

CITY OF WOLVERHAMPTON COUNCIL	Cabinet 17 February 2021
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Report title	Revision to the Private Sector Housing Assistance Policy	
Decision designation	AMBER	
Cabinet member with lead responsibility	Councillor Jaqueline Sweetman City Assets and Housing	
Key decision	Yes	
In forward plan	Yes	
Wards affected	All Wards	
Accountable Director	Ross Cook, Director of City Environment	
Originating service	City Housing	
Accountable employee	Lynda Eyton	Client Relationship Manager
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Report to be/has been considered by	City Environment Leadership Team	2 February 2021

Recommendation for decision:

The Cabinet is recommended to:

1. Approve the revised Wolverhampton Private Sector Housing Assistance Policy effective from 1 April 2021.

Recommendation for noting:

The Cabinet is asked to note:

- 1 That the Private Sector Housing Assistance Policy continues to delegate authority to the Cabinet Member for City Assets and Housing, in consultation with the Director for City Environment to approve discretionary awarding of grants outside the policy in exceptional circumstances via an Individual Executive Decision Notice.

1.0 Purpose

- 1.1 This report sets out proposals to introduce additional and amend existing discretionary grants to the Council's Private Sector Housing Assistance Policy which sets out the policy for the provision of mandatory Disabled Facilities Grants and discretionary housing grants to vulnerable and disabled people through the Better Care Fund and some additional capital funding.
- 1.2 These revisions will provide greater flexibility in the use of funding provided for this purpose, by broadening the range of assistance the Council provides, assisting a greater number of vulnerable and disabled people with improvements and adaptations to their homes. This will help improve their independence and wellbeing so that they can carry on living in their own homes with the effect of preventing wider demand on hospital, council and residential/community care services.

2.0 Background

- 2.1 Local authorities (LA) have a mandatory duty under the Housing Grants, Construction & Regeneration Act 1996 to provide grants, known as Disabled Facilities Grants (DFGs), towards the cost of works required for the provision of facilities for people living with disabilities. Funding for this is provided to the Council annually by central government via the Better Care Fund (BCF), with the expectation that LAs make use of the discretion provided under the Regulatory Reform Order (RRO) 2002 to spend these monies in more flexible and responsive ways to help support disabled residents on a wider preventative basis helping to reduce pressures on health and social care.
- 2.2 The Council currently provides both forms of assistance to those eligible occupants of owner occupied or privately rented homes as well as registered providers (RP) where relevant, set out in its Private Sector Housing Assistance (PSHA) Policy, as is required by the RRO 2002 for use of the discretionary element. Adaptations for disabled people in council owned property are not covered by this policy as they are funded through a budget allocation within the Housing Revenue Account.
- 2.3 In addition to government grant, the Council also provides some capital funding to assist residents in private sector housing via the affordable warmth grant to assist those in fuel poverty and vulnerable to the effects of living in a cold home with energy efficiency measures, the Safe Homes grant which provides remedial works to those who are at risk or are victims of domestic violence or antisocial behaviour and the Healthy Homes assistance, a repayable loan to pay for works to address living conditions that pose a threat to the occupants' health and safety. Awarding of this funding is subject to separate approvals.
- 2.4 The existing PSHA Policy was adopted by Cabinet in September 2018, which consolidated previous policy that had been adopted in intervening years. It was recommended that the policy would be reviewed to ensure that the financial assistance provided to residents remains relevant to wider council strategy and objectives, other

partner programmes in health and social care and makes best use of the ability to award discretionary grants.

3.0 Reviewing the Housing Assistance Policy

- 3.1 Work to review the PSHA Policy has been carried out by a steering group, including representation from Housing Strategy, Adult Social Care, Public Health, Finance and the operational leads from Wolverhampton Homes to whom the delivery of Housing Assistance has been delegated. The steering group has overseen a full review of the policy to harmonise conditions across the various streams of assistance offered to support the development of a Home Improvement Agency by Wolverhampton Homes that will provide and coordinate advice, support and assistance to people living in the city to ensure that their home supports their on-going needs and reduces, prevents or delays any need for social care or health interventions wherever practical. The steering group reviewed emerging good practice regarding the wider use of DFG and engaged with Foundations, the Government's appointed advisory agency for best practice in extended use of the grant allowed under the RRO.
- 3.2 This review identified a number of additional discretionary grants that can be offered to vulnerable and disabled people due to the underspend of the DFG funding despite a growing number of referrals. This underspend is in part due to the complexity of the assessment process, delays between initial application and works being completed as the DFG can be inflexible and the requirement of means testing can lead to many eligible applicants abandoning their application. Underspending of DFG budgets is a national issue but an improved offer of services under the revised policy will ensure the more effective and efficient use of adaptations funding.
- 3.3 Based on the work of the steering group a number of proposed changes to the PSHA Policy were put forward for consultation which was undertaken across September and October 2020 for a seven-week period and included detailed presentations to Council Leadership teams, Wolverhampton Homes, Cabinet Member for City Assets and Housing and Cabinet Member for Adults. A letter was sent to all Councillors setting out the proposals. An online survey was made available to members of the public (also available in hard copy). In addition, the proposals were shared with a wide range of stakeholders including Registered Housing Provider partners, Social Care officers, Better Care Fund, NHS partners and other external partners and agencies, who were encouraged to feedback their views.

4.0 Proposal

- 4.1 Approval is sought to amend the PSHA Policy to give the Council more flexibility to support disabled residents to live safely and independently in their own homes. This will enable more flexible, broader and joined up customer focused services to assist disabled and vulnerable people, by:
- Providing wider powers for the authority to make housing adaptations for those with a social care need who would otherwise require social care packages funded by the Council;

- Building on the Policy already in place which has been used for the provision of Small Adaptation's Grants for stairlifts, ramps and hoists and Bathroom Adaptations Grants;
- Creating greater flexibility within the fund allowing the issues on a wider preventative basis to be addressed that cannot be covered using mandatory DFG;
- Presenting an opportunity for people to remain in their own homes and live independently for longer, with those who receive a DFG adaptation on average staying in their own homes four years longer prior to needing further social care interventions.

4.2 The proposed changes to the assistance policy will complement the Council Plan priorities of 'Strong, resilient and healthy communities' and 'Better Homes for All' which encompasses city Housing Strategy priorities, specifically by;

- supporting residents with care and support needs to maintain their independence';
- 'protecting the most vulnerable with the right care and support';
- ensuring a 'safe and healthy home' is available to all the city's residents and;
- providing 'access to a secure home'.

4.3 Additional areas of support funded through the DFG will be required to meet a necessary, appropriate, reasonable and practical test, they will be discretionary and will need to meet the central aim of the RRO which is to create greater flexibility within the fund and address housing issues on a wider preventative basis. It is therefore proposed to extend the use of the grant in a range of ways including supporting the use and accessibility of the DFG for example a Dual Residency Grant that supports the joint custody arrangement of a child requiring adaptations in both homes. There are grants that will help to prevent hospital admissions for example the Living Well Grant that will support individuals with a frailty, dementia, neurological disorder or considerable debilitating condition to remain at home and to support carers of those people with the above diagnosis, enabling rapid intervention to remain independent and in their own home. There are also grants that will support hospital discharge such as the Home not Hospital Assistance that will support Health and Social Care with the safe discharge to home where home is the reason a discharge cannot be achieved. Fuller details of the grants are set out at appendix 1.

4.4 Upon approval, roll out of the new policy will commence with full delivery of the proposed assistance from 1 April 2021.

5.0 Evaluation of alternative options

5.1 Option one – adopt the proposed revisions to the PSHA Policy. Adopting the proposed changes to the policy will enable greater flexibility to meet the housing needs of disabled and vulnerable residents in the city, particularly where the mandatory grants process is discouraging vulnerable residents from accessing necessary adaptations to assist them to remain independent in their own home. This will have the benefit of reducing reliance on funded care packages and will contribute to a reduction in emergency hospital admissions. It will also make best use of the funding available.

- 5.2 Option two - do nothing. By not adopting the revised PSHA Policy it would limit residents to the assistance made available in the existing policy, which is limited and restrictive in parts, and does not make best use of the funds available to the Council to support disabled and vulnerable people make the adaptations to their homes that meet their needs to enable them to live independently for longer. This will have the impact of generating increased costs in the wider health and care system since those who could not access support/early intervention are likely to develop increased dependency needs i.e. domiciliary care/ residential care. It will also limit the council's ability to maximise spend of the funding available, limiting the number of people in need that can benefit from it.
- 5.3 Option three - partial acceptance of the policy. Adopting a selection of the proposals will provide a greater flexibility to meet need than currently exists and would improve access to grants and adaptations for those who are eligible; however, the full range of support could not be offered which would not make best use of the funds available to the Council and would mean some applicants needs would not be fully met.

6.0 Reasons for decision

- 6.1 Option one, the adoption of the proposed revisions to the PSHA Policy is recommended. The proposed discretionary financial assistance will enable the council to provide flexible financial assistance which will enable many more people to have adaptations made to their home. The revisions to the policy provide greater access and availability of funding and enables the council to deal with more specialist cases in a controlled and prompt manner. This will help to promote wellbeing, prevent needs escalating and enable people with a disability to live in their homes independently.

7.0 Financial implications

- 7.1 The Council receives in the region of £3.1 million DFG funding per year but has struggled to reach this level of spend. The forecast expenditure in 2020-2021 is anticipated to be in the region of £1.5 million which includes an additional allocation of £423,000 which is Wolverhampton's share of an increase in Disabled Facilities Grant funding nationally
- 7.2 Currently the Council has DFG grant of £7.4 million available to spend, with around £5.9 million expected to be available at 31 March 2021 to carry forward to future years.
- 7.3 Use of DFG funding will be maximised to fund all assistance in the policy that is eligible under the DFG funding rules. The remaining assistance that cannot be funded through the DFG is funded by external funding where available and/or through the General fund and is subject to separate annual approvals.
- 7.4 Financial assistance under this policy is at the discretion of the Council and awarding of assistance will depend on availability of funding.
- 7.5 Where feasible and appropriate discretionary assistance offered will require a charge to be placed on the property of the applicant meaning that the funding will have to be repaid

if the property is sold or otherwise changes hands. This will ensure that funds can be recycled without causing financial hardship to vulnerable applicants.

[JM/27012021/L]

8.0 Legal implications

8.1 Disabled Facilities Grants are issued under the provisions of the Housing Grants, Construction and regeneration Act 1996. The Regulatory Reform (Housing Assistance) (England & Wales) Order 2002 enabled councils to offer discretionary financial assistance if they have a published policy. There is no restriction on the amount of discretionary assistance that local authorities may provide. Discretionary assistance may be given in addition, or as an alternative to a mandatory Discretionary Facilities Grant. The Council may take any form of security, including a charge on any property, for the whole or part of the assistance given for housing adaptations or other forms of assistance.

8.2 The Care Act 2014 introduced new statutory duties on Local Authorities. A disabled person may be entitled to assistance and services, including specifically aids and adaptations, which local authorities are under a duty to provide under the Care Act 2014 ("the Care Act"), regardless of whether or not a disabled facilities grant is available. It also includes promoting individual wellbeing and preventing needs for care by providing or arranging support, the provision of services, facilities and resources and meeting any unmet eligible needs for care and support. The Act also requires Local Authorities to co-operate generally and specifically in individual cases with their relevant partners in exercising their respective care and support functions.

[DC/26012021/G]

9.0 Equalities implications

9.1 An equality analysis has been completed which highlights the positive impact broadening the range of grants available will have for disabled and vulnerable people in the city. It will help to reduce the risk of falls and injury, reduce the risk of ill health, minimise time spent in acute hospitals and help people maintain independence and avoid the need for long term care, particularly by offering support to those that cannot improve the condition or suitability of their home.

10.0 All other implications

10.1 Through small works assistance and affordable warmth works, the policy supports the improvement of properties including the provision of more energy efficient heating.

10.2 This policy seeks to support disabled and vulnerable people living in private sector properties to improve their health and wellbeing through the provision of assistance and adaptations so that residents homes meet their needs, helping people across the city to live independently in their own home and reducing the need for health care services.

10.3 There is the potential for an increased number of residents in the City to require some form of assistance to manage the long-term effects of recovering from Covid 19. Whilst these effects are not yet fully known, a policy that has increased flexibility and a wider scope of assistance should help to future proof the policy to address these needs.

11.0 Schedule of background papers

11.1 [Private Sector Housing Assistance Policy](#), Cabinet, 12 September 2018

12.0 Appendices

12.1 Appendix 1 – Assistance available under this proposed housing assistance policy

12.2 Appendix 2 – Wolverhampton Private Sector Housing Assistance Policy