



Individual Executive Decision Notice

Report title	Request for Discretionary top-up to Disabled Facilities Grant (IEDN:02/2020)	
Decision designation	GREEN	
Cabinet member with lead responsibility	Councillor Linda Leach Cabinet Member for Adults Councillor Ian Brookfield Leader of the Council	
Wards affected	Fallings Park;	
Accountable Director	David Watts, Director for Adult Services, Ross Cook, Director of City Environment	
Originating service	Housing Services	
Accountable employee	Lynda Eyton	Client Relationship Manager - Housing Management Agents
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Report to be/has been considered by		

Summary

To consider a request for top up funding to a Disabled Facilities Grant.

Recommendation(s) for decision:

That the Leader of the Council and Cabinet Member for Adults, in consultation with the Director of Adults Services and the Director of City Environment.

1. Agree to the provision of discretionary top-up for the case detailed in the report below at a total cost of £18,382.40 subject to any additional unforeseen costs which may increase the amount of discretionary grant required.

- 2. Determine that the full amount of any discretionary grant becomes repayable if the ownership of the property is transferred by any means within 10 years of the completion of the grant aided works. A local land charge would be registered to reflect this condition.

Signature

Date:

Signature

Date:

Signature

Date:

Signature

Date:

1.0 Background

- 1.1 The Housing Grants Construction and Regeneration Act 1996 which prescribes the award of mandatory Disabled Facilities Grants (DFG) previously gave local authorities the power to award discretionary grant, in addition to the mandatory grant, for the purpose of making a dwelling suitable for the accommodation, welfare or employment of a disabled person. Subsequently, the introduction of the Regulatory Reform (Housing Assistance) Order in 2002 removed this power and replaced it with the discretion for local authorities to introduce their own policies for the award of discretionary grants, with regard to local circumstances.
- 1.2 The City of Wolverhampton Council Private Sector Housing Assistance Policy approved at Cabinet on 12 September 2018 outlines the council's current discretionary policies under the Regulatory Reform (Housing Assistance) Order 2002. There is an agreed discretionary policy for the award of Small Adaptations Grants and other Housing Assistance. The Council has a legal requirement however to consider any request for assistance outside of existing policy to provide additional discretionary funding. This report deals with one such request. There is some ongoing work to introduce amendments to the policy which would deal with requests such as the one outlined below, however, this amendment has not yet been brought before Cabinet for a decision.
- 1.3 The maximum DFG award is set by the legislation at £30,000. A recent (2018) review by the Department of Communities, Housing and Local Government have concluded that the grant maximum should be increased as the current maximum amount was set over 10 years ago and has not taken account of increased prices in the building industry over the subsequent period. However, the legislation required to allow any change has not yet been brought before parliament.

2.0 Request for Assistance

- 2.1 Mr D is an 83-year-old gentleman who lives with his 77-year-old wife in their own 3 bedroom property. Mr D has a number of conditions which affect his mobility, including heart failure, high blood pressure and osteoarthritis. Mrs D is affected by arthritis which impacts on her ability to assist Mr D with activities of daily living. Mr D is unable to access his bath and struggles to manage the stairs. The only toilet in the property is upstairs.
- 2.2 Mr D was initially assessed by an Occupational Therapist (OT) in June 2018 and recommendations made for a through floor lift and adaptation of the upstairs bathroom. However, on inspection of the property it became apparent that the upstairs bathroom could not be made suitable, in addition Mr D's condition has deteriorated and therefore revised recommendations were made for provision of a ground floor bedroom and shower room to meet Mr D's needs.
- 2.3 The scheme of work to provide the ground floor extension has been fully scheduled and received all the statutory approvals, prices have been obtained from 2 builders and a full value for money assessment of the costs has been carried out by officers. The reasonable cost of the work has been assessed by officers as £50,723.80 (including all

fees and applicable VAT) and the cheapest contractors cost is £48,382.40 (again including all fees and applicable VAT). This is in excess of the current mandatory grant limit of £30,000. The reasons for the high costs are mainly due to the reconfiguration required to the rear of the property (including existing kitchen and utility area) to enable suitable access through to the new rear extension.

- 2.4 In accordance with the legislation, the application for a DFG made by Mr D has been means-tested and Mr D is entitled to a 100% grant up to the mandatory grant limit of £30,000. A grant approval has been issued to Mr D, however, he is required to fund the additional costs in excess of the mandatory grant limit.
- 2.5 The family of Mr D have contacted the Adaptations Team on behalf of Mr D and requested that in his circumstances he wishes to be considered for discretionary grant funding to top-up the grant above the mandatory limit.
- 2.6 The property is owned by Mr and Mrs D. There is no outstanding mortgage. Mr and Mrs D are in receipt of Guarantee Pension credit and have limited savings. Mr and Mrs D do not currently receive any care or support package from CWC, all care is provided either by Mrs D for her husband or with the assistance of family members. Mr and Mrs D do not wish to take out loans or equity release as they have inability to repay these. They have explored the option of family gifts/loans however this is not viable due to current family circumstances.
- 2.7 The family have advised that Mr D is now experiencing greater difficulty and has deteriorated recently. In order to go upstairs to use the toilet or go to bed he must ascend the stairs whilst crawling on all fours. In order to descend he must come down backwards whilst bracing himself against walls and bannisters. This process takes approximately 5 minutes each time which is having a direct impact on his ability to use the toilet in a timely manner. He has been prescribed diuretic medication which results in his trips to the toilet being both more frequent and urgent. Mr D is no longer able to get into or out of the bath (which also has the only shower facility) even with help from his family which has compromised his dignity and privacy by removing his ability to clean himself. If the adaptations cannot be made, this will increase the pressure upon Mrs D to care for her husband. Currently this entails cleaning clothes and/or carpets as well as the anxiety which she currently experiences whilst Mr D is using the stairs due to a number of previous falls and near misses.
- 2.8 The impact of being able to have the adaptation work carried out is described as follows:
- "with these adaptations both Mr and Mrs D have the possibility of not only remaining in their own home but also vastly improving their quality of life. Mr D in particular will benefit from this immediately by being able to bathe himself and ensure that he can use the toilet in a prompt successful manner. It will also eliminate the need for Mr D to go upstairs which is currently an area of risk to himself and anxiety/risk for Mrs D. This will on the whole result in Mr D regaining his dignity, privacy and independence and hopefully make his remaining years as comfortable as possible. The family, believe that these

adaptations are the best chance our parents have to safely remain living in their family home with support from their children and grandchildren.

3.0 Evaluation of alternative options

3.1 In the above case, the alternative options are as follows: -

- A. Request that grant applicant obtains finance through a loan option available on the financial markets. The personal and financial circumstances of the applicant mean that this is not an option that they wish to pursue.
- B. Advise the applicant to source additional funding from charity, family or friends. Currently the adaptations service does not have the resource or structure to provide additional support to applicants in sourcing external funding. If an applicant has to seek their own sources of personal funding this inevitably leads to lengthy delays and in many cases, work never progresses. In this case funding is only being requested for mandatory work for which grant aid would be available if the maximum grant had not already been awarded. Mr D and his family have indicated that the family are not in a position at this time to provide financial assistance of this nature. Many charities will not fund the costs of mandatory work and generally only provide small amounts.

4.0 Reasons for decision

4.1 For the case outlined above it is requested that agreement is given to approve a discretionary grant to assist with the additional costs of the mandatory work above the grant limit of £30,000. This will be a total of £18,382.40 and subject to any further unforeseen costs that may arise on site which may increase the discretionary grant requirement.

4.2 Officers have considered this case and consider that approval of funding should be given for the following reasons:

- A. The facilities to be provided are to fulfil the mandatory requirements of access to and from the property, including the garden, access to a room for sleeping and access to bathing and toilet facilities. (Housing Grants Construction & Regeneration Act 1996, Section 23 (1) (a) (d) (e) (f) (g) (h) . i.e. there is nothing over and above the mandatory requirements that would normally be provided.
- B. The applicant is unable to fund the excess costs due to their financial circumstances
- C. The cost of the work is considered reasonable as assessed by officers.

4.3 There is sufficient budgetary provision within the 2020-2021 financial year to enable these discretionary grants to be financed (see 5.1 below)

5.0 Financial implications

- 5.1 The current Housing Capital Programme approved by Cabinet on 19 February 2020 includes a budget of £3.465 million for Disabled Facilities Grants and discretionary grants in 2020-2021. The current known demand on the 2020-2021 budget is in the region of £1.5 million which includes the mandatory element in the above cases. There is therefore sufficient budget to fund the expenditure of approximately £18,382 recommended in this report. This investment may also mitigate a risk of a revenue cost for additional care.
[JM/15072020/G]

6.0 Legal implications

- 6.1 Mr D is eligible to apply for a DFG and has been awarded a mandatory grant given under the provisions of the Housing Grants Construction & Regeneration Act 1996 which the Council has a duty to provide. Councillors do have the power to refuse the discretionary grant, however, for the reasons outlined in Section 4 above, it is recommended that the grants be approved.

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7.0 Equalities implications

- 7.1 An equalities analysis is not required as this report is for a one-off decision affecting two applicants and is not intended to set a precedent. In future, the proposed full policy report will require an appropriate analysis

8.0 Climate change and environmental implications

- 8.1 There are no climate change or environmental implications of this report.

9.0 Human resources implications

- 9.1 There are no human resources implications in this report.

10.0 Corporate Landlord implications

- 10.1 There are no corporate landlord implications for this report.

11.0 Health and wellbeing implications

- 11.1 The work to be undertaken to the property will contribute to improved health and wellbeing of the occupant.

12.0 Covid implications

- 12.1 The work to be undertaken to the property will be carried out in accordance with government guidelines for working safely during corona virus.

13.0 Schedule of background papers

13.1 Private Sector Housing Assistance policy – 12 September 2018.