be secured as a legal charge against the property, where breach of condition would require the repayment of all or part of the assistance. This charge will not be removed until either the condition period expires or until the assistance is repaid, together with any interest that may apply.
- 6.5 In some cases, if the conditions are broken the Housing Programmes Manager may specify that only part of the assistance has to be repaid. In these cases the charge will be removed upon payment of the specified part of the assistance
- 6.6 Where the Council has the right to demand repayment, it may determine not to demand payment or to demand a lesser amount if:
- the extent to which the recipient of the grant would suffer financial hardship were he be required to repay all or any of the grant
 - the owner, or any member of the owner's family who lives in the dwelling as their only or main residence, is aged 60 or over, or is infirm, and
 - the disposal is being made for the purpose of enabling that person who is aged 60 or over, or is infirm to be cared for, and
 - the Council is satisfied that such arrangements for the care of that person who is aged 60 or over, or is infirm will not otherwise be possible.
 - 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, and
 - 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,

- the sale is made to enable the owner or his partner to take up employment or to change location of his employment and the Council is satisfied that the offer would otherwise not be able to be accepted

6.7 A charge on the property is binding on any person who is, for the time being, an owner of the property concerned.

6.8 Where a condition is in force, the Council may require the person responsible to provide any information to satisfy the Council that the condition is being complied with. The Council can require this information in writing or in any other reasonable form. It is a condition that this information is provided in a reasonable time period specified by the Council and as fully, accurately and honestly as reasonably possible. Failure to comply with this requirement is a breach of conditions in itself and the assistance, or part assistance where this is specified, must then be repaid to the Council.

6.9 It is the responsibility of the person responsible for any condition to demonstrate to the Council's satisfaction that the condition is being complied with. Failure to do so will be treated as failure to comply with the condition. The Council does not have the burden of having to prove that the condition is not being complied with.

6.10 Any reference to a member of a person's family is to be taken to mean someone who is their:

- Parent
- Grandparent
- Child (including illegitimate child)
- Grandchild
- Brother or Sister
- Uncle or Aunt
- Nephew or niece

A relationship by marriage is treated as if it were a relationship by blood. A half-blood relationship is treated as a full blood relationship.

6.11 "Disposal" means

- A conveyance of the freehold
- An assignment of the lease - where the lease was used to qualify for the assistance, e.g. a long lease that was treated as effective ownership
- The grant of a lease, other than a mortgage term, for a term of more than 21 years otherwise than at a rack rent
- In the case of a mobile home or a houseboat, the sale, pledge or assignment of the mobile home or houseboat

It is assumed that any option to renew or extend a lease or sub-lease, whether or not forming part of a series of options, is exercised and that any option to terminate a lease or sub-lease is not exercised. Also, the grant of an option enabling a person to call for a disposal shall be treated as such a disposal made to that person

- 6.12 An exempt disposal means that there is no requirement to repay. However, all the conditions do then continue to apply and are binding upon the person or persons to whom the disposal is made for the remainder of the condition period. A disposal is classed as exempt where the person, or each of the persons, to whom it is made is:
- The person, or one of the persons, by whom the disposal is made
 - A member of the family of that person, or one of those persons
 - The spouse or former spouse of that person, or one of those persons, in the case of a company, an associated company of the company by whom the disposal is made
- 6.13 No retrospective application or request for financial assistance will be considered where the relevant work has already started or completed.
- 6.14 Unless otherwise specified, all relevant work must be completed, to the satisfaction of the Council, within 12 months of the approval date of the assistance. The Council may agree, in writing, an extension to this period, but this will only be done if there is an extremely good reason.
- 6.15 Work must be carried out by the contractor who provided the estimate or who was allocated from the Schedule of Rates Framework on which the assistance was based.
- 6.16 A grant will only be paid when the Council receives a satisfactory invoice in relation to the work, together with any supporting documentation or information requested by the Council
- 6.17 The approval of assistance does not give or imply the Council's approval of any consents that may be required, such as planning permission or Building Regulation consent.
- 6.18 It is a condition of Repairs Assistance that for the duration of the condition period the homeowner will ensure that the property is kept maintained and that the property has appropriate house insurance cover. The Council will require copies of the annual house insurance policy from the applicant to satisfy this condition. On payment of Repairs Assistance the applicant must notify the Council of the insurance company the policy is held with.
- 6.19 It is a condition of any assistance that the applicant takes all reasonable steps to pursue any insurance or legal claim that may be relevant to any part of the work to be carried out and to repay the Council the assistance, so far as appropriate, out of the proceeds of such a claim. A claim is relevant if it relates to any damage or defect to the property, to the extent that the works required to make good damage or defect are works to which the assistance relates.
- 6.20 Conditions will generally be enforced in all cases. Money repaid will be recycled into the Council's capital programme for further assistance awards

6.21 Condition Periods

Assistance Type	Value	Condition Period from Certified Completion Date	Interest Applied
Repairs Assistance - Owner/Occupiers	Up to £20,000	30 years	Yes
Mandatory DFG	Amount of Grant over £5,000 to a max of £10,000	10 years	No
Discretionary Top Up DFG	Up to £20,000	10 years	Yes
Discretionary DFG - To Support ASC	No Conditions	0 years	No
Disabled Persons Relocation Grant	Amount of Grant	10 years	Yes

8. OTHER MATTERS

7.1 Decision Review

- 7.1.1 Any decision made under the Policy may be reviewed at the request of the applicant. The review request should be addressed to the officer who made the decision being appealed against in writing, and within 21 days of the date of the decision letter unless the Council determines otherwise in any particular case.
- 7.1.2 The review will be conducted by a senior Council officer not previously connected with the case (the “Review Officer”).
- 7.1.3 The Review Officer will make such enquiries and request such evidence as he/she thinks necessary and will inform the appellant in writing of his/her decision within ten days of receiving such evidence.
- 7.1.4 Where he/she refuses an appeal, the Review Officer will inform the appellant of his/her rights under the Council’s complaint procedure and the Local Authority Ombudsman procedure.

7.2 Reviewing the Policy

- 7.2.1 This Policy came into force on the 1 January 2021 by Cabinet Member Decision Notice. It will remain in force until the end of 2024. Minor changes which do not affect the broad scope of the policy may from time to time be made by the Assistant Director Adult Operations and the Head of Housing, Prevention & Wellbeing

7.3 Budgetary Matters

- 7.3.1 Mandatory Disabled Facility Grants are funded through the annual DFG Allocation contain within the Better Care Fund. Discretionary Grants and Repairs Assistance are funded through the Councils annual Capital Programme.
- 7.3.2 These budgets are monitored monthly through the Council’s Capital Finance Team

7.4 Performance

- 7.4.1 The performance of the Policy will be monitored as part of the City Council’s Adult Social Care Performance Management Dashboard with the statutory and locally determined performance indicators published in line with the performance framework.

7.5 Cases falling outside of the policy

- 7.5.1 For those applicants whose circumstances fall outside the scope of this policy, the applicant must put their case in writing to the Housing Programmes Manager who will review the circumstances of the case with the Head of Housing, Prevention & Wellbeing. Should the case be refused the applicant can exercise their right to complain through the Council's complaints procedure