

Report to: Cabinet

Date of Meeting: 5th June 2023

Report Title: Revision of Financial Assistance Policy 2023 - 2025

Report By: Victoria Conheady – Director of Place – Deputy Chief Executive

Purpose of Report

To brief Cabinet, on the update to the current Financial Assistance Policy (2019-2023), to take us through from 2023 to 2025 as highlighted below and attached. The purpose being to improve and enhance the assistance offered via the Disabled Facilities Grant to eligible residents in Hastings and St Leonards.

Recommendation(s)

To delegate authority to the Deputy Chief Executive, or her nominee in consultation with the lead member for Planning, Governance and Community Safety, undertake the updates outlined in the appended Financial Assistance Policy, to enable the proposed new discretionary funding options to be implemented.

That Cabinet note the Financial Assistance Policy will continue to be reviewed and updated when needed.

To delegate to the Deputy Chief Executive, or her nominee, in consultation with the lead member for Planning, Governance and Community Safety, that the staffing within the Housing Renewal Team increases the level of In-House Occupational Therapists by seconding another Occupational Therapist to the team funded via the Disabled Facilities Grant. This will increase the number of occupational therapy staff to four, who will be specifically focused of the Hastings and St Leonards area and based at Hastings Borough Council. This is a budget growth item of between £40,836 - £52,896 per year and will be fully funded by the Disabled Facilities Grant.

Background

1. The Housing Renewal Team administer the Disabled Facilities Grant (DFG) funding available for eligible adaptations defined under The Housing Grants, Construction and Regeneration Act 1996. The Act defines not only what types of adaptation can be made to a property but also specifies who is eligible for a mandatory DFG. This includes a means tested element to determine whether the applicant is required to contribute to the cost of the adaptation.

2. The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 provides general powers for local housing authorities to provide assistance for housing renewal, including home adaptations. This allows the council to use government funding for disabled facilities grants a bit more flexibly.
3. It states under Regulation 4 a local authority may not use additional provisions of discretionary assistance unless they have adopted a policy for that assistance and the public have notice of it. Our current financial assistance policy is on our website at <https://www.hastings.gov.uk/content/housing/improvement/454250/pdfs/HousingR renewalFinancialAssistancePolicy2019>
4. Our current financial assistance policy has a section which sets out our discretionary assistance criteria and the circumstances where DFG funding will be considered.
5. Our most recent policy was revised in September 2021 following Cabinet approval on 6th September 2021 to amend the limit for non means tested, stair lift only applications from £5000 to £10,000. This was in recognition of the increased costs associated with stairlifts and particularly curved stairlifts which were starting to exceed the original £5000 limit.
6. This amendment was the starting point for a broader review of the financial assistance policy and the discretionary use of disabled facilities grant funding. This has been driven by a recognition that although having increased levels of funding via the Disabled Facilities Grant awarded from central government, we have not spent the full allocation each year and an underspend has occurred. This is despite all eligible applications being approved within the required 6-month period and there is no back log of pending cases sitting with Hastings Borough Council waiting for grant approval.
7. Under Section 34 of The Housing Grants, Construction and Regeneration Act 1996 it is a requirement the local authority notify an applicant in writing as to whether their application is approved or refused. It sets out this should be done as soon as reasonably practicable and not later than 6 months after the date of application. In 2022 to 2023 the average time taken from application to approval was 8 working days. In 2021 to 2022 it was also 8 working days.
8. In March 2022 new guidance was provided to support the adaptations and disabled facilities grant process. Whilst the guidance is not law, it recognises that the legislation provided this 6-month timescale to allow for all types of application, including complex ones. Therefore, it recommends straightforward applications should take no longer than 5 working days for urgent cases or 20 working days for non-urgent cases.

9. Under Section 37 of the same Act, it is a requirement that eligible works under a disabled facilities grant are carried out within 12 months from the date of the approval of the application. In 2022 to 2023 the average time taken from grant approval to completion of the work was 86 working days. In 2021 to 2022 it was 74 working days. However, in 2022/2023 there was a total of 96 completed disabled facilities grant whereas there were 81 in 2021/2022.
10. In 2022/2023 the DFG budget was £2,056, 655 and during that year £1,561,138 was spent or committed. This includes the adaptations themselves and the Occupational Therapy and DFG staff administering the process. £1,174,084 of the total was directly spent on the undertaking the adaptations. As a result, £495,517 was moved and added to the reserve fund at the end of 2022/2023. In 2021/2022 the underspend was £781,980. The DFG budget for 2023/2024 is a further £2,056,655.
11. The widening of the discretionary funding options available under a DFG aim to utilise this underspend for the benefit of residents of Hastings and St Leonards and help to ensure the current budget for 2023/2024 is spent. The increase in occupational therapy staff also aim to address the speed and efficiency in which referrals can be processed when they are received by the in-house therapists at Hastings Borough Council from East Sussex County Council.
12. In terms of the overall adaptations and DFG process, Hastings Borough Council are one part of a much larger process. The elements which the Council have direct control over related to the administration and processing of the actual DFG application and the approval and payment of the grant. The assessment of an applicants need for an adaptation under a DFG is carried out by East Sussex County Council (ESCC). They triage and assess clients who have made direct contact or been referred to Adult Social Care as having a need for some form of support. A referral for a major adaptation under a DFG is one route that may meet those needs. Appendix 2 provides a summary overview illustrating the process undertaken at ESCC before cases requiring a major adaptation are referred to the Hasting Borough Council team. Appendix 3 provides a summary overview of the DFG process undertaken at Hastings Borough Council once a referral for an adaptation has been made.
13. The reason for the underspend is not purely related to the content of our financial assistance policy and they are much wider in context and complexity. It is important this is noted as even with wider discretionary policies and awareness of disabled facilities grants, other factors still influence the process. Examples of issues that affect and influence the budget, timescales, and ability for an adaptation to proceed are described below.
14. The volume and rate of referrals coming through from ESCC for adaptations has a direct influence of the amount of the DFG budget spent. A high and consistent levels of referrals coming through from ESCC is needed in order for those eligible to take advantage of the grants available. Referrals are received from ESCC but before a DFG is considered, they have to see if needs can be more appropriately met by other methods e.g., equipment and minor adaptations (Adult Social Care funded) or providing care services.

15. The process from first contact by the client to Health and Social Care Connect through to a decision made to refer it to the Hastings Borough Council Housing Occupational Therapist for a DFG can take some time. (The process is illustrated at Appendix 2). This is caused by the level of demand placed on the service at East Sussex County Council and the resources available. We will be working with colleagues at East Sussex County Council to identify ways the process can be made more efficient and the waiting times experienced by clients who may need an adaptation via a DFG reduced.
16. To increase awareness of the DFG and the opportunity for home adaptations, a refreshed communications exercise is planned once approval of this new financial assistance policy is agreed. Further details of this are explained in the subsection further on in this report. However, it is hoped that through a targeted campaign of awareness raising this will increase the level of calls to Health and Social Care Connect at ESCC, which will subsequently translate into a greater proportion of referrals coming through for adaptations eligible for disabled facilities grant funding.
17. The properties proposed for adapting must meet the requirements of being reasonable and practicable for adaptation and capable of being adapted. Issues such as the property not being able to be feasibly adapted can prevent an adaptation going ahead. In those cases, the Occupational Therapist will work with the client to produce a Housing Needs Report, to support their application for rehousing and/or to assist them in finding their own, more suitable property. In the interim period, clients are provided with minor adaptations or equipment provided by Adult Social Care at ESCC to meet their short-term needs.
18. Depending on the nature of adaptations required, planning consent, and building regulation approval may be required before adaptations can proceed. This is generally only the case for more major work. Some properties may be in a conservation area and require specific advice from a conservation officer and there may be conditions as to if and how works can be carried out. Our home adaptations service provider works with colleagues in the planning team to ensure any proposed adaptations meet these requirements so the adaptation can proceed as efficiently as reasonably possible. If there is a case where planning or conservation consent is not granted, the Occupational Therapist will revert to completing a Housing Needs report and look for alternative short-term measures as described above.
19. Permission from the owner of the property is also legally required before the adaptation can proceed. Where the owner is a registered provider or a private landlord, this is outside of the DFG applicant's control. The team will engage with the owner of a property to try and understand the reason for refusal and try to overcome them if possible. However, Hastings Borough Council cannot undertake adaptation work on a property where consent is refused, and again arrangements will have to be made by the Occupational Therapist to meet the client's needs through alternative means (Housing Needs Report / equipment as described above.).

20. The process of delivering adaptations via the disabled facilities grant is consistently under review, with the team always looking for opportunities to improve the process. This is done through case by case learning and responding to new issues that may arise. E.g., where a client's circumstances pose a barrier that hasn't previously been considered, how can we improve the process to ensure it is removed as far as reasonably possible. In addition, there is a Joint Approach to Housing Solutions meeting which takes place once a quarter. This is attended by the district and borough managers across East Sussex, the Senior Occupational Housing Therapists from the in-house teams across the districts and boroughs, the children's occupational therapist and the Practice Manager from ESCC. The purpose of the meetings is to share best practice across the council, ensure a coordinated and consistent approach as far as possible and to share learning and advice on complex cases or the application of legislation and procedures.
21. Despite the range of influencing factors described above, a wider and more inclusive financial assistance policy will help to ensure more of the funding is getting out to people that are eligible and need it. By broadening the discretionary options available this will provide a greater level of support to those who need it.
22. In addition to a revision of the policy an updated communication plan is being implemented to raise awareness of this funding. See further detail below.

Revision of Discretionary Disabled Facilities Grant

23. A review of our current discretionary funding options has been undertaken to look at their frequency of use since the financial assistance policy came into effect in 2019. The reason for this was to try and understand why they are not being used. The results were as follows;
24. Relocation Assistance was not applied for at all during the period of April 2019 to March 2023. We believe one of the main reasons this option is not being utilised is a client deciding not to move away from their current home into a new property. This is a difficult decision for clients as they may have been in their home a number of years and there are memories and emotional attachment to the property. This has to be balanced and reconciled with the practicalities of their current property perhaps not being able to facilitate the level / scale of adaptations that may be required, or where they do not own their property, the fact that the owner has refused permission for them to go ahead.
25. Discretionary Top Up Assistance was used once in 2019/2020, once in 2020/2021, once in 2021/2022 and 3 times in 2022/2023. We believe the reason this may be low is due to the current requirement for any funding provided by HBC under the grant to be match funded. This has generally been matched either by East Sussex County Council and/or a social registered provider where it is one of their properties. However, cost constraints have meant the ability for others to contribute and match fund has reduced and this creates a barrier to access.

Therefore, the proposal to remove the requirement for the top up to be match funded and to increase the amount available to £30,000 (to reflect rising build costs), this will make this option more accessible to applicants.

26. Feasibility Studies – These are assessments carried out by a surveyor or other competent professional as required to advise on complex situations where it maybe unclear at initial visit whether adaptations can be achieved. In 2019/2020 two were carried out, and in the subsequent 2 years none were required.
27. No Means Test for Stairlift Only Applications – The purpose of this was to speed up the process for clients needing a stairlift who were not on passporting benefits and would be subject to the means test procedure. The aim was to remove the requirement for the means test where the only adaptation required was a stairlift. In 2019/2020 it was not used. In 2020/2021 there were three cases. As mentioned above in September 2021 we amended the policy to increase the financial limit of non-means tested stairlifts from £5000 to £10,000 to reflect rising costs for curved stairlifts. In 2022/2023 there were three applications under the discretionary policy. A further fifteen were done under the mandatory DFG grant as they were already on passporting benefits.
28. The rest of the options under the current financial assistance policy have not been utilised. Whilst we do not have a definitive understanding of why this is the case, consideration has been given to the fact the options available may not have been communicated as strongly as they could be. Another possibility is these are not options that are needed. The revisions to the policy have considered this and with a renewed communications strategy complementing its implementation, we will get a greater understanding on these areas.
29. By looking at what our policy currently offers and how this could be improved we have also considered other sources of assistance that could be provided within the scope of discretionary funding (being mindful of legislative and statutory guidance requirements). In reaching the options proposed in the revised policy, a review of our DFG cases was undertaken and where having more discretion and flexibility may have removed barriers. We have also looked at the financial assistance policies of neighbouring authorities so as to ensure, where appropriate we are consistent with our policy.
30. The proposed Financial Assistance Policy can be found at Appendix 1. In summary the following changes have been proposed.
31. Amendments to Discretionary DFG Options already part of the current policy;
 - Discretionary Disability Relocation Assistance – increased to £20,000 maximum to reflect rising costs
 - Discretionary Grant Top Up Assistance – increased to £30,000 maximum to reflect rising costs of extensive building work and adaptations. The proposal is also to remove the current requirement for this funding to be match funded (e.g., by the social registered provider, ESCC or the applicant raising funds via third party assistance). This was identified as one of the main barriers to larger adaptations proceeding.

32. Proposals for additional Discretionary DFG Assistance to be added to the policy include;

- Adaptations to Temporary Accommodation
- Hospital Discharge Assistance
- Hardship Assistance
- Discretionary Children's Grant – Adapting a Second property
- Alternative Accommodation during Adaptations work
- Essential Home Repairs
- Dementia Assistance
- Adaptations Assistance for Empty Homes
- Supporting an increase the number of Adaptable and Accessible Homes at build stage (for registered providers and other housing organisations providing adapted housing to low-income families nominated by the Council from its waiting lists, within the Hastings and St Leonards)
- Discretionary DFG for Child Garden Adaptations
- Discretionary DFG for Working Age Applicants with a rapidly deteriorating or terminal condition
- Council Tax Reduction will be added to the list of passporting benefits for applicants of mandatory DFG's
- An extended warranty option of up to 5 years can be included with DFG funded stairlifts, step lifts, through floor lifts, washer drier toilets and hi-lo baths.

33. The above proposed changes have been recognised as areas where DFG funding could be more widely used to support the facilitation of adaptations work and remove barriers to it. These proposals have been developed following discussions with Occupational Therapists, officers involved in the DFG process and wider input from people working and engaging with vulnerable people.

34. With regards to hospital discharge there are occupational therapists within the hospitals that liaise with our in-house occupational therapists and wider ESCC colleagues. There are a range of reasons why people who are medically fit to leave hospital are not able to. For example, a lack of available carer support, waiting to go into a nursing home or not having a home to go back to. We will be working with ESCC colleagues and local NHS colleagues to identify where efficiencies and improvements can be made where the discharge delay is due to the need for an adaptation to their home.

35. Full details of scope and eligibility requirements for the above options are proposed in the financial assistance policy attached at appendix 1 and should be read in conjunction with the above list.

36. Discretionary DFG Options which will remain consistent with the current policy include;

- Fast Track Minor Adaptations Grant
- Removal of Means Test for Internal Stairlift Applications
- Feasibility Studies
- Assistive Technology and Innovation Assistance

37. Once the financial assistance policy has been approved, we will be reviewing quarterly via our current reporting process the impact of these changes. This will allow us to identify at an early stage what is working well and what areas may benefit from further improvement.

Communication of Available DFG Funding

38. Once a revised policy has been agreed there is an intention to support this with an updated and improved communication of the funding available to eligible applicants. This will be done in coordination with East Sussex County Council Health and Social Care colleagues as a DFG application cannot be made until an Occupational Therapist has assessed the needs of someone and made recommendations that adaptations to their home are the best way to meet these needs.

39. A communications plan is being developed and includes; updating the web pages to ensure information is clearer and more accessible. We have recently added a short video to help explain how the DFG process works <https://www.hastings.gov.uk/housing/improvement/dfg/> We also intend to include case studies and quotes from willing grant recipients about how the adaptation has improved their quality of life.

40. The communications strategy will focus on awareness raising with specific target groups including, GP surgeries, carers groups, Citizens Advice and other community groups and agencies who engage with people who may need assistance.

41. The final communications plan is yet to be agreed but methods of engagement to targeted groups are likely to be a mixture of social media promotion, training and information sessions with groups who work in the sector as mentioned above, and where appropriate and resources allow attending relevant events that can promote the DFG process.

42. With improved visibility and communication of the disabled facilities grant alongside an updated and improved policy it is hoped that we can increase the budget spend in this area as far as is possible to benefit more residents living in Hastings and St Leonards.

Recruitment of Additional Occupational Therapist

43. The Adaptations Team currently has three specialists seconded from East Sussex County Council based at Hastings Borough Council to carry out functional assessments of people who may have support needs as a result of their physical or mental health. This comprises of a Senior Practitioner Occupational Therapist and 2 Occupational Therapy Assistants (OTA). The assessments result in one of three main outcomes. A Housing Needs Report is completed as the person can no longer remain in their home, a recommendation for minor adaptations / equipment (carried out directly by ESCC), of a referral is made to HBC by the OT for adaptations to be considered under a Disabled Facilities Grant (DFG).

44. Since 2019 when the In-House OT project began, demand has continued to build for OT assessments. Whilst not all result in a recommendation for a DFG, the time it takes for these assessments to be carried out, whatever the outcome, increase the waiting time for those that do need adaptations to their home.
45. In 2019 a total of 175 assessments were carried out across Hastings and St Leonards. In 2020 it was 125 (Covid impacted on engagement), in 2021 it rose to 273 and in 2022 the figure was 271. The outcomes of these assessments varied depending on the needs of the client, for example out of the 271 for 2022, 116 were for either a major or minor adaptation to the property.
46. In addition, it is recognised that due to the demographics and property profile of Hastings and St Leonards, a lot of adaptations are more complex in nature. Examples of this include accessibility issues due to a lack of level access to a property or properties needing multiple adaptation to make them suitable to meet occupants needs. As a result of this complexity, some adaptations take longer to complete and need more time invested in them before the Occupational Therapist can move on to the next case.
47. The Adaptations Team at HBC want to do as much as is reasonably possible to reduce the waiting times for residents needing adaptations. One area where we have recognised this can be achieved is to increase the OT capacity so more functional assessments can be conducted. This will reduce the waiting time for the functional assessment to take place (which we do have an element of control over), but it will also reduce the overall waiting time for clients.

Financial Implications

Amendments to Discretionary Policy

48. The disabled facilities grant (DFG) is a capital grant paid from the Department for Levelling Up Housing and Communities (DLUHC) local authorities in England to adapt older and disabled people's homes to help them to live independently and safely. Adaptations can include ramps, stair lifts and suitable heating systems. The DFG, which has run for more than 30 years, became part of the Better Care Fund (BCF) in April 2015.
49. The Disabled Facilities Grant is a mandatory grant as provided by The Housing Grants, Construction and Regeneration Act 1996, available to all applicants, towards the cost of eligible works necessary to support people of all ages and tenures to live independently and safely in their own homes. Local authorities have a statutory duty to provide DFG's to applicants who qualify. Therefore, funding for mandatory assistance has to be the priority and we need to ensure enough of the grant funding is available each year to cover this.
50. Discretionary DFG assistance is set by the councils' policy to provide discretionary interventions. The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002, and the Better Care Fund enable Councils to support wider prevention agenda of housing, social care, and health authorities.

51. In order to safeguard the risk of over commitment / disproportionate activity in regard to discretionary spend, there is a condition within the financial assistance policy which makes it clear that discretionary assistance is subject to capital funds being available. For this reason, the provision of this assistance may be limited or discontinued at any time.
52. As previously mentioned for the previous few years we have ended with an underspend so there is financial capacity to cope with an increased demand as a result of the proposed discretionary policy change. The impact and cost of each of the proposed measures will be monitored and reported alongside our current DFG figures if the proposals are approved and we can continue to refine if needed.

Additional Occupational Therapist

53. The cost of seconding a full time Occupational Therapist into the Hastings team, including on-costs would be between £40,836 - £52,896 depending on experience. This would be funded from the Disabled Facilities Grant budget. It would bring the total yearly spend on Occupational Therapy work to £185,097.43 (based on top salary position).
54. The budget allocation for DFG for 23/23 is £2,056,655 and combined with previous underspend there is financial capacity to cope with an increased demand as a result of the proposed discretionary policy change and additional Occupational Therapist. The impact and cost of each of the proposed measures will be monitored and reported alongside our current DFG figures if the proposals are approved and we can continue to refine if needed.

Timetable of Next Steps

1. Please include a list of key actions and the scheduled dates for these:

Action	Key milestone	Due date (provisional)	Responsible
Amend Policy to reflect agreement of proposed changes		When agreed in line with delegated authority	Housing Renewal Manager
Update website with new policy		Following agreement by Cabinet	Housing Renewal Manager / Communications Team
Implement Communications Plan		Following publication of policy on website	Communications Team
Start recruitment of additional Occupational Therapist		Following agreement by Cabinet	ESCC

Wards Affected

All

Implications

Relevant project tools applied? **Yes/No**

Have you checked this report for plain English and readability? **Yes/No**

Climate change implications considered. **Yes/No**

Please identify if this report contains any implications for the following:

Equalities and Community Cohesiveness – Yes

Crime and Fear of Crime (Section 17) - No

Risk Management - No

Environmental Issues - No

Economic/Financial Implications – Yes

Human Rights Act - No
Organisational Consequences - No
Local People's Views - No
Anti-Poverty - No

Additional Information

Officer to Contact

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