

Individual Executive Decision Notice

Report title	Request for Discretionary top-up to Disabled Facilities Grant (IEDN 04/2020)	
Decision designation	GREEN	
Cabinet member with lead responsibility	Councillor Linda Leach, Cabinet Member for Adults, Cabinet Member for City Assets and Housing	
Wards affected	Bilston East;	
Accountable Director	Ross Cook, Director of City Environment, Emma Bennett, Director of Children and Adult Services	
Originating service	City Housing	
Accountable employee	Lynda Eyton	Client Relationship Manager - Housing Management Agents Tel: 01902 555706 Email: lynda.eyton@wolverhampton.gov.uk
Report to be/has been considered by	Cabinet Member Briefing City Assets and Housing Cabinet Member Briefing Adults	

Summary

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

Recommendations for decision:

That the Cabinet Member for Adults and Cabinet Member for City Assets and Housing, in consultation with the Director of Children's and Adult Service 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 £ 22,196 subject to any additional unforeseen costs which may increase the amount of discretionary grant required.

2. Determine that the full amount of the discretionary grant become repayable (subject to circumstances at the time) if the property is sold or ownership transferred within 10 years of the completion of the work.

Signature

Date:

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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 Miss F is a 15-year-old young lady who lives with her parents in a 3-bedroom privately owned property. Miss F's older sister lives near-by and assists her parents with the care of Miss F. Miss F has cerebral palsy, she is able to mobilise for short distances in the home, but mainly uses a wheelchair when out of the home. She has an electric wheelchair which is used at school but there is no space for this to be used at home and it is left at school. Miss F currently sleeps upstairs but only manages the stairs with assistance. The only bathroom is upstairs, there is a shower over the bath but Ms F cannot manage independently in the bathroom. Miss F attends mainstream school.
- 2.2 Miss F was initially assessed by an Occupational Therapist (OT) in July 2017. Following the assessment and the need to gather additional information concerning medical condition and prognosis, a recommendation for ground floor facilities (bedroom and bathroom) was made in April 2018.
- 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 £ 53,873 (including all fees and applicable VAT) and the cheapest contractors cost is £52,196 (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 the need for a raft foundation as directed by Building Control, the need to demolish 2 existing outbuildings following a revision of the layout directed by Planning, revisions to drainage and build over agreements as directed by Building Control/Severn Trent Water.

- 2.4 In accordance with the legislation, the application for a DFG made by the parents of Miss F. As the work is for a young person under the age of 18 the parents are entitled to receive a 100% grant up to the mandatory grant limit of £30,000. A grant approval has been issued to Mr & Mrs F; however, they are required to fund the additional costs in excess of the mandatory grant limit.
- 2.5 Mr & Mrs F have contacted the Adaptations Team and requested that in their circumstances they wish 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 F. Mr and Mrs F are currently both in their late 50's. The property is worth around £100,000 and there is approximately £40,000 of mortgage outstanding. The mortgage term is for a further 10 years when Mr and Mrs F both reach pensionable age (67 years). Mr and Mrs F have no savings and no private pensions. They are both currently working. They do not currently receive any care or support package for their daughter from CWC. Mr and Mrs F have considered if they can raise any alternative finance but feel that their financial position is precarious and they do not wish to risk falling into debt when they have to care for their daughter.
- 2.7 Mr and Mrs F are currently having to assist their daughter with accessing her bedroom, bathroom and toilet. They do not feel that it is good for a 15-year-old to have to be bathed by her father. Mrs F is unable to assist with moving and handling as she has had a stroke which has left her with some left-sided weakness.
- 2.8 The impact of being able to have the adaptation work carried out is described as follows: Miss F would have the independence to shower and wash herself without assistance. She would be able to independently access a toilet. She would be able to independently access her bedroom when she chose to. Miss F would have the independence, privacy and dignity that she needs as she develops through her teenage years and beyond. The adaptations would also have a big impact on Miss F's parents in that Miss F would no longer be so reliant on them for personal tasks. This would reduce the risks of injury to them as they age.

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 applicants mean that this is not an option that they feel they are able 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 and Mrs F have stated that they do not have any option for obtaining alternative funds. 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 £22,196 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 and the work is for the benefit of a young person under 18 which attracts full support under the mandatory grant regulations.
 - 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 4.1 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 £22,196

recommended in this report. This investment may also mitigate a risk of a revenue cost for additional care and support.

[JM/03112020]

6.0 Legal implications

- 6.1 Mr and Mrs F are eligible to apply for a DFG on behalf of their daughter and have 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.

[DC/03112020/C]

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 arising from the recommendations in this report.

10.0 Corporate Landlord implications

- 10.1 There are no corporate landlord implications arising from the recommendations in this report.

11.0 Health and Wellbeing Implications

- 11.1 This report has implications for the health and well-being of Miss F and her parents in that the provision on the necessary facilities will significantly improve their health and well-being.

12.0 Covid-19 Implications

- 12.1 Any work to be undertaken to the property will be in accordance with Government guidelines for working safely during coronavirus.

13.0 Schedule of background papers

- 13.1 Private Sector Housing Assistance policy – 12 September 2018.